

MEETING — AGENDA —

Ngā Take

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Western Bay of Plenty
District Council

POLICY COMMITTEE

Komiti Kaupapa Here

PP17

Thursday, 13 December 2018

Council Chambers

Barkes Corner, Tauranga

1.00pm



Notice of Meeting No PP17 Te Karere

Policy Committee Komiti Kaupapa Here

Thursday, 13 December 2018
Council Chambers
Barkes Corner
1.00pm

His Worship the Mayor

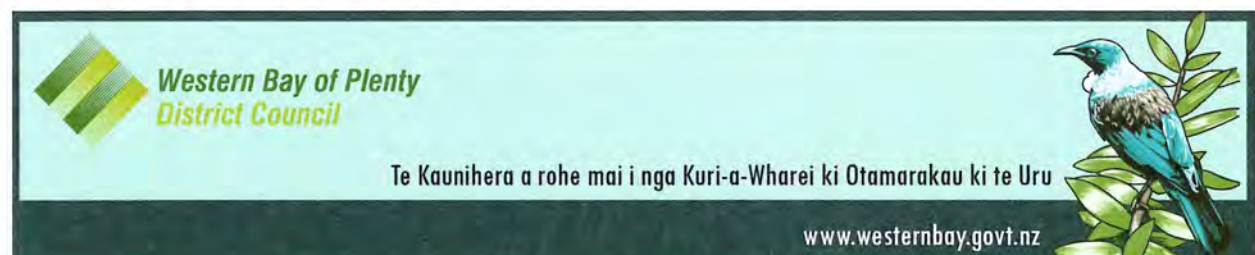
G J Webber

Councillors:

M Williams (Chairperson)
D Marshall (Deputy Chairperson)
G Dally
M Dean
M Lally
P Mackay
K Marsh
M Murray-Benge
J Palmer
J Scrimgeour
D Thwaites

Media
Staff

Miriam Taris
Chief Executive Officer
Western Bay of Plenty District Council



Policy Committee Delegations Mangai o Te Kaunihera

Quorum:

The quorum for this meeting is six members.

Role

Subject to compliance with legislation to develop plans and policies for the future direction of Council and its communities.

General Delegations

- To exercise all decision-making powers of Council within the Committee's scope of delegated functions and in accordance with its role, and to do anything precedent to the exercise by Council of its powers and duties as specified in Schedule 7 of the Local Government Act 2002 Clause 32 subclause 1 items b and h being specifically the following:
- To undertake on behalf of Council all processes and actions (including consultation) for the development of bylaws, remuneration and employment policy, and policies required to be adopted and consulted on under the Local Government Act 2002 developed for the purpose of the local governance statement precedent to adoption by Council.

Subject to compliance with legislation and the Long Term Plan to resolve all matters of policy and planning which do not require, under the Local Government Act 2002, a resolution of Council. Policy is defined as any matter relating but not limited to, the following:

- Policy Development
- Comprehensive Development Planning
- Environmental policy
- Matters of policy referred by Council, Community Boards or other committees
- Reserve Management Planning
- To conduct policy review and monitor policy variation frameworks
- To undertake on behalf of Council all processes and actions (including consultation) to develop bylaws precedent to the recommendation to Council for adoption of the bylaws

Subject to compliance with legislation and the Long Term Plan to resolve all matters of strategic policy outside of the Long Term Plan process, which does not require, under the Local Government Act 2002, a resolution of Council. Strategic policy is defined as any matter relating but not limited to, the following:

- Overall Infrastructure Strategies and financial Planning/Action Plans
- Policy direction for asset management planning
- To set service standards including levels of service.
- Utilities services/ infrastructure policy and planning
- Road / Transport policy and planning

- To receive and resolve on or recommend to Council or its Committees as appropriate the reports, recommendations and minutes of the following:
 - Regional Land Transport Committee
 - SmartGrowth Implementation Committee
 - And any other Joint Committee, working group or forum as directed by Council.
- To receive resolve on or refer to Council and its Committees as appropriate the recommendations from the Rural Forum.

Resource Management Act 1991 - District Plan Policy Development

- Pursuant to the Resource Management Act 1991 to establish and review objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district by:
- Developing to the point of notification all District Plan and Development Code Changes, variations, designations and reviews and built environment strategies.

Financial Delegations

Pursuant to Section 4(1) of the Public Bodies Contracts Act 1959, the Committee shall have the power to enter into contracts in respect of the Committee's functions to a maximum value of \$5,000,000 for any one contract, provided that the exercise of this power shall be subject to, and within the allocation of funds set aside for that purpose in the Long Term Plan, the Annual Plan and Budget or as otherwise specifically approved by Council.

To report to Council financial outcomes and recommend any changes or variations to allocated budgets.

Other

Pursuant to clause 32(1) of Schedule 7 of the Local Government Act 2002, each of the Mayor and Councillors, whether individually or collectively, the power to listen to and receive the presentation of views by people and to engage in spoken interaction with 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.

The Committee may without confirmation by Council exercise or perform any function, power or duty relating to those matters delegated by Council in like manner, and with the same effect, as the Council could itself have exercised or performed them.

The Committee may delegate any of its functions, duties or powers to a subcommittee subject to the restrictions on its delegations and provided that any sub-delegation to subcommittees includes a statement of purpose and specification of task.

The Committee may make recommendations to Council or its Committees on any matters to achieve the outcomes required in the role of the Committee but outside its delegated authorities.

Agenda for Meeting No. PP17

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 the Committee for up to three minutes on items that fall within the delegations of the Committee 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 Chairperson by members, but questions must be confined to obtaining information or clarification on matters raised by the speaker. The Chairperson 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.

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|--------|--|-------|
| PP17.1 | Adoption of the Draft Early Payment of Rates for Subsequent Years Policy for Consultation | 7-14 |
| | Attached is a report from the Chief Financial Officer dated 16 November 2018. | |
| PP17.2 | 2019 Plan Change Works Programme | 15-33 |
| | Attached is a report from the Resource Management Manager dated 30 November 2018. | |

PP17.3

Waste Management and Minimisation Investigations

34-78

Attached is a report from the Senior Policy Analyst dated 29 November 2018.

PP17.4

Receipt of Policy Committee Information Pack No. PP17

The Policy Committee Information Pack No. PP17 dated 13 December 2018 has been circulated separately with the agenda.

Recommendation

THAT the open section of the Policy Committee Information Pack No. PP17 dated 13 December 2018 be received and the information noted.

Western Bay of Plenty District Council

Policy Committee

Adoption of the Draft Early Payment of Rates for Subsequent Years Policy for Consultation

Purpose

To adopt the Draft Early Payment of Rates for Subsequent Years Policy for consultation via a special consultative procedure alongside the draft Annual Plan 2019/20.

Recommendation

- 1. THAT the Chief Financial Officer's report dated 16 November 2018 and titled Adoption of the Draft Early Payment of Rates for Subsequent Years Policy for Consultation 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 Committee adopts the draft early payment of rates for subsequent year's policy as attached in Appendix 1 of this report for consultation via a special consultative procedure.***



Kumaren Perumal
Chief Financial Officer

1. Background

The Committee will be aware that for the Te Puna West and Ongare Point Wastewater Extension schemes ratepayers are required to cover the capital costs of the schemes. As part of staff discussions around recovery of capital costs from affected ratepayers for these schemes, various cost recovery options were explored. A key element of the discussion was the requirement to have a structured mechanism in place for the recovery of the capital costs.

Legal advice was subsequently sought on options for a structured process for the recovery of capital costs for such projects. The legal advice indicated the strongest mechanism for cost recovery was to implement a targeted rate together with an Early Payment of Rates for Subsequent Years Policy (the Policy) for affected ratepayers for each project.

Unless a voluntary payment has been made to cover the capital cost, the repayment of the capital cost for each project would be recouped via targeted rates set for a fixed repayment term and will include an interest component set at Council's cost of capital.

The Policy will provide ratepayers with the opportunity to extinguish their liability in relation to a Rate sooner than expected. The Policy would offer ratepayers the opportunity to make early payments for the whole capital amount owing instead of the annual payments via the targeted rate.

To incentivise early settlement of outstanding rates the Policy can make allowance for an early settlement discount to ratepayers who choose to extinguish their obligation similar to early settlement on a table mortgage basis.

The Policy and targeted rate combination provide the ratepayer ongoing flexibility and the highest level of security to Council regarding recoverability of costs. The introduction of the Policy and targeted rates require consultation via a special consultative procedure. The special consultative procedure is intended run in parallel with the 2019/20 draft annual plan.

The Policy is proposed to come into effect on 1 July 2019.

Rates to be considered for early repayment, under the Policy are:

- Te Puna West Wastewater Capital Targeted Rate
- Ongare Point Wastewater Capital Targeted Rate
- Woodland Road Rural Water Supply Targeted Rate
- Black Road Rural Water Supply Targeted Rate.

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 Significance and Engagement 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 the Policy will only affect a small number of ratepayers when implemented and it is anticipated that there will be limited public interest in the Policy. Ratepayers affected by the policy will be those who have already opted in to specific infrastructure projects, such as reticulated wastewater systems or extensions to Council's rural water supply system. These projects require consultation with affected ratepayers and agreement on indicative costs prior to the infrastructure works being initiated.

3. Engagement, Consultation and Communication

Ratepayers that are impacted by the projects listed in the Policy will be affected and will be the target audience under the special consultative procedure. It is intended that the draft policy is included as a matter within the Annual Plan Consultation Document.

4. Issues and Options Assessment

Option A	
Adopt the policy as included in Appendix 1 of this report	
Assessment of option for advantages and disadvantages taking a sustainable approach	Advantages <ul style="list-style-type: none"> • Draft policy can be released for consultation alongside the draft Annual Plan 2019/20, and finalised in time for implementation in the 2019/20 financial year. • Draft policy is consistent with the direction provided at the Policy Committee workshop in October 2018.

Costs (including present and future costs, direct, indirect and contingent costs) and cost effectiveness for households and businesses	<ul style="list-style-type: none"> • Very limited cost to consult alongside draft Annual Plan. • Enables capital costs to be recovered from affected ratepayers in a transparent way.
Option B amend policies, do not consult	
Assessment of option for advantages and disadvantages taking a sustainable approach	<p>Advantages</p> <ul style="list-style-type: none"> • No further work required to introduce the Policy and undertake consultation <p>Disadvantages</p> <ul style="list-style-type: none"> • Council will not have a robust recovery mechanism in place to recoup the capital costs incurred from ratepayers who choose not to pay their full obligation upfront for projects listed under the Policy. • Increased risk exposure to Council for the recovery of unpaid amounts owing from affected ratepayers.
Costs (including present and future costs, direct, indirect and contingent costs) and cost effectiveness for households and businesses	<ul style="list-style-type: none"> • No costs will be incurred if the Policy is not in place, although staff resource and legal costs incurred thus far will not contribute to any outcome.

5. Statutory Compliance

Adopting the draft policy for consultation alongside the draft Annual Plan will give effect to requirements set out under s83 the Local Government Act 2002.

Adoption of the finalised policies (following consultation) will enable the Policy to be implemented in the 2019/20 financial year, alongside the Annual Plan.

6. Funding/Budget Implications

There are no anticipated funding implications arising from the recommendations of this report, as consultation on the policies and their future implementation can be undertaken by existing staff and within existing budgets.

Early Payment of Rates for Subsequent Years Policy 2019

1. Relevant Legislation

- Local Government Rating Act 2002
- Local Government Act 2002

2. Definitions

Rate means any rate specified in schedule 1 of this policy.

3. Policy Objective

To assist ratepayers who want to make payment of a **Rate** (as specified in Schedule 1), in anticipation of liability for the Rate in subsequent financial years.

4. General Approach

This Policy is made under section 56 of the Local Government (Rating) Act 2002. Its effect is to provide ratepayers with the opportunity to extinguish their liability in relation to a Rate sooner than expected, and avoiding future interest charges that would otherwise be payable over time.

Council will also accept payment of other rates for subsequent financial years. However, early payment of these rates will not attract interest on the sum paid. Discounts for early payment of other rates will be considered under any policy that the Council has for discounting early payment of current year rates in the year for which the rates are paid.

5. Eligibility Criteria

A ratepayer of a rating unit liable for the Rate may, at any time before the due date for the first instalment of rates payable in that financial year, pay an amount calculated in accordance with the details in the applicable Long Term Plan or Annual Plan to clear the rating unit's liability for the Rate for all future years.

Elections by ratepayers must be in writing and addressed to the Chief Financial Officer.

The Council will credit the payment in accordance with the Policy.

Early Payment of Rates for Subsequent Years Policy 2019

6. Policy Procedures

Decisions under this policy will be delegated to officers in accordance with the Council's delegations register.

Group	Financial Services	Contact (3rd Tier Manager)	Finance Manager
Supersedes	-		
Creation Date		Resolution Reference	
Last Review Date	-	Resolution Reference	
Review Cycle	Annually	Date	
Authorised by	Policy Committee	Date	

DRAFT

Early Payment of Rates for Subsequent Years Policy 2019

Schedule 1

Rates eligible for early repayment, under the Early Repayment of Rates for Subsequent Years Policy are:

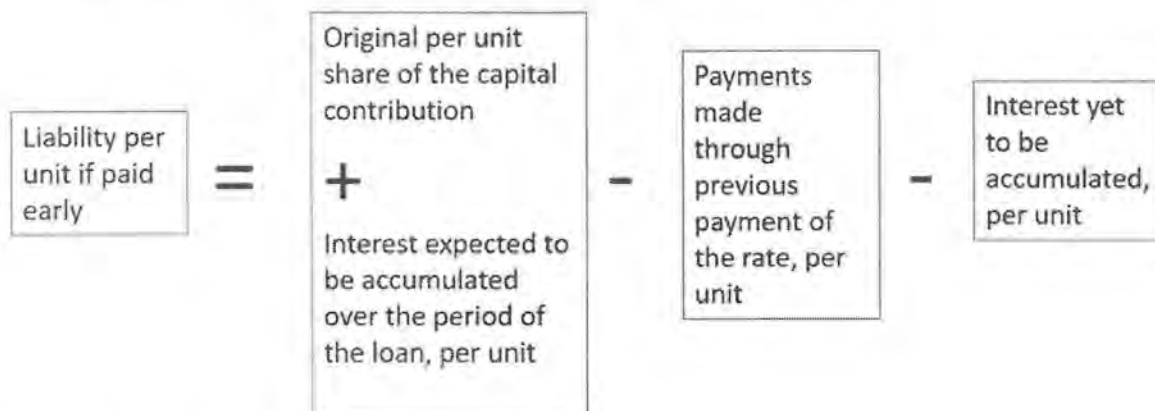
- Te Puna West Wastewater Capital Targeted Rate
- Ongare Point Wastewater Capital Targeted Rate
- Woodland Road Rural Water Supply Targeted Rate
- Black Road Rural Water Supply Targeted Rate

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To be included in the Long Term Plan or Annual Plan (as relevant for the particular year):

Details of the how the amount to be paid under the Early Payment of Rates for Subsequent Years Policy will be calculated

1. The criteria for eligibility is set out in the Early Payment of Rates for Subsequent Years Policy 2019.
2. The sum to clear a rating unit's liability will equal the original per unit share of the capital costs for which the Council has undertaken borrowing, plus interest expected to be accumulated over the period of repayment, minus payments made through previous payment of the rate and minus the interest yet to be accumulated.



N.B. Amounts shown are GST exclusive.

3. In the financial years **[2019/20 and 2020/21]** the amount of the payment to clear a rating unit's liability will be:

	Liability per unit if paid in 2019/20 financial year (GST incl)	Liability per unit if paid in 2020/21 financial year (GST incl)
Te Puna West Wastewater Capital Targeted Rate	\$13,650	\$12,614
Ongare Point Wastewater Capital Targeted Rate	\$13,650	\$12,614
Woodland Road Rural Water Supply Targeted Rate	\$4,511	\$4,343
Black Road Rural Water Supply Targeted Rate	\$4,374	\$4,211

N.B. Amounts shown are GST exclusive.

Western Bay of Plenty District Council

Policy Committee

2019 Plan Change Work Programme

Purpose

The purpose of this paper is to confirm the District Plan Work Programme for the 2019 calendar year.

Recommendation

1. ***THAT the Resource Management Manager's report dated 29 November 2019 and titled 2019 Plan Change Work Programme 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 staff proceed with the following plan changes, and following their completion a full review of the District Plan will be commenced:***
 - i. ***Katikati urban growth area***
 - ii. ***Omokoroa Structure Plan Stage 3***
 - iii. ***Natural Hazards***
 - iv. ***Residential Zone Review***
 - v. ***Post Harvest Zone Review and seasonal worker accommodation.***
 - vi. ***Compliance with National Policy Statements and National Environmental Standards***
 - vii. ***Statutory Acknowledgements as a result of Treaty Settlements, including requirements for consultation with tangata whenua on activities affecting these sites and other matters of significance to Māori are given effect to in the District Plan.***
 - viii. ***Earthworks and cleanfil***
 - ix. ***Home enterprises***
 - x. ***Dwelling definition***
 - xi. ***Minor dwellings***
 - xii. ***Retaining walls and fences***
 - xiii. ***Natural hazards with respect to earthworks and overland flowpaths***
 - xiv. ***Frost fans and bird scarers***
 - xv. ***Accommodation facility numbers***
 - xvi. ***Rural Contractors Depots***
 - xvii. ***Industrial Zone internal noise standards***



Phillip Martelli
Resource Management Manager

1. Background

The Resource Management Team maintains a list of possible plan changes that are brought to its attention via a range of sources including the Team's use of the District Plan, the Consents Team through administration of the Plan, the Compliance and Monitoring Team through enforcement, consultants, developers, and residents and landowners. The current list numbers 85 different items (though a number are linked) and is provided in Attachment 1.

2. RMA Context

- 2.1 District Plans are required to be reviewed every 10 years. The Western Bay of Plenty District Plan (WBOPDP) was made operative in 2012 and thus a review is required by 2022. District plans can be either reviewed all at once (whole plan) or via what is termed a "rolling review".
- 2.2 Government is in the process of preparing a set of National Planning Standards (NPSs). These will be compulsory requirements for Councils to change their plans and includes the zone structure of plans and definitions. The current intention is to introduce them in April 2019. Councils such as WBOPDC will have to give effect to them within 5 years (2024). Part of the requirement is to have an e-plan (a district plan that is fully electronic and searchable, although there are various levels of capability).
- 2.3 Up until the announcement of the NPSs the intention was to convert the existing WBOPDP to an e-plan in the current financial year, then undertake a rolling review under the new format. The extent of changes required by the NPSs means that all the changes need to be incorporated into the District Plan at the same time. This effectively rules out a rolling review. Discussions with other Councils indicate that it is also difficult to undertake a rolling review and convert to an e-plan at the same time.
- 2.4 The implications are therefore that a full review is the best option, and undertaken concurrently with the preparation of an e-plan. With the current work programme and resources, it will take three to four years to get to notification.
- 2.5 In addition to the plan changes listed in the table above, a number of those listed in the Attachment are considered critical from an implementation and compliance perspective. These are considered urgent and need to be resolved before a full review is completed. The proposal is to undertake those in 2019, and then focus on the full review. It is thus necessary to agree on which plan changes are to be undertaken now.

3. Priority Plan Changes

- 3.1 The following projects are in progress and are being undertaken by staff with the assistance of specialised consultants where necessary:
 - Katikati Urban Growth Area
 - Omokoroa Structure plan
 - Omokoroa Industrial Zone Review

- Natural hazards updates
- Residential Zone and associated Infrastructure Development Code Review. This project includes outcomes from Council's recently adopted Housing Action Plan.
- Post Harvest Zone and Seasonal Accommodation Review

3.2 Statutory Requirements.

- Ensure District Plan compliance with various National Policy statements and National Environmental Standards. Some of these can be made directly without a plan change (eg NPS on Urban Development Capacity), and others require assessment as to whether a plan change is required. The National Coastal Policy Statement is the main one and assessment of it's implications has been delayed as it's effects are also related to the BOP Regional Coastal Environment Plan which is operative except for Matakana Island.
- Statutory Acknowledgements as a result of Treaty Settlements. These have been mapped in the District Plan as they arise. However there is a need to review how the RMA requirements for consultation with tangata whenua on activities affecting these sites and other matters of significance to Maori are given effect to in the District Plan. This is in particular regard to Permitted, Controlled and Restricted Discretionary Activities.

3.3 The following topics are considered to be the priority for plan changes to be notified in 2019. The list is an agreed joint compilation by the Resource Management, Consents, Building, and Compliance teams. They are considered priorities because they frequently arise as enforcement issues, or cause frustration with the public and staff.

- i. Earthworks and cleanfill. The construction industry is negotiating with landowners to fill up gullies in the rural area. A resource consent is required from the Regional Council but only relates to environmental matters such as dust and sediment control. Earthworks and cleanfill are both permitted activities in the District Plan, but can have a significant impact on neighbours because of truck movements and having diggers and bulldozers working on-site. This can cause other significant effects that can't be dealt with by the Regional Council including noise, vibration, traffic safety and loss of visual amenity.
- ii. Home enterprises. There are an increasing number of industrial types of activities setting up in the Rural Zones as home enterprises. As with Earthworks and cleanfill above, these can have a significant effect on neighbours. A key aspect that needs to be examined is the area of land and buildings that we should allow to be used for such activities and how this is to be measured.
- iii. Dwelling definition. There are an increasing number of dwellings being built that cater for more than one family and requiring more than one kitchen. This may be for cultural reasons (intergenerational for different ethnicities, separate kitchen for vegetarian cooking), or for affordability. The second kitchen is normally associated with separate living arrangements (totally or

integrated) and hence they have been viewed as second dwellings or minor dwellings. These in turn attract financial contributions. This causes much debate and often "innovative" designs to get around the rules. It also uses a lot of staff and customer time trying to explain and understand the requirements and how to revise plans. Associated with this topic is the definition of "Self-Contained", "Kitchenette" and "Kitchen facilities/Kitchen".

- iv. Minor dwellings. A minor dwelling is defined as being a maximum of 60m² plus a garage of 18m² which is allowed to have the laundry located in it. Financial contributions of 50% (of a dwelling) were introduced with the District Plan Review in 2010. Charging these has led to the same problems explained in (iii) above.
 - v. Retaining walls and fences. Issues include: whether or not these are captured in the definition of building/structure; whether or not an exemption from the Building Act should also remove them from the definition; how height should be measured, particularly with regard to ground level; and management of effects (eg a 2m retaining wall is built as part of a subdivision, then the house owner comes along and builds a 1.8m fence on top resulting in the adjoining property having a 3.8m wall)
 - vi. Natural Hazards. Need for clarification of earthworks that can be undertaken in floodable areas, and management of overland flowpaths and clearing of drains.
 - vii. Frost Fans and bird scarers. These are a critical part of the horticultural industry and clarification of the rules as well as providing more flexibility is required to allow the operation of these facilities.
 - viii. Accommodation facility numbers. The District Plan only allows up to 4 occupants as a permitted activity, whereas the Building Act allows up to 5 occupants before a change of use is required. It would make sense for the two to align so that the two Council requirements are triggered at the same time.
 - ix. Rural Contractor Depots. There is a need to clarify what actually constitutes the depot area and therefore what can/cannot be within the 60m setback requirement from the nearest neighbour. The definition does not include the driveway/access and this can impact on neighbours with noise and dust.
 - x. Noise standards for Industrial Zones: there are controls between the Industrial Zone and neighbouring zones, but no controls between activities within the Industrial Zone.
- 3.4 The listed plan changes will be prepared by consultants (within the allocated Resource Management Consultant budget). The exact cost is not known (this will be subject to a procurement process) but the list in 4.3 is achievable within the current budget. If resources permit, additional topics may be added. These will be reported to Council for approval.

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 because although a number of residents will be directly affected, as a proportion of the whole population the number is small.

5. Engagement, Consultation and Communication

As stated in 1 above the current list was compiled from a variety of sources. Going forward, the preparation of plan changes is governed by the RMA which prescribes the consultation required.

6. Issues and Options Assessment

Option A	
Proceed with the Plan changes listed in this report, and following their completion undertake a full review of the District Plan	
Assessment of option for advantages and disadvantages taking a sustainable approach	Addresses what are considered to be the pressing matters with implementing the District Plan.
Costs (including present and future costs, direct, indirect and contingent costs) and cost effectiveness for households and businesses	Costs of staff time and consultant resources required to undertake the work is within approved budget. Cost effective for the community as it will provide certainty on the matters addressed.
Other implications	Allows better integration with the statutory requirements associated with the proposed National Planning Standards.
Option B	
Complete the plan changes on the current work programme only, and commence a full review of the District Plan	
Assessment of option for advantages and disadvantages taking a sustainable approach	Advantage is that the District Plan may be undertaken sooner than Option A, however not much time will be gained as staff are fully committed on the current topics. The disadvantage is that the proposed priority topics will not be addressed for a number of years causing significant frustration with the District Plan and the effects of the

	respective activities on staff and the community.
Costs (including present and future costs, direct, indirect and contingent costs) and cost effectiveness for households and businesses	Mostly indirect costs as per the disadvantage above.

7. Statutory Compliance

Plan Changes and the review of the District Plan are undertaken in accordance with the Resource Management Act.

8. Funding/Budget Implications

Budget Funding Information	Relevant Detail
Staff and Consultant budget	Within approved Resource Management budget.

Attachment 1**Possible Plan Changes (as at 19 November 2018)**

	Topic	Explanation	Priority	Input
1.	District Plan-wide Matters of control	Some parts of the DP lack matters of control to assess consent applications.	3	Medium
2.	District Plan-wide Rural provisions for lifestyle, rural- residential, future urban, post harvest and All Terrain.	Certain Rural Zone rules are not applied within other zones such as lifestyle. Examples such as artificial crop protection, 200m ² buildings and allowances for protection lots come to mind.	3	Medium
3.	District Plan-wide Home Enterprises Industry	Should industrial zone activities be excluded from being Permitted because of the frequent complaints about the likes of noise, traffic.	1	Medium
4.	District Plan-wide Statutory acknowledgements	District Plan needs to show all statutory acknowledgements.	1	Medium
5.	District Plan-wide Minor dwellings size/nature	This about the difficulties of determining what is included in the 60m ² (living area) and what is included in the 18m ² (garaging area) e.g. when people try and bend the rules?	3	Medium
6.	District Plan-wide Minor dwellings Resource consent	Should minor dwellings really need a resource consent? Currently it is for FINCOs but there is a constant issue trying to answer queries or check applications that relate to whether something is a minor dwelling or a caravan or an accommodation facility etc. There are also anomalies like what if someone has a caravan which has a kitchen and they park it next to a shed which has a bathroom and toilet? Is this a minor dwelling requiring FINCOs?	1	Medium
7.	District Plan-wide Allowing small structures in yards	In side yards e.g. aluminium garden sheds, gazebos, shade house, green houses (definition of building) – what is required: building consent or not.	2	Small
8.	District Plan-wide On-site manager	Onsite Manager etc should be permitted – not just “above ground floor”	3	Small
9.	District Plan-wide Farming vs cleanfill Re Oropi Road	Noise, traffic and amenity issues relating to the importing and dumping of cleanfill on rural properties. Or should it be considered part of farming which would mean the activity is permitted.	1	Medium
10.	District Plan-wide Places of Assembly	Commercial vs private activities eg inviting friends to your property have an off road event vs an organised commercial off roading event.	2	Medium
11.	District Plan-wide	With respect to seasonal accommodation, the	1	Small

	Topic	Explanation	Priority	Input
	Accommodation facility numbers	accommodation facility rules which allow four people or less is inconsistent with the Building Act's allowance for 6 people before a change of use is required. These limits are both in place because of potential effects. Is there a need to bring consistency?		
12.	District Plan-wide Residential Business Development Capacity RMA Amendment	RMA Amendment requires the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district.	1	Small
13.	District Plan-wide Subdivision Permitted Activities RMA Amendment	RMA Amendment makes all subdivision permitted unless restricted by a rule in a district plan. The non-complying rule for unlisted activities in section 4A of the District Plan probably ensures that all subdivision is restricted i.e. needs resource consent. Just need to double check to make sure.	1	Small
14.	District Plan-wide Boundary Activities RMA Amendment	RMA Amendment requires district councils to permit boundary activities provided that written approval is received from affected neighbours. Boundary activities included yards, daylighting and fences. The District Plan already allows permitted activity status for many such infringements subject to written approval. However, where it does not, the consents team are obliged to treat them as a permitted activity subject to written approval being received. The issue here is that some yard rules and fence rules are in place for reasons other than simply protecting neighbours. For example, yards in the rural zone are about the zone's amenity. Fences rules provide for visual permeability for crime prevention. This implications need to be checked.	1	Small
15.	District Plan-wide NPS and NES Review: All	Need to review all to see what changes are required to the District Plan.	1	Large
16.	District Plan-wide NES Telecommunication	This has been reviewed. Council will need to make amendments, however without a Plan Change.	1	Medium
17.	District Plan-wide NPS Review NZ Coastal Policy Statement	The first review of the New Zealand Coastal Policy Statement (NZCPS) took effect in December 2010. Council must give effect to this as soon as practicable through a Plan Change. This was delayed to wait upon the Regional Council first giving effect to the	1	Large

	Topic	Explanation	Priority	Input
		NZCPS through its Regional Policy Statement as Council is required to give effect to both documents. Now that Variation 1 (Coastal Policy) to the Regional Policy Statement has become Operative, Council should undertake this review.		
18.	District Plan-wide Mineral Prospecting	Mineral prospecting is not listed as a permitted activity in the Natural Environment Section, nor is it listed as an RDA along with mineral exploration, mining and quarrying. Therefore, it is non-complying, so more restrictive than these other activities which have greater effects. It probably should be permitted in the natural environment section, or RDA. Another issue is that mineral exploration, mining and quarrying is DA in the Rural Section and RDA in the Natural Environment Section, so is less restrictive in ecological features. However, most ecological features are in the rural zone and so will be DA anyway. Definitions of minerals exploration and mining may also be helpful for differentiating all of the terms.	3	Small
19.	District Plan-wide Permitted activities that aren't actually permitted activities	There are quite a few of these in the District Plan where something is listed as permitted but there is a related rule which overrides this but which isn't obvious such as a yard or daylighting. For example, a single medium density dwelling appears to be permitted but is actually RDA if on a lot less than 1400m ² . The other is in the commercial and industrial zones where a number of activities are listed as permitted but automatically default to controlled for being high water users e.g. accommodation facilities. In the later example, it is actually wrong to refer to them as permitted because there will be no circumstances where they are.	3	Medium
20.	Section 03 Definitions Kitchens Kitchen facilities Kitchenettes	A Section 32 has been prepared for this Plan Change. It has been identified that there is duplication between the definitions for " <i>Kitchen Facilities / Kitchen</i> " and " <i>Kitchen Facility</i> " as set out in Section 3 of the District Plan. In addition, there is a conflict between the definitions for " <i>Kitchen Facility</i> " and " <i>Kitchenette</i> ".	1	Medium
21.	Section 03 Definitions Dwellings - one	This is about those situations where very large dwellings are built to accommodate 'one' very large family. There have been instances of 3-4	1	Small

	Topic	Explanation	Priority	Input
	household	families living together with one kitchen and kitchenette e.g. Chinese. There are also many instances of RSE workers living in one house. Are these examples of 'one' household? Are there enforcement issues?		
22.	Section 03 Definitions Building/Structure	Definition should be Building Act definition and "structure".		
23.	Section 03 Definitions Building/Structure	This has a relationship with Section 8 – Natural Hazards. The definition was put in place to control boundary nuisance issues and was incorporated into Section 8 later through Plan Change 4. This has created a number of anomalies e.g. fences under 2m height won't need a resource consent in a floodable area but those over 2m will.	3	Medium
24.	Section 03 Definitions Rural Activity	Composting, Firewood, Commercial activities needs clarifying.	3	Medium
25.	Section 03 Definitions Terraces/Platforms	Some argue that earthworks are a platform under the definition of building/structure which means that rules such as height/yards/daylight and floodable areas apply. Our view is that platforms refers to a building, rather than an area of land prepared for a house site.	3	Small
26.	Section 03 Definitions Heights of retaining walls and fences	Retaining walls are a structure if they exceed 1.5m (above or below ground level). Fences are a structure if they exceed 2m. Firstly, why is a retaining wall measured for overall height rather than its height above ground level? This is confusing and people may be applying this rule differently? Secondly, why is it ok for a fence to be 2m high on the boundary, but a retaining wall needs to be lower? Same effect so why not the same height restriction?	2	Medium
27.	Section 03 Definitions Building/Structure	The definition first of all says that a building/structure is as per its ordinary and usual meaning. Then it specifically lists other things e.g. a decks exceeding 1.5m and fences exceeding 2m in height. A deck less than 1.5m or a fence less than 2m in height is still a structure by its ordinary meaning. The way we've been applying the rule is that a deck or fence lower than this is not a building/structure. This would have made sense when the rule was just to control boundary issues like yards and daylight,	2	Medium

	Topic	Explanation	Priority	Input
		however it doesn't make sense within hazard areas and potentially in other places of the District Plan.		
28.	Section 03 Definitions Lot	<p>There was an application for an additional dwelling on a cross leased property in a primary risk area. Initial advice from Council staff was that the two cross leased portions of the site were not their own "lot" and therefore the dwelling on one of the crossed leased portions became the second dwelling on the property and therefore was a prohibited activity. Legal advice has since confirmed that each crossed leased portion is actually its own title and therefore meets the definition of "lot" in the District Plan. This may have resolved the issue for the landowner in this case, however it means we have been advising the opposite in the past e.g. making people get resource consents for additional dwellings and taking FINCOs.</p> <p>We will need to change our advice from this point and clarify the definition of "lot" accordingly. This could be an edit. Or we will need to do a District Plan Change so that cross leases are not their own lot. If this is even possible, this is likely to be opposed.</p>	1	Medium
29.	Section 03 Definitions Lot	Hapu partitions may actually meet the definition of "lot". This means a resource consent may not be required for additional dwellings and FINCOs may not be able to be charged. Need to review research on this. It would seem unfair to allow Maori land to qualify for multiple permitted dwellings (free of FINCOs) when the hapu partitions are created through the Maori land court also without paying FINCOs. This would result in the under-funding of Council infrastructure and would be different to how European title is treated.	1	Medium
30.	Section 03 Definitions Gross Floor Area	The definition of gross floor area only allows such a calculation for stand-alone buildings. It does not work where a Home Enterprise is a room within a dwelling. This is because you can only measure separate rooms if they are part of a different tenancy. Technically, this means that all Home Enterprises within another building are not permitted. Also, this has highlighted other existing problems with references to gross floor area. For example, minor dwellings that are connected to a	2	Medium

	Topic	Explanation	Priority	Input
		dwelling or shed. There will be many others. It would be easier to change the gross floor area definition to make all the rules work.		
31.	Section 03 Definitions Accommodation Facilities	<p>Where the DP definition differs from the Building Act is the BA uses the occupancy of six individuals to trigger a change in use under S115. Under the Building Act for example a bed and breakfast/ or boarding house no longer fits into the definition of a household unit once more than 6 individuals stay there and therefore triggers a change in use of the building.</p> <p>TCC definition: Shared accommodation means a building incorporating a number of bedrooms utilising a shared kitchen and intended to be used as a residence for a group of people unrelated to each other acting independently of each other in their day-to-day activities. A kitchen shall, as a minimum, provide for the preparation, cooking and refrigerated storage of food. The definition of Shared Accommodation shall not apply to households of fewer than six inhabitants. Such households shall be deemed to occupy an independent dwelling unit.</p>	1	Medium
32.	Section 04A General Activities on the surface of water	The District Plan says that a transfer of powers occurred in 1993 giving Regional Council our functions relating to activities on the surface of water. The Regional Council disputed this claiming the transfer was approved by the relevant Council committees but was never given effect to.	2	Large
33.	Section 04B Roading Hierarchy	NZTA have moved to a "one network" roading classification system. We are considering whether to align the District Plan with this new classification system. It would involve changing the roading hierarchy.	3	Small
34.	Section 04B Transportation Parking Cash in lieu	Should parking be rates funded? Reason being that different activities have different parking requirements. As most of the activities are Permitted Activities, these activities can change without requiring a resource consent. On-site parking for customers is not good planning practice. In the Commercial and Industrial zones, the transportation rates are higher than Residential, therefore there is the argument that rates should pay for public parking.	2	Medium

	Topic	Explanation	Priority	Input
		Also the application of the rule itself needs clarifying.		
35.	Section 04B Transportation Parking	Simplify parking provisions in the Commercial Zone. When a land use consent comes in for e.g. a new commercial building, the developer doesn't know if it will be e.g. restaurant or a shop. However, we have a different parking calculation method for each.	3	Small
36.	Section 04B Transportation Parking Places of Assembly	For club rooms and places of worship etc, the permitted activity standards for car parking requires participants and spectators to be catered for in relation to the specific activity. This is not measurable (as a permitted activity should be). It also isn't entirely clear what "cater" means. Does this include staff, or just customers/congregation etc.	3	Medium
37.	Section 04B On-site manoeuvring	This rule is unclear in places. Why is it only dwellings which allow people to back onto residential roads? What about if the property has a shed or something else? Technically, they can't back out. All activities need on-site manoeuvring in other zones. Also, what if the zone is similar in nature to a residential zone with small sites and low speed zone e.g. a medium density zone.	3	Small
38.	Section 04C Amenity Odour	The odour rules need to be clarified to clearly set out the roles of WBOPDC and Regional Council and to clarify the application of the rules.	2	Medium
39.	Section 04C Amenity Noise	Industrial Zone has no controls for noise between activities.	1	Medium
40.	Section 04C Amenity Vibration	The rules say that Council doesn't have a role with controlling vibration. Is this correct? Should we? Can we measure?	3	Medium
41.	Section 04C Cleanfill	There are a growing number of complaints from landowners near permitted cleanfill operations. These cleanfill sites have effects on noise, amenity, increased traffic movements off-site and on-site, and safety at intersections. Currently, the activity performance standards only deal with screening, wind mitigation and disposal of hazardous substance.	1	Medium
42.	Section 04C Cleanfill (Asphalt)	BOPRC include asphalt in their definition of cleanfill and allow this to be disposed of as a permitted activity. WBOPDC on the other hand exclude asphalt from being a brick or demolition product and so exclude it from	1	Medium

	Topic	Explanation	Priority	Input
		being cleanfill so its not permitted (it would be a discretionary being a solid waste not being cleanfill). This is causing confusion for customers who are complying with BOPRC rules then finding WBOPDC is having to take enforcement action. Do we need to align our definitions to avoid this?		
43.	Section 04D Signs Various	<ul style="list-style-type: none"> • Clarity of requirements • Highly restrictive – only relates to site to which property pertains eg: restaurant cannot advertise at another location • Low effect/impact • Was designed for real estate signs – not business signs 	3	Medium
44.	Section 07 Heritage Cultural Heritage	Many iwi/hapu have provided Council with maps and descriptions of sites. Council could use the iwi management plan preparation funds to give each iwi/hapu a set fee to do this for as many sites as they could afford.	2	Large
45.	Section 07 Heritage Trees	The owner of 202 Tanners Point Road would like to protect some trees along the front and side boundary.	3	Small
46.	Section 07 Heritage Trees	Owner of 42 Wilson Road wants to protect some Pohutukawa Trees on his property by registering them in the District Plan or by some other means.	3	Small
47.	Section 08 Natural Hazards Tsunami	Tsunami zones are being identified by BOPRC. How will the District Plan need to respond?	2	Large
48.	Section 08 Natural Hazards CDEM implications	Possibility of rules that make the recovery process easier e.g. earthworks and clearance of properties/debris.	2	Medium
49.	Section 08 Natural Hazards Flooding / inundation	Should all new flood levels affect the height to boundary rules? In response to increasing flood levels in Waihi Beach, an amendment to the daylight Rules was included in the District Plan. However, those Rules are specific to those areas of Waihi Beach which are identified as floodable on planning maps A03 and U01-U04. A policy response by Council is yet to occur for the balance of the District.	2	Medium
50.	Section 08 Natural Hazards Building/structures not affected by flooding and definitions of retaining walls and closed boarded fences	The Hookey Drive case has highlighted a number of issues including: <ul style="list-style-type: none"> • A retaining wall is not a retaining wall unless it is retaining earth – even if it is constructed as a retaining wall. • There is no definition in the Plan for a closed boarded fence. 	1	Medium

	Topic	Explanation	Priority	Input
		<ul style="list-style-type: none"> The rules allow an activity to be permitted if not affected by a floodable area. This makes sense for things like poles (which Powerco intended in their submission to Plan Change 35) however not for all activities – like Powerco’s submission also requested. It should also test whether the activity would affect the flood hazard. It shouldn’t be a permitted rule anyway because it requires judgement. 		
51.	Section 08 Natural Hazards Earthworks	There have been a few instances now where people have asked whether the 5m ³ limit for earthworks is per activity or cumulative? The plan is not clear.	2	Small
52.	Section 08 Natural Hazards Earthworks	Do people clearing drains to meet Regional Council requirements need resource consent in a floodable area. It may fall under the definition of earthworks and if it is more than 5m ³ then yes it will need resource consent. Clarification is needed.	3	Small
53.	Section 08 Natural Hazards Change 2 RPS RMA Amendment	RMA Amendment and Change 2 RPS require a review of all Natural Hazards (maps and rules). This is currently in progress under the Natural Hazards Planning Charter between WBOPDC, TCC and the Regional Council.	1	Large
54.	Section 08 Natural Hazards Subdivision in the secondary risk area	The rules allow dwellings within coastal erosion areas, however do not allow a subdivision to create house sites within coastal erosion areas. This is a contradiction and doesn’t make sense. There is a loophole which allows people to build first then subdivide.	2	Small
55.	Section 08 Natural Hazards	The conversion of unit titles to freehold titles is a prohibited activity in the coastal erosion areas as it is not included in the list of things exempted from being subdivisions. This is despite the effect being similar to a conversion of cross lease titles to freehold titles. Unit titles were not considered at the time as we didn’t expect such a request.	3	Small
56.	Section 09 Hazardous Substances RMA Amendment	RMA Amendment removes explicit function of district and regional councils to control hazardous substances. This is because there are two other Acts that deal with hazardous substances including the Hazardous Substances and New Organisms Act (1996) and the Health and Safety at Work Act (2015). Councils can however still place additional controls on hazardous substances under the RMA to control effects not covered by the	1	Medium

	Topic	Explanation	Priority	Input
		other Acts. It is unclear whether the District Plan needs amending or not but this needs to be investigated.		
57.	Section 12 Subdivision Activity status for non-compliance with tables 1 and 2 in Section 12	It is not clear what the activity status is for an activity which involves an increase in capacity and hence requires an increase in width. Part 12.3.4 "Activity Status" does not provide any clarification. It's also not clear why it relates just to controlled activities and overlooks any other activity. Perhaps the whole of Section 12 could be made clearer in terms of activity status.	2	Medium
58.	Section 13 Residential Minor dwellings	As a controlled activity, someone can have "minor dwellings" (more than one). There is also no connection to having enough land area. This means there is no limit to how many they can have as a controlled activity. The wording in the blue plan says "one minor dwelling".	1	Medium
59.	Section 13 Residential Visual permeability of fences	This rule is difficult to enforce.	3	Small
60.	Section 13 Net Land Area Dwellings Subdivision	The more than one dwelling per lot rules require a net land area, however the subdivision rules do not.	3	Small
61.	Section 17 General Lifestyle 400m2 buildings	The 200m2 rule was put in place for the Rural Zone only and other similar zones were overlooked. One view might be that if the larger rural zone lots can't have a 400m2 building, then why should smaller lifestyle lots where this impact will be greater. Another view might be that the lifestyle zone is more residential in nature and a large building won't be out of place next to a number of large dwellings nearby i.e. the rural character is already compromised.	3	Medium
62.	Section 17 General Lifestyle Artificial crop protection	Artificial crop protection should be made permitted in Lifestyle and Future Urban. There are existing growers in this area that need to be provided for.	2	Small
63.	Section 17 Katikati Lifestyle Zone	Preparation of structure plan (carry over from 2011).	1	Large
64.	Section 17 Minden Lifestyle Unnecessary Structure Plan Roads	Planning Report 5A for the Minden Lifestyle Zone says that five new SP roads are identified, however Council has identified that the Clark Road extension project will not be required but no submissions were received and	3	Small

	Topic	Explanation	Priority	Input
		therefore couldn't be removed. We should also review the other structure plan roads as there is at least one other off Minden Road that isn't useful.		
65.	Section 17 Minden Lifestyle Wairoa Catchment	Review of Wairoa Catchment and Minden Road end (carry over from 2011-follow up from Hearings), particularly with regard to greenlanes/developer roads.	2	Large
66.	Section 17 Te Puke Lifestyle 17.4.2 (g) (i)	Rule 17.4.2 (g) (i) needs amending because Council has taken over the SH. It has become TP highway.	1	Small
67.	Section 18 Rural Zone Nominated house sites and consent notices for 'production lots'	There is a grey area in regards to the certification of nominated house sites in rural/productive lot situations. In some situations a consent notice requiring a geotechnical report confirming the suitability of a proposed house site at the time of building consent has been applied for and in other situations the house site is not needed due to the large area of land where there are many possibilities for a house site. I see the District Plan rule 12.4.1 (f) Requests for consent notices requiring geotechnical reports subsequent to Section 224 issue will not be permitted. Maybe set a minimum lot size where a specific house site does not need to be certified as there is ample area for a possible house site and to certify one specific house site with geotechnical investigation to me seems over the top.	3	Medium
68.	Section 18 Rural Zone Quasi industrial activities	EG Newnham Park, Bill Webb depot. Large buildings no longer required for original purpose but suitable for other activities – option of resource consent or plan change for specific/spot zone that gives more flexibility eg for rural type businesses such as depot, manufacturing, research, office.	3	Medium
69.	Section 18 Rural Zone Harbour reclamations	The Committee wants this Plan Change to be proceeded with. Section 32 was prepared but Plan Change is on hold because it will allow new lots in potential harbour erosion and inundation hazards which are in the process of being identified.	2	Small
70.	Section 18 Rural Zone Wind turbines	Frost fans can now go to 15m, so why not wind turbines.	2	Small
71.	Section 18 Rural Zone	Review of controls on portable fans and matters relating to noise in general.	1	Medium

	Topic	Explanation	Priority	Input
	Frost Fans	2 ⁰ - 3/4 ⁰ needs to change to reflect business practice.		
72.	Section 18 Rural Zones Education facilities and other activities	Option of stipulating that they are to serve the needs of the local Rural community to avoid the practice of jumping the urban fence because of cheaper land e.g. ACG. Issue of protecting urban limits.	3	Medium
73.	Section 18 Rural Zone Beekeeping	Cannot occur as District Plan defines as farming but allowed under Bylaw.	3	Small
74.	Section 18 Rural Zone Roosters	Should be perhaps in District Plan as not permitted?	3	Small
75.	Section 18 Protection Lots	There was a previous rule which stated that protection lot rules shall apply to features according to their respective lot boundaries as existed a 1 August 1992. This was deleted through PC52 when re-writing the protection lot rules because it wasn't clear why this rule was necessary. However, a recent query has highlighted that the deletion of the rule allows a loophole, which is why the rule existed in the first place. It was to make sure that people didn't turn a large lot into smaller lots first thus allowing themselves the opportunity to increase the number of protection lots they could receive in exchange for protecting the same amount of bush.	3	Small
76.	Section 19 Commercial Additional activities	We have changed the finco rules and it is no longer based on per activity. As a result we probably don't need a rule in the plan that requires a resource consent for an additional activity.	3	Small
77.	Section 19 Commercial Zone Child care facilities	Perhaps should be RDA instead of Discretionary. Should be encouraged here rather than Residential Zone	3	Small
78.	Section 19 Commercial Zone Parking	RC9891 proposes three new on-site carparks for Plunket. The location of these parks will necessitate creating access to the site which will in turn remove three existing on-street parks. There is nothing to prevent this from happening and there is no way of taking cash in lieu or any other form of mitigation.	2	Small
79.	Section 20 Commercial Transition Zone	With respect to subdivision, the commercial transition zone references to the medium density rules (14.4.4 and 14.5). The layout has caused some confusion.	1	Medium
80.	Planning Maps	There are concerns over the positions of some	2	Large

	Topic	Explanation	Priority	Input
	Esplanade Reserves	proposed esplanade strips such as the Pongakawa Stream. The proposed esplanade strip follows the legal stream boundaries where in fact the stream has been straightened and is now more of a canal. Need to look at updating this dataset, using current and new aerial photography.		
81.	Planning Maps Ecological Features	There are inconsistencies with the accuracy of our ecological sites layer. Apart from landowner submissions this dataset has not been updated since it was introduced in 1994. We are often having to explain to owners why part of their grazing paddock is shown on the District Plan as part of a significant ecological site. These could be updated using the latest and more accurate aerial photography.	2	Large
82.	Planning Maps Floodable Areas	There are a few floodable areas, identified in the 1990's, using a broad brush, that are in need of review.	2	Medium
83.	Planning Maps Rezoning request Manoeka Road	Zoning of Manoeka Rd east from Te Puke Quarry Road. Currently zoned Rural but has been developed along Residential standards and was previously a mix of Rural and residential zoning.	3	Medium
84.	Planning Maps Rezoning request Te Puna Industrial Commercial	Possible rezoning of land in Te Puna to commercial/industrial in exchange for land given to Council. The industrial rezoning may be a private plan change?	3	Medium
85.	Development Code	TCC and WBOPDC are combining and creating one development code. TCC don't reference this in their District Plan but we do. A Plan Change / edits are needed to tidy up the District Plan.	3	Large

Western Bay of Plenty District Council

Policy Committee

Waste Management and Minimisation Investigations

Purpose

This report presents the findings of modelling of kerbside waste and recycling options and seeks Committee approval to progress a preferred option for public consultation alongside the Annual Plan process in March/April 2019.

Recommendation

1. *THAT the Senior Policy Analyst's report dated 29 November 2018 and titled 'Waste Management and Minimisation Investigations' be received.*

2. *THAT the report relates to an issue that is considered to be of high significance in terms of Council's Significance and Engagement Policy.*

Kerbside Waste Services

3. *THAT in relation to Issues and Options Paper – Kerbside Waste Services (Attachment B), the Committee resolves its preferred option as Option [1,2,3, or 4], being:...*

Commercial Services

4. *THAT in relation to Issues and Options Paper – Commercial Services (Attachment C), the Committee resolves its preferred option as Option [1 or 2], being:....*

Rural Recycling Drop-off Points

5. *THAT in relation to Issues and Options Paper – Rural Recycling Drop-off Points (Attachment D), the Committee resolves its preferred option as Option [1 or 2], being:....*

Construction and Demolition Waste

6. *THAT in relation to Issues and Options Paper – Construction and Demolition Waste (Attachment E), the Committee resolves its preferred option as Option [1 or 2], being:....*

7. THAT the Committee directs staff to prepare a Long Term Plan Amendment and consultation document that is consistent with resolutions 3, 4, 5, and 6, and undertake a Special Consultative Procedure alongside the 2019/20 Annual Plan.



.....
Matt Leighton
Senior Policy Analyst

1. Background

Council's Waste Management and Minimisation Plan (WMMP) was formally adopted on 5 December 2017. The Plan provides Council with a framework for the effective and efficient management of the District's waste. The Council's vision, as stated in the WMMP, is: 'Minimising waste to landfill'. The WMMP set a target of increasing the quantity of diverted materials by 80% by 2022. One of the key decisions made through the WMMP was that Council would actively investigate alternative recycling and rubbish collection models to achieve better oversight and management of solid waste and recycling throughout the District.

Currently, Council takes a relatively hands-off approach to waste collection. Rubbish and recycling collections are carried out by private contractors on a pre-paid basis, and Council provides recycling and green waste centres in our larger urban communities (Te Puke, Katikati, Waihi Beach and Omokoroa (greenwaste only)). Waste audits have shown that approximately 70% of waste collected as general waste could have been diverted or recycled.

Investigations have been undertaken to provide detailed information to allow decisions to be made on the future of waste collection in the district.

Timeline

Council has been considering its approach to waste management in some detail over the past two and half years, initially through the development of the Waste Management and Minimisation Plan. Attachment A sets out the key steps already taken and the indicative key dates going forward.

The project

The investigations provide a detailed consideration of collection services and models to make progress towards Council's vision to increase the quantity of diverted materials from landfill. The purpose of the investigations has been to enable Council to determine the best mix of services required and the level of Council involvement that may be beneficial. Council will seek community views on its proposal.

The investigations have progressed through three key phases.

- **Phase 1: Research and options development** – including initial engagement with industry
- **Phase 2: Collection Modelling** – high level modelling of six options
- **Phase 3: Detailed investigations of preferred options** – modelling of two preferred options and additional services.

Eunomia Consulting were selected to undertake the modelling and investigatory work. They are a specialist waste and resource consultancy and have worked with a range of government and industry organisations.

The three reports produced by Eunomia will be publicly available on our website, and have directly informed the development of the preferred options. These reports provide substantial background and supporting detail.

Next steps

If the Committee resolves to progress with the preferred options, this would be progressed as a Long Term Plan Amendment alongside the Annual Plan 2019/20.

Seeking the community's views and input is essential and community consultation will be undertaken through March/April as part of a formal consultation process. This will include the opportunity for interested people/organisations to speak to elected members.

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 high significance.

If Council resolves to become more involved in the delivery of kerbside services, this would represent significant change to levels of service, it would affect a large part of the community, and it is a matter of high community interest. Any such decision would have to be progressed through a LTP Amendment with the special consultative procedure followed. This could be progressed alongside the Annual Plan process.

3. Engagement, Consultation and Communication

Interested/Affected Parties	Completed/Planned Engagement/Consultation/Communication
Waste service providers	<p>Current waste operators in the District have been contacted to ensure their views and experience were considered through the options development and modelling. Copies of the reports have been made available.</p> <p>The views of current waste operators will be directly sought through the consultation phase alongside the Annual Plan 2019/20.</p>
Wider community	<p>Information pieces and media release will be issued to make the community aware of Council's work in this area.</p> <p>Formal consultation is proposed to occur alongside the Annual Plan 2019/20 and would meet the requirements of the Special Consultative Procedure as set out in the Local Government Act</p>

	2002. An engagement plan will be developed for this consultation alongside the Annual Plan.
Western Bay of Plenty District Council Staff	Relevant Council Staff will be notified accordingly.

4. Issues and Options Assessment

The relevant issues and options papers are included in attachments B - E.

Option A	
<i>THAT the Policy Committee approves the identified preferred options for public consultation</i>	
Benefits in terms of the present and future interests of the District taking a sustainable development approach	The costs and benefits of the preferred options are set out in the attached Issues and Options Papers. The preferred options have been selected due to delivering multiple benefits. These include achieving better environmental outcomes through waste diversion and recycling, improved levels of service for the wider community, and reduced average costs for households.
Costs (including present and future costs, direct, indirect and contingent costs)	The costs of the preferred options are set out in the attached Issues and Options Papers, as well as their intended funding sources.
Assessment of cost effectiveness for households and businesses	The analysis of the options and accompanying reports specifically considers which options provide the best value for households. The preferred options reduce the average household cost of waste management and delivers a higher level of service.
Other financial implications	As part of preparing proposed Long Term Plan amendment, staff will undertake a review of the Financial Strategy, Infrastructure Strategy and Solid Waste Strategy and prepare any consequential amendments required for inclusion as supporting information, alongside the adoption of the Consultation Document in March 2019.
Option B	
<i>THAT the Policy Committee does not approve the identified preferred options for public consultation.</i>	

Benefits in terms of the present and future interests of the District taking a sustainable development approach	The Committee may wish to make another option the preferred option for public consultation. The costs and benefits of alternative options are set out in the attached Issues and Options Papers.
Costs (including present and future costs, direct, indirect and contingent costs)	The costs of the alternative options are set out in the attached Issues and Options Papers.
Assessment of cost effectiveness for households and businesses	The analysis of the options and accompanying reports specifically considers which options provide the best value for households.
Other financial implications	-

5. Statutory Compliance

The recommendations of this report meet the requirements of:

- WBOPDC Waste Management and Minimisation Plan 2017 and s.42 of the Waste Minimisation Act 2008.
- Local Government Act 2002

6. Funding/Budget Implications

The development of content for a Long Term Plan Amendment will require staff time and incur additional costs above those expected for the Annual Plan, due to additional audit requirements of a Long Term Plan Amendment. These costs will be met from within current budgets.

Funding and budget implications for future years, of a change to the status quo, are set out in the attached Issues and Options papers in Attachments B-E.

Attachment A

Timeline

WBOPDC's consideration of waste has been ongoing for sometime, including several phases of community engagement. The below provides an outline of the key steps over the past two and a half years and the potential key dates going forward.

2016

- WMMP – vision and goals developed collaboratively with TCC.
- Joint community engagement – awareness raising, surveys undertaken
- Joint waste audit and scenario modelling
- Joint WBOPDC-TCC Waste Assessment

TCC and WBOPDC agree to separate processes.

2017

- Pre-engagement May-July
- Draft WMMP adopted for consultation 7 September 2017
- 22 Sept-23 Oct 2017 - Consultation on draft WMMP
- 31 October – Hearings
- 30 November - Deliberations
- 5 December – WMMP adopted

2018

- March- April – Waste investigations project signalled through LTP consultation document
- March – Waste Management stop kerbside glass collections
- May – Investigations project scoped
- July – Background report considered and outcomes and options identified
- August – High-level modelling of six options and these refined to two options
- October – Detailed investigations and consideration of the two preferred options
- **December – Decision on preferred option for public consultation**

2019

- March – Public consultation on the preferred option
- June – Council decision on proposal
- July – Prepare for tender process

2020

- Tender process
- Service set-up and establishment

2021

- Service goes live

Attachment B

Annual Plan 2019-20 - Issues and Options Paper - Kerbside Waste services

Attachment C

Annual Plan 2019-20 - Issues and Options Paper - Commercial services

Attachment D

Annual Plan 2019-20 - Issues and Options Paper - Rural recycling drop off services

Attachment E

Annual Plan 2019-20 - Issues and Options Paper - Construction and demolition waste

Annual Plan 2019-20

Issues and Options Paper

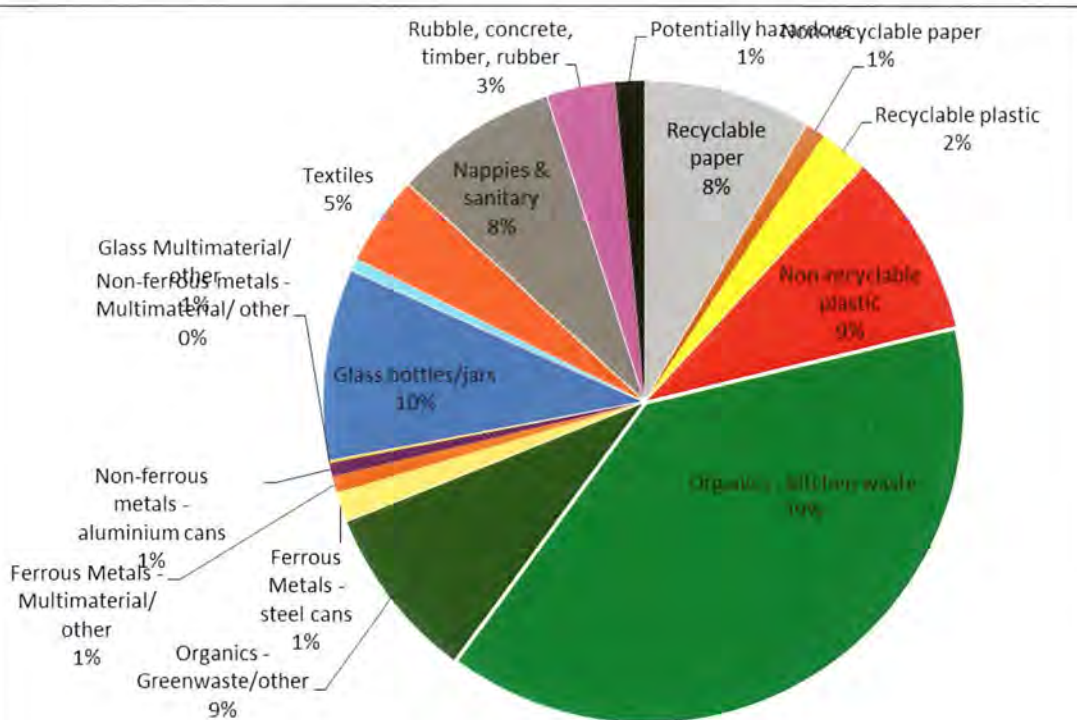
Issues and Options Paper

Project Re-budget

(Also complete detail in Appendix A)

Issue and Options (IOP)		
	Number	Description
Topic	AP14	Solid Waste
Issue	01	Kerbside Waste Services
Related strategies		Solid Waste Strategy, Waste Management and Minimisation Plan

Staff Narrative
<p>Background</p> <p>Council has been investigating alternative recycling and rubbish collection models to achieve better oversight and management of solid waste and recycling throughout the District. This aligns with the direction provided by Council through the Waste Management and Minimisation Plan (WMMP) 2017 and the Long Term Plan 2018-2028.</p> <p>The WMMP sets the vision of “Minimise waste to landfill” and the target of increasing the quantity of diverted material by 80% by 2022.</p> <p>In order to make progress towards achieving this target, Council will need to consider which steps it may be prepared to take in order to change the status quo. The WMMP identified a Council kerbside collection as the biggest potential contributor to reduce waste landfill.</p> <p>The Council committed through its Long Term Plan 2018-28 to undertake investigations in 2018/19 before consulting on options with the community. Consequently, Council has been engaged in investigations to compare different options to ensure the best outcomes are delivered for our community.</p> <p>Issue and Trends</p> <p><i>What do we throw away?</i></p> <p>SWAP shows residential kerbside waste contains about 70% of material that could be diverted or recycled. The biggest component of this is kitchen food waste which makes up about 40% of waste collected. The other biggest components that could be recycled are glass bottles and jars and recyclable paper.</p> <p><i>Composition of kerbside bags and wheelie bins over all four waste audits</i></p>



Why is this a problem?

What we throw away and how we dispose of it can have big impacts on our environment.

Due to the way in which biodegradable (food) waste breaks down in a landfill, it produces methane (approximately 25 times more powerful as a greenhouse gas compared to CO²) and leachate. Composting food waste separately reduces the environmental footprint (producing CO² rather than methane) and provides a useful composting product.

Glass is easily reused (when collected correctly and colour sorted). As a material it can be reprocessed an infinite number of times, melted down and turned into something new, without any loss of material. Our glass is reprocessed here in New Zealand. Sending a useful commodity to landfill is a waste, and costly.

Paper and plastics (1 and 2) are usually two of the most valuable kerbside commodities, as these can more easily be reused. Collecting paper and plastics and recycling these thoughtfully means that we need less resources to produce future products. This reduces our environmental impact and helps us get the most amount of value from limited resources.

What are people saying?

There has been a clear push from the community at large and also Central Government for the nation to take a more active and considerate role in addressing environmental issues. Be this banning single use shopping bags, acknowledging the vast swathes of plastic filling the oceans, increasing awareness on the importance of removing food waste from the landfill or taking action on climate change.

This is something that has been reflected in community views expressed to Council through previous engagement around our WMMP, the LTP and in response to private companies' changes to glass collections. It can also be seen in the latest Vital Signs survey which found that the number one thing people loved most about living here is our natural environment, climate and air quality (91%), with promoting and improving waste management, including recycling, as one of the top priorities for environmental sustainability.

The process so far

Council has been considering its approach to waste management in some detail over the past two and half years, through the commissioning of the Waste Assessment and development of the WMMP.

The investigations have progressed through three key phases.

- **Phase 1: Research and options development** – including initial engagement with industry
- **Phase 2: Collection Modelling** – high level modelling of six options
- **Phase 3: Detailed investigations of preferred options** – modelling of two preferred options and additional services.

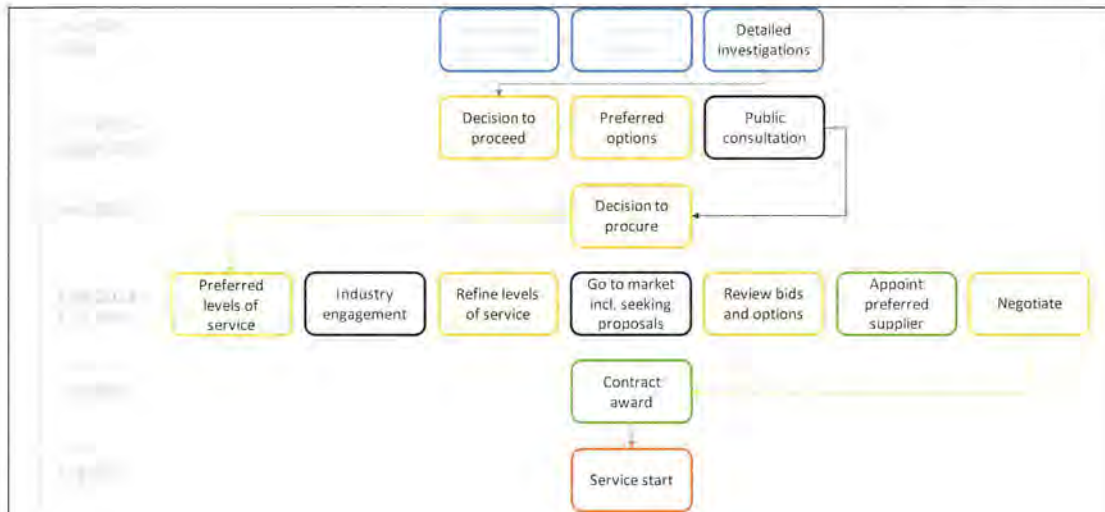
The Committee identified five key outcomes which have driven this work:

- **Low total community cost:**
 - the new system should cost the community as a whole less than the current system.
- **Diversion from landfill:**
 - reduction in the amount of solid waste sent to landfill (or other residual disposal).
- **Flexibility:**
 - this encompasses a number of issues such as customer choice, appropriate services for various customer groups, convenience for various customers.
- **User-pays:**
 - this encompasses a range of ideas around waste producers paying more if they produce larger quantities of waste and minimising the 'cross-subsidisation' of waste services.
- **Improved environmental outcomes:**
 - the new services should reduce the community's overall impact on the environment.

Direction is necessary as to which option is to be considered the preferred option to take forward to community consultation and feedback.

The process going forward

Should Council formally identify option 3 (5A) as its preferred option for community consultation, this is not the final decision on how a service would look. It would be able to take into account submissions from the consultation process. Additionally, there would be a two year lead in time before a service is delivered allowing for a robust tender process and forward preparation, prior to a service being put in place. There are multiple opportunities for decision making and expert industry input.



Service development

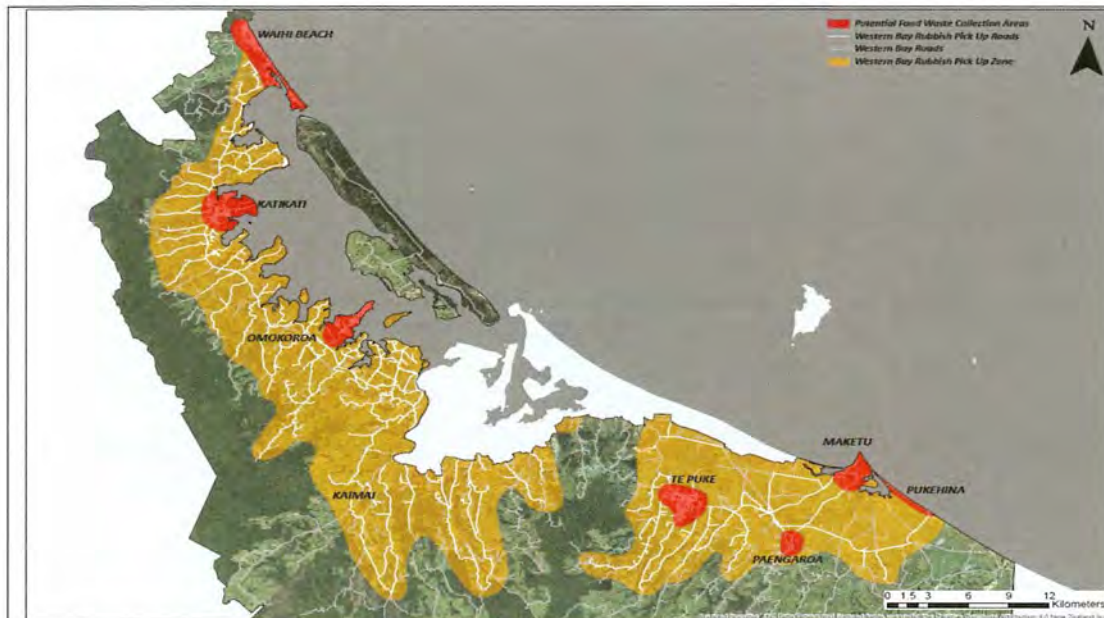
Everyone's waste habits are different. Some of us do the right thing and divert or compost as much as we can; some of us think we are doing the right thing but maybe are missing opportunities; some of us take the easiest route and don't necessarily think about what happens to our waste. The options presented consider our overall impact on the district's household waste.

The four key options below represent the range of Council involvement in kerbside waste services.

The options, the costs, the performance and the underlying assumptions have all been prepared and modelled by Eunomia and presented to the Committee.

Service Range

An indicative map of serviced areas is provided below. It is not cost effective to carry out kerbside collections for every road in our District. The roads highlighted in white have been included as part of the modelled service options to receive only the glass, recycling and rubbish kerbside collections through existing private operators. The areas in red are considered urban and have been included in the food waste collection service, alongside glass, recycling and rubbish kerbside collections. The serviced area for glass, recycling and kerbside rubbish represents over 80% of households. Approximately 3,500 households have been modelled as not being eligible for any service, this would be refined through a tender process.



Opting out of any Council led rubbish, recycling or food waste service would be very limited. This means that everyone has to have a service and do their part to reduce waste to landfill. It also provides certainty for Council and any operator as to how many households would need to be serviced. Examples of where opting out may be considered include gated communities, multi-unit dwellings (such as apartments), retirement homes, or where access is an issue (such as a very long driveway).

Further details are available in the three Eunomia Reports: Kerbside Waste and Recycling Services – Background Information (July 2018); Solid Waste Services Options – Modelling Report (August 2018); Solid Waste Services Options – Detailed Investigations Report (October 2018).

Options	
1 <i>Status Quo</i>	<i>That Council does not take an increased role in waste management, AND That Council looks to revise the current WMMP and its targets in 2019/20.</i>
2 <i>Council led recycling</i>	<i>That Council takes an increased role in waste management AND That Council delivers a kerbside collection service for glass and recyclables, to become operational in 2021 funded through a targeted rate; AND That Council deliver a kerbside collection service of food waste in urban areas, to become operational in 2021 funded through a targeted rate. (Note: Option 2 in Eunomia report)</i>
3 <i>Council led recycling and rubbish</i>	<i>That Council takes an increased role in waste management AND That Council delivers a kerbside collection service for glass and recyclables, to become operational in 2021 funded by a targeted rate; AND That Council delivers a kerbside collection service of food waste in urban areas, to become operational in 2021 funded by a targeted rate;</i>

<i>(pay per pickup)</i>	<p><i>AND</i></p> <p><i>That Council delivers a pay per pick-up kerbside rubbish collection service, to become operational in 2021.</i></p> <p><i>(Note: Option 5A in Eunomia report)</i></p>
<p><i>4</i></p> <p><i>Council led recycling and rubbish (pay per volume)</i></p>	<p><i>That Council takes an increased role in waste management</i></p> <p><i>AND</i></p> <p><i>That Council delivers a kerbside collection service for glass and recyclables, to become operational in 2021 funded by a targeted rate;</i></p> <p><i>AND</i></p> <p><i>That Council delivers a kerbside collection service of food waste in urban areas, to become operational in 2021 funded by a targeted rate;</i></p> <p><i>AND</i></p> <p><i>That Council delivers a kerbside rubbish collection service, and that this be charged as a subscription on a volume basis, to become operational in 2021.</i></p> <p><i>(Note: option 5B in Eunomia report)</i></p>

Option 1: (Status quo)

*That Council does not take an increased role in waste management,
AND*

That Council looks to revise the current WMMP and its targets in 2019/20.

This option comprises:

- Retaining the private sector rubbish collection service (Council has no direct role apart from regulation); and
- Retaining the private sector recycling collection service (Council has no direct role apart from regulation and provision of community recycling centres).
- Council would revisit its WMMP and look at alternative targets or actions.

Food Waste	Glass	Recycling	Rubbish
Individual households make arrangements with private companies or deal with their waste themselves.			
<i>Private funding arrangement</i>			

The average household cost is \$267 p.a. (including gst), paid to a private company.

Advantages

- Flexible and customisable – households can opt to receive the service they want, from the private operator of their choice
- Some price incentive to reduce waste
- Council does not incur costs relating to procurement and administration.

Disadvantages

- Significant quantities of divertible waste going to landfill, which has environmental and financial implications.
- Does not make progress on our WMMP targets and requires Council to reconsider its WMMP.
- Comparatively high average cost to households than other options.

Option 1: Implications for Work Programme/Budgets

y/e June	2019/20 \$000	2020/21 \$000	2021/22 \$000	2022/23 \$000	2023/24 \$000	2024/25 \$000	2025/26 \$000	2026/27 \$000	2027/28 \$000	Comments
Capital cost <i>e.g. Asset</i>										
Capex funding										
• Rates										

<ul style="list-style-type: none"> • Fin Contribution 										
<ul style="list-style-type: none"> • External 										
<ul style="list-style-type: none"> • Other (specify) 										
Opex cost <i>e.g. grants, service delivery, maintenance</i>	50									Cost to rework WMMP.
Opex funding										
<ul style="list-style-type: none"> • Rates 										
<ul style="list-style-type: none"> • External 										
<ul style="list-style-type: none"> • Other (specify) 										

Option 2:

That Council takes an increased role in waste management

AND

That Council delivers a kerbside collection service for glass and recyclables, to become operational in 2021 funded through a targeted rate;

AND

That Council deliver a kerbside collection service of food waste in urban areas, to become operational in 2021 funded through a targeted rate.

(Note: Option 2 in Eunomia report)

Council led recycling (Note: Option 2 in Eunomia report)

This option comprises:

- Retaining the private sector rubbish collection service (Council has no direct role apart from regulation);
- A council-provided weekly kerbside sort based recycling service using two recycling crates (one for glass and one for other recyclables) covering the area serviced by existing private operators – urban and rural; and
- A weekly kerbside food waste collection from urban areas only.

Food Waste	Glass	Recycling	Rubbish
Council led urban collection.	Council led collection	Council led collection	Led by private companies as per status quo
<i>Targeted rates</i>	<i>Targeted rates</i>	<i>Targeted rates</i>	<i>Private funding arrangement</i>

The average household cost is \$294 p.a. (including GST) where they are eligible for a food waste collection (urban). This is split between \$103 on rates and \$191 for private rubbish collection.

The average household cost is \$240 p.a. (including GST) where they are not eligible for a food waste collection (rural). This is split between \$49 on rates and \$191 for private rubbish collection.

Advantages**Disadvantages**

- Recycling capacity for households is limited.

<ul style="list-style-type: none"> Improves diversion of recyclable or compostable waste from landfill, aligning to overarching WMMP vision Delivers good recyclable quality Little post collection processing of recycling needed Flexible and customisable rubbish collection Some price incentive to reduce waste Increased Level of Service to the community 					<ul style="list-style-type: none"> Health and safety risks with manual handling need to be managed Relatively high cost to households in comparison to other options 					
Option 2: Implications for Work Programme/Budgets										
y/e June	2019/20 \$000	2020/21 \$000	2021/22 \$000	2022/23 \$000	2023/24 \$000	2024/25 \$000	2025/26 \$000	2026/27 \$000	2027/28 \$000	Comments
Capital cost <i>e.g. Asset</i>										
Capex funding										
• Rates										
• Fin Contribution										
• External										
• Other <i>(specify)</i>										
Opex cost <i>e.g. grants, service delivery, maintenance</i>	70	70	1,329	1,329	1,329	1,329	1,329	1,329	1,329	<i>Costs for tender work, pre-implementation education, and then service delivery from 2021/22 onwards. Not accounted for growth or inflation.</i>
Opex funding										
• Rates	70	70	1,329	1,329	1,329	1,329	1,329	1,329	1,329	<i>Service provision funded through targeted rates. One for glass and recycling collection. One for urban food waste</i>

										<i>collections. Not accounted for growth or inflation.</i>
• External										
• Other (specify)										

Option 3: (Note: Option 5A in Eunomia report, previously identified as preferred option)

That Council takes an increased role in waste management
AND
That Council delivers a kerbside collection service for glass and recyclables, to become operational in 2021 funded by a targeted rate;
AND
That Council delivers a kerbside collection service of food waste in urban areas, to become operational in 2021 funded by a targeted rate;
AND
That Council delivers a pay per pick-up kerbside rubbish collection service, to become operational in 2021.

Council led recycling and rubbish (pay per pickup) (Note: Option 5A in Eunomia report)

This option comprises:

- A Council-contracted user-pays rubbish collection service - households are charged on a pay per pickup basis covering the area serviced by existing private operators – urban and rural;
- A Council-provided kerbside recycling service, with a crate provided for a fortnightly glass collection service, and a 240L wheeled bin provided for fortnightly collection of other recyclables covering the area serviced by existing private operators – urban and rural; and
- A weekly kerbside food waste collection from urban areas.

Food Waste	Glass	Recycling	Rubbish
Council led urban collection	Council led collection (urban and rural)	Council led collection (urban and rural)	Council led collection. Users pay a charge only when the bin is collected. (urban and rural)

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<i>Targeted rates</i>	<i>Targeted rates</i>	<i>Targeted rates</i>	<i>Council provided bin. Pre-paid tags or pre-paid RFID account (user pays)</i>
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The average household cost is \$265 p.a. (including GST) where they are eligible for a food waste collection (urban). This is split between \$105 on rates and \$160 for rubbish collection (pre-paid tags/RFID system).

The average household cost is \$213 p.a. (including GST) where they are not eligible for a food waste collection (rural). This is split between \$53 on rates and \$160 for rubbish collection (pre-paid tags/RFID system).

Advantages

- Improves diversion of recyclable or compostable waste from landfill, aligning to overarching WMMP vision
- High quantity of recyclables can be collected
- Flexible rubbish collection – pick up available on a weekly basis, household pays per pick up as required
- Increased price incentive to reduce waste
- Perceived to be fair as those that make more rubbish pay more
- Cost savings for households and increased level of service.

Disadvantages

- Recycling contamination can be high
- Recycling requires a sorting plant
- Overhead costs of a tag system
- Uncertain market share
- Pay per pick-up are still relatively unproven in NZ, although increasingly used.

Option 2: Implications for Work Programme/Budgets

y/e June	2019/20 \$000	2020/21 \$000	2021/22 \$000	2022/23 \$000	2023/24 \$000	2024/25 \$000	2025/26 \$000	2026/27 \$000	2027/28 \$000	Comments
Capital cost <i>e.g. Asset</i>										
Capex funding										
• Rates										
• Fin Contribution										
• External										

• Other (specify)											
Opex cost e.g. grants, service delivery, maintenance	70	70	3,688	3,688	3,688	3,688	3,688	3,688	3,688	3,688	Costs for tender work, pre-implementation education, and then service delivery from 2021/22 onwards. Not accounted for growth or inflation.
Opex funding											
• Rates	70	70	1,513	1,513	1,513	1,513	1,513	1,513	1,513	1,513	Service provision funded through targeted rates. One for glass and recycling collection. One for urban food waste collections. Not accounted for growth or inflation.
• External											
• Other – User fees			2,175	2,175	2,175	2,175	2,175	2,175	2,175	2,175	User fees charged for per pick-up rubbish collection.

Option 4: (Note: option 5B in Eunomia report)

That Council takes an increased role in waste management

AND

That Council delivers a kerbside collection service for glass and recyclables, to become operational in 2021 funded by a targeted rate;

AND

That Council delivers a kerbside collection service of food waste in urban areas, to become operational in 2021 funded by a targeted rate;

AND

That Council delivers a kerbside rubbish collection service, and that this be charged as a subscription on a volume basis, to become operational in 2021.

Council led recycling and rubbish (pay per volume) (Note: Option 5B in Eunomia report)

This option comprises:

- A Council-contracted user-pays rubbish collection service - households are charged on subscription fee based on the size of their bin, covering the area serviced by existing private operators – urban and rural;
- A Council-provided kerbside recycling service, with a crate provided for a fortnightly glass collection service, and a 240L wheeled bin provided for fortnightly collection of other recyclables, covering the area serviced by existing private operators – urban and rural; and
- A weekly kerbside food waste collection from urban areas.

Food Waste	Glass	Recycling	Rubbish
Council led urban collection	Council led collection (urban and rural)	Council led collection (urban and rural)	Council led collection. Users pay a subscription charge based on the volume of the bin selected. (urban and rural)
<i>Targeted rates</i>	<i>Targeted rates</i>	<i>Targeted rates</i>	<i>Pre-paid subscription to a service. Generally compulsory</i>

The average household cost is \$236 p.a. (including GST) where they are eligible for a food waste collection (urban). This is split between \$105 on rates and \$131 for rubbish collection (pre-paid subscription to a 140L bin collection).

The average household cost is \$184 p.a. (including GST) where they are not eligible for a food waste collection (rural). This is split between \$53 on rates and \$131 for rubbish collection (pre-paid subscription to a 140L bin collection).

Advantages

- Improves diversion of recyclable or compostable waste from landfill, aligning to overarching WMMP vision
- High quantity of recyclables can be collected
- Some flexibility in rubbish collection, as can opt for smaller or larger bin
- Administration and billing is simpler than for pay per pickup systems
- Cost savings for households and increased level of service.

Disadvantages

- Recycling contamination can be high
- Recycling requires a sorting plant
- Some market share uncertainty (less risk than pay per pickup)
- Once households have selected a bin size, does not encourage waste minimisation.

Option 3: Implications for Work Programme/Budgets

y/e June	2019/20 \$000	2020/21 \$000	2021/22 \$000	2022/23 \$000	2023/24 \$000	2024/25 \$000	2025/26 \$000	2026/27 \$000	2027/28 \$000	Comments
Capital cost <i>e.g. Asset</i>										
Capex funding										
• Rates										
• Fin Contribution										
• External										
• Other <i>(specify)</i>										
Opex cost <i>e.g. grants, service</i>	70	70	3,305	3,305	3,305	3,305	3,305	3,305	3,305	<i>Costs for tender work, pre-implementation education, and then service delivery from 2021/22 onwards. Not</i>

<i>delivery, maintenance</i>										<i>accounted for growth or inflation.</i>
Opex funding										
• Rates	<i>70</i>	<i>70</i>	<i>1,373</i>	<i>1,373</i>	<i>1,373</i>	<i>1,373</i>	<i>1,373</i>	<i>1,373</i>	<i>1,373</i>	<i>Service provision funded through targeted rates. One for glass and recycling collection. One for urban food waste collections. Not accounted for growth or inflation.</i>
• External										
• Other – user fees			<i>1,932</i>	<i>1,932</i>	<i>1,932</i>	<i>1,932</i>	<i>1,932</i>	<i>1,932</i>	<i>1,932</i>	<i>User fees charged for volume based annual subscription.</i>

Recommended Decision *(to be completed by staff prior to decision-making meeting)*

Option 3 (option 5A in Eunomia report)

*That Council take an increased role in waste management
and*

*That Council deliver a targeted-rate funded kerbside collection service for glass
and recyclables, to become operational in 2021;*

and

*That Council deliver a targeted-rate funded kerbside collection service of food
waste in urban areas, to become operational in 2021;*

and

*That Council deliver a pay per pick-up kerbside rubbish collection service, to
become operational in 2021.*

Decision

(To be completed in the decision making meeting)

Reason

(To be completed in the decision making meeting)

Annual Plan 2019-20

Issues and Options Paper

Issues and Options Paper

Project Re-budget

(Also complete detail in Appendix A)

Issue and Options (IOP)		
	Number	Description
Topic	AP14	Solid Waste
Issue	02	Commercial services
Related strategies	Solid Waste Strategy, Waste Management and Minimisation Plan	

Staff Narrative

Background

Council has been investigating alternative recycling and rubbish collection models to achieve better oversight and management of solid waste and recycling throughout the District. This aligns with the direction provided by Council through the Waste Management and Minimisation Plan 2017 and the Long Term Plan 2018-2028.

The WMMP sets the vision of "Minimise waste to landfill" and the target of increasing the quantity of diverted material by 80% by 2022.

In order to make progress towards achieving this target, Council will need to consider which steps it may be prepared to take in order to change the status quo. The WMMP identified a Council kerbside collection as the biggest potential contributor to reduce waste landfill.

The Council committed through its Long Term Plan 2018-28 to undertake investigations in 2018/19 before consulting on options with the community. Consequently, Council has been engaged in investigations to compare different options to ensure the best outcomes are delivered for our community.

Extending Council led services to commercial property

Businesses that generate recyclable material can access user-pays commercial services. Where there is any significant quantity of this material, commercial services are most appropriate. Commercial providers are able to supply different numbers and sizes of bins for different materials and collect these at whatever frequencies suit the business. They also can collect from pre-arranged areas. In these situations where the services each business receives is bespoke there is no advantage to using a council-contracted service.

However, for businesses that have household quantities of recyclables (such as from lunchrooms, small offices, or small shops) some councils offer the same service as households receive. The council services in this instance are not intended to suit specific business needs, but where these needs do align with the level of council service, then offering the service to businesses makes sense. In some instances, such as where there is a dense central business district, councils

will offer a specific level of service such as early morning or late-night collections (so as not to interfere with shoppers), bag collections so there are no issues with bins remaining on the footpath or bins having to be wheeled through shops, or collections of flattened cardboard.

Provision of a household-type kerbside recycling and food waste service to some businesses could increase diversion from landfill, and achieve improved environmental outcomes in a more general sense.

The Proposal

Businesses in the 'commercial' or 'commercial transition' zones could be supplied with a kerbside recycling and food waste service and, depending on Council's direction, could also participate in a Council user pays rubbish service. This is approximately 350 properties.

For the purposes of modelling it has been assumed that the service would be essentially the same as the standard household service; with the exception of rubbish, where bags could be provided where required instead of wheeled bins to minimise any issues with wheeled bins remaining on the footpath (noting this can be further developed through any future tender discussions).

Due to the small number of properties involved, an opt-in or opt out service may be a viable option for collections from commercial properties.

When the costs are calculated on a per property basis there is negligible difference with the additional properties. However, for the commercial properties, the cost is slightly lower (about \$75 per property for recycling, glass and food waste collections, not including GST, as opposed to \$85 per household). This reflects the fact that the additional properties are assumed to be in urban areas and therefore have better collection logistics than the district as a whole. Alternatively, Council could determine to charge at the same rate as households, reflecting the same level of service received.

The proposal requires increased funding, but will see increased revenue. It does not affect the overall impact on households, due to the small number of properties involved.

Further details are available in the three Eunomia Reports: Kerbside Waste and Recycling Services – Background Information (July 2018); Solid Waste Services Options – Modelling Report (August 2018); Solid Waste Services Options – Detailed Investigations Report (October 2018).

Options	
<i>1 Status Quo</i>	<i>That Council does not offer a Council led rubbish, recycling, glass or food waste service to commercial properties.</i>
<i>2 Commercial Services</i>	<i>That any Council led waste service includes 'commercial' and 'commercial transitional' zoned properties; AND That this be funded through a targeted rate, for glass, recyclables and food waste; AND That this rate be set at the same level as a residential property; AND</i>

That a Council led rubbish collection service would be paid on the same basis as the household;

AND

That this be an opt in service.

Option 1: *That Council does not offer a Council led rubbish, recycling, glass or food waste service to commercial properties.*

Status Quo

Council does not provide any services to the commercial sector.

Advantages

- Does not add increased costs to rates.
- Commercial owners take ownership of their waste and can procure private services

Disadvantages

- May not encourage recycling, or increased diversion.
- Does not provide a service to businesses that could easily access it.

Option 1: No implications for Work Programme/Budgets

Option 2: Opt-in commercial services

That any Council led waste service includes 'commercial' and 'commercial transitional' zoned properties;

AND

That this be funded through a targeted rate, for glass, recyclables and food waste;

AND

That this rate be set at the same level as a residential property;

AND

That this be an opt in service;

[AND ALSO

That a Council led rubbish collection service would be payed on the same basis as the household service]

Opt-in commercial services

This option comprises:

- A rates funded council-provided kerbside recycling service for commercial properties that opt-in to the service;
- A rates funded council-provided food waste collection for commercial properties that opt-in to the service;
- (Depending on the decision made in IOP AP14 – Kerbside waste services) A Council-contracted user-pays rubbish collection service for commercial properties that opt-in to the service; and

- Approximately 350 properties would be eligible to opt-in to the service.

Costs per property would be similar to those as per household and outlined in IOP AP14 – Kerbside waste services.

Advantages

- Recycling made more easily available for some businesses
- Food waste diversion more easily available for businesses
- Little work required to extend the service to commercial properties in the urban area (should a residential service also be provided)
- Flexibility possible for businesses

Disadvantages

- Opt-in methodology does not bring certainty on numbers and requires some additional administration.
- Some properties waste is unsuitable for 'residential' sized services and will still require private solutions.

Option 2 Opt-in commercial services (Recycling, glass and foodwaste – NO RUBBISH): Implications for Work Programme/Budgets

y/e June	2019/20 \$000	2020/21 \$000	2021/22 \$000	2022/23 \$000	2023/24 \$000	2024/25 \$000	2025/26 \$000	2026/27 \$000	2027/28 \$000	Comments
Capital cost <i>e.g. Asset</i>										
Capex funding										
• Rates										
• Fin Contribution										
• External										
• Other <i>(specify)</i>										
Opex cost <i>e.g. grants, service delivery, maintenance</i>			25.5	25.5	25.5	25.5	25.5	25.5	25.5	<i>Cost of service provision for recycling, glass and foodwaste collection services. Service provision funded through targeted rates.</i>
Opex funding										

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• Rates			25.5	25.5	25.5	25.5	25.5	25.5	25.5	<i>Service provision funded through targeted rates.</i>
• External										
• Other <i>(specify)</i>										

OR

Option 2 (Recycling, glass, foodwaste - INCLUDES RUBBISH): Implications for Work Programme/Budgets										
y/e June	2019/20 \$000	2020/21 \$000	2021/22 \$000	2022/23 \$000	2023/24 \$000	2024/25 \$000	2025/26 \$000	2026/27 \$000	2027/28 \$000	Comments
Capital cost <i>e.g. Asset</i>										
Capex funding										
• Rates										
• Fin Contribution										
• External										
• Other <i>(specify)</i>										
Opex cost <i>e.g. grants, service delivery, maintenance</i>			48.7	48.7	48.7	48.7	48.7	48.7	48.7	<i>Cost of service provision for recycling, glass, foodwaste and rubbish collection services.</i>
Opex funding										
• Rates			27	27	27	27	27	27	27	<i>Cost of service provision for recycling, glass and foodwaste collection services. Service provision funded through targeted rates.</i>
• External										

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• Other – user fees			21.5	21.5	21.5	21.5	21.5	21.5	21.5	<i>User fees charged for rubbish collection. Methodology to reflect the household service.</i>
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Recommended Decision *(to be completed by staff prior to decision-making meeting)*

That any Council led waste service includes 'commercial' and 'commercial transitional' zoned properties;

AND

That this be funded through a targeted rate, for glass, recyclables and food waste;

AND

That this rate be set at the same level as a residential property;

AND

That this be an opt in service;

[AND ALSO

That a Council led rubbish collection service would be payed on the same basis as the household].

Decision

(To be completed in the decision making meeting)

Reason

(To be completed in the decision making meeting)

Annual Plan 2019-20

Issues and Options Paper

Issues and Options Paper

Project Re-budget

(Also complete detail in Appendix A)

Issue and Options (IOP)		
	Number	Description
Topic	AP14	Solid Waste
Issue	03	Rural Recycling Drop-off Points
Related strategies	Solid Waste Strategy, Waste Management and Minimisation Plan	

Staff Narrative

Background

Council has been investigating alternative recycling and rubbish collection models to achieve better oversight and management of solid waste and recycling throughout the District. This aligns with the direction provided by Council through the Waste Management and Minimisation Plan (WMMP) 2017 and the Long Term Plan 2018-2028.

The WMMP sets the vision of "Minimise waste to landfill" and the target of increasing the quantity of diverted material by 80% by 2022.

In order to make progress towards achieving this target, Council will need to consider which steps it may be prepared to take in order to change the status quo. The WMMP identified a Council kerbside collection as the biggest potential contributor to reduce waste landfill.

The Council committed through its Long Term Plan 2018-28 to undertake investigations in 2018/19 before consulting on options with the community. Consequently, Council has been engaged in investigations to compare different options to ensure the best outcomes are delivered for our community.

Rural Recycling Drop-off Points

As discussed in the previous issue and options report it is not proposed that Council led kerbside collection services extend to remote rural households. The current modelling is based on approximately 83% of households receiving a proposed kerbside services.

One option is to provide recycling services to remote rural households by providing additional recycling drop off sites in strategic locations.

A number of councils have continued to develop the way that sites are designed and managed and there are now a number of effective, well-functioning examples in place around NZ that do not suffer from the issues encountered by drop-off sites in the past. The key characteristics for these sites are:

- The recycling bins are modified shipping containers
- The sites are serviced regularly

- The sites are monitored by a local resident (or group) who is responsible for keeping the site generally tidy, and notifying the council/contractor of any issues and if additional pickups are needed
- Any dumping etc. is cleaned up immediately
- The sites are established in consultation with the local communities and the conditions for their use are made clear

This is very similar to the model used by Hastings District Council (which operates 7 sites) and adopted by other councils. These utilise 20ft modified shipping containers with material appropriate apertures and a number of size adjustable compartments in the container to accommodate different volumes of material. When the bins are full they can be loaded on a hook truck, which makes transportation and emptying very efficient. Spare exchange units are used to enable continuous service and reduce transport costs.



The Proposal

To supplement the existing recycling centres, a number of additional small drop-off sites in rural locations are proposed.

Three of sites are proposed to cover strategic locations where services would otherwise be unavailable.

Possible locations would be determined in consultation with the specific local communities over the coming year. There may also be an opportunity through the tendering process to include some additional households in the serviced area, which currently don't have access to existing private services.

It is proposed that the households that would be unable to access a Council led kerbside service, would be eligible for a targeted rate to fund the recycling drop-off points. Approximately 3,500 households have been modelled as being eligible for this rate. This would mean the average cost is about \$16 per household (excluding GST).

Further details are available in the three Eunomia Reports: Kerbside Waste and Recycling Services – Background Information (July 2018); Solid Waste Services Options – Modelling Report (August 2018); Solid Waste Services Options – Detailed Investigations Report (October 2018).

Options	
<i>1 Status Quo</i>	<i>That Council does not budget for rural recycling drop-off points.</i>
<i>2 Rural Recycling Drop-off Points</i>	<i>That Council includes \$266,000 in the 2020/2021 year to establish three rural recycling drop-off points; AND That the Council include \$18,521 in operational costs for the 2020/2021 year onwards; AND That Council recover the expenditure through a targeted rate; AND That Council consult with the relevant communities to determine suitable locations in the 2019/20 year.</i>

Option 1: *That Council does not budget for rural recycling drop-off points.***Status Quo**

Council takes no further action regarding rural recycling drop-off points.

Advantages

- Does not add increased costs to rates.

Disadvantages

- Remote rural households will continue to dispose of recycling as they currently do (this may be burning, burying, or collecting to take to one of Council's existing recycling points).
- Does not encourage recycling.

Option 1: No implications for Work Programme/Budgets

Option 2:

That Council includes \$266,000 in the 2020/2021 year to establish three rural recycling drop-off points;

AND

That the Council include \$18,521 in operational costs for the 2020/2021 year onwards;

AND

That Council recover the expenditure through a targeted rate;

AND

That Council consult with the relevant communities to determine suitable locations in the 2019/20 year.

Rural Recycling Drop-off Points

This option comprises:

- Three rural recycling drop off points (including concrete pad and platform and 20ft container units);
- Funded through a targeted rate on households unable to access a Council led kerbside service (approximately 3,500 households);
- Sites to be determined with the relevant communities.

This would amount to an additional \$16 on rates for those households impacted (excluding GST).

Advantages

- Improves access to recycling
- Encourages local community input and involvement.
- Little post collection processing of recycling needed

Disadvantages

- Recycling made more easily available for remote rural households.
- Risk of illegal dumping
- Increased cost to households

Option 2: Implications for Work Programme/Budgets

y/e June	2019/20 \$000	2020/21 \$000	2021/22 \$000	2022/23 \$000	2023/24 \$000	2024/25 \$000	2025/26 \$000	2026/27 \$000	2027/28 \$000	Comments
Capital cost <i>e.g. Asset</i>		266								<i>Cost of site works and four containers</i>
Capex funding										
• Rates			36.1	36.1	36.1	36.1	36.1	36.1	36.1	<i>Annualised capex (10 years)</i>

<ul style="list-style-type: none"> • Fin Contribution 										
<ul style="list-style-type: none"> • External 										
<ul style="list-style-type: none"> • Other (specify) 										
Opex cost <i>e.g. grants, service delivery, maintenance</i>		18.5	18.5	18.5	18.5	18.5	18.5	18.5	18.5	
Opex funding										
<ul style="list-style-type: none"> • Rates 		18.5	18.5	18.5	18.5	18.5	18.5	18.5	18.5	<i>Operating costs including income from sale of recyclables</i>
<ul style="list-style-type: none"> • External 										
<ul style="list-style-type: none"> • Other (specify) 										

Recommended Decision *(to be completed by staff prior to decision-making meeting)*

That Council includes \$266,000 in the 2020/2021 year to establish three rural recycling drop-off points;

AND

That the Council include \$18,521 in operational costs for the 2020/2021 year onwards;

AND

That Council recover the expenditure through a targeted rate;

AND

That Council consult with the relevant communities to determine suitable locations in the 2019/20 year.

Decision

(To be completed in the decision making meeting)

Reason

(To be completed in the decision making meeting)

Annual Plan 2019-20

Issues and Options Paper

Issues and Options Paper

Project Re-budget

(Also complete detail in Appendix A)

Issue and Options (IOP)		
	Number	Description
Topic	AP14	Solid Waste
Issue	04	Construction and Demolition waste
Related strategies	Solid Waste Strategy, Waste Management and Minimisation Plan	

Staff Narrative
<p>Background</p> <p>Council has been investigating alternative recycling and rubbish collection models to achieve better oversight and management of solid waste and recycling throughout the District. This aligns with the direction provided by Council through the Waste Management and Minimisation Plan 2017 and the Long Term Plan 2018-2028.</p> <p>The WMMP sets the vision of “Minimise waste to landfill” and the target of increasing the quantity of diverted material by 80% by 2022.</p> <p>In order to make progress towards achieving this target, Council will need to consider which steps it may be prepared to take in order to change the status quo. The WMMP identified a Council kerbside collection as the biggest potential contributor to reduce waste landfill.</p> <p>The Council committed through its Long Term Plan 2018-28 to undertake investigations in 2018/19 before consulting on options with the community. Consequently, Council has been engaged in investigations to compare different options to ensure the best outcomes are delivered for our community.</p> <p>Construction and demolition waste</p> <p>Construction and demolition waste can represent a large portion of the overall waste stream. About 10% of what goes to a class 1 landfill can be considered as construction and demolition waste; it is the third largest component by source. However a lot of construction and demolition waste goes to the three other classes of landfill. The lack of precise data about disposal of waste to Class 2-4 landfills makes it impossible to reliably monitor the disposal of some major waste streams. Given the very active construction sector in Tauranga and the Western Bay at present, it would be expected that there would be much more construction and demolition waste in the waste stream.</p> <p>It is unlikely that a kerbside collection service of construction and demolition waste, even at commercial projects, would be feasible under current conditions, and for these reasons construction and demolition waste recovery is more likely to be an option as a community or non-profit partnership.</p>

A construction and demolition waste recycling facility would typically separate concrete, bricks, timber, metals, plasterboard, and cardboard. Such facilities can divert 80-90% of input material. Concrete and brick is crushed for use as aggregate, timber recovered for hog fuel, metals for recycling, and plasterboard (gypsum) for reuse or as an additive to soil amendments. A centre with a wider focus is also likely to separate out reusable items such as joinery and fittings.

Provision of a construction and demolition waste recovery facility, particularly one that incorporated re-use, does have the potential to increase diversion from landfill and achieve improved environmental outcomes in a more general sense. This would also offer a wider range of services to customers. A successful community non-profit operation would mean no additional ongoing charges (once established) to the community, meeting many of the key preferred outcomes for waste services. Operations like these are successfully being run elsewhere in New Zealand.

The Proposal

That Council work with Tauranga City Council to investigate the establishment of a community non-profit construction and demolition waste recovery facility.

This may be located at Te Maunga Resource Recovery Centre or another suitable location.

This would involve staff time, and no direct costs at this point. However, funding to aid establishment of such a facility may be required in the future. A future Council decision would be sought on this following progress exploring this issue.

Further details are available in the three Eunomia Reports: Kerbside Waste and Recycling Services – Background Information (July 2018); and Solid Waste Services Options – Detailed Investigations Report (October 2018).

Options	
<i>1 Status Quo</i>	<i>That Council does not actively progress the establishment of a community led non-profit construction and demolition waste recovery facility in the Western Bay of Plenty – Tauranga area.</i>
<i>2 C&D facility</i>	<i>That Council actively works with Tauranga City Council to investigate the establishment of a community led non-profit construction and demolition waste recovery facility in the Western Bay of Plenty – Tauranga area.</i>

Option 1:

That Council does not actively progress the establishment of a community led non-profit construction and demolition waste recovery facility in the Western Bay of Plenty – Tauranga area.

Status Quo

Council takes no further action regarding establishment of a community led non-profit construction and demolition waste recovery facility.

Advantages

- Does not add increased costs to rates.
- Does not commit staff time.
- Acknowledges that a kerbside service for construction and demolition waste facility is not considered feasible at this time.

Disadvantages

- Does not support cooperation between Councils and community groups.
- Does not encourage recovery of construction and demolition waste for reuse or recycling.

Option 1: No implications for Work Programme/Budgets

Option 2: *That Council actively works with Tauranga City Council to investigate the establishment of a community led non-profit construction and demolition waste recovery facility in the Western Bay of Plenty – Tauranga area.*

Construction and demolition waste recovery facility

This option comprises:

- Working with TCC to investigate the viability of a community led non-profit construction and demolition waste recovery facility in the Western Bay of Plenty – Tauranga area
- Working community groups to explore their future role in such a facility.

Advantages

- Supports cooperation between Councils and community groups.
- Encourages recovery of construction and demolition waste for reuse or recycling
- Potentially enables the provision of cheap materials for the community.

Disadvantages

- Requires staff time.
- May require Council investment at a future point.

Option 2: No implications for Work Programme/Budgets	

Recommended Decision *(to be completed by staff prior to decision-making meeting)*

That Council actively works with Tauranga City Council to investigate the establishment of a community led non-profit construction and demolition waste recovery facility in the Western Bay of Plenty – Tauranga area.

Decision

(To be completed in the decision making meeting)

Reason

(To be completed in the decision making meeting)