



Council Bylaws Reviewed

The Council is currently in the process of reviewing the District's Bylaws. The review is to ensure the Council's bylaws are consistent with the Local Government Act (2002) (LGA 2002) and other legislation and policy. The review process is also intended to ensure bylaws are the most effective, appropriate and reasonable means of addressing Council objectives.

The review is being done in two stages, with stage one coming to an end, and stage two is scheduled to begin in September 2007. Stage one covered public places, mobile traders, dog control, animal control, beaches, crematoria and cemeteries. It also revoked the public libraries and swimming pools bylaws. Stage two will cover stock control, nuisances, fire prevention, airport charges, ports, wastewater drainage, water supply, parks and reserves, refuse, trade waste, liquor control, parking and roads, speed limits, amusement devices and galleries, and food administration.

The LGA 2002 empowers the Council to make bylaws to protect the public from nuisance and to promote public health and safety. There are specific provisions in the LGA 2002 which empower the Council to make bylaws to regulate trading in public places, the keeping of animals, bees

and poultry, waste (including wastewater and trade waste), water supply, land drainage, cemeteries, reserves, the spread of fires, and liquor control.

Before making a bylaw, the Council must first determine that a bylaw is the most appropriate way of addressing an issue. This includes, for example, whether the issue is already covered under existing legislation and whether there are any other means of addressing an issue, such as public education.

Any bylaw developed must be consistent with the NZ Bill of Rights Act (1990) (NZBOR Act 1990). The rights and freedoms contained in the NZBOR Act 1990 may be subject to reasonable limits imposed by law which can be demonstrably justified in a free and democratic society. Some bylaws, such as the liquor and dog control bylaws, for example, do affect some of the freedoms set out in the NZBOR Act 1990. However, these bylaws are not inconsistent with the NZBOR Act 1990 because they are considered reasonable and justifiable in a free and democratic society.

If you believe that any of the Stage Two bylaws will affect you, and you would like to be involved in the early consultation



Monthly markets have become popular with many people. The Council will be reviewing its food administration bylaw in Stage Two.

process please contact the Council's Policy Manager. All reviewed Bylaws will come into force on 1 July 2008.

For further information visit our website: www.whakatane.govt.nz/PoliciesPlans/BylawsReview.htm, or tinyurl.com/2g8rcp Or contact the Council's Policy Manager, Chandra Quarmbay, at chandraq@whakatane.govt.nz, or on 07 307 0500.

Have you put your name forward for local elections?
Nominations for Candidates are now open...and close on 24 August 2007.
More election stories on page four.

Maori Representation (Wards) Poll

The Whakatane District Council is holding a binding poll in conjunction with the triennial elections on 13 October 2007 to see whether it should introduce Maori wards for the next two triennial elections in 2010 and 2013.

The Council has the opportunity to introduce Maori representation by setting up of one or more Maori wards (in addition to general wards). This has been made possible by changes to the Local Electoral Act 2001.

Those eligible to vote in the poll are:

- all residential electors (electors who live in the Whakatane district, from both the General and Maori

- Parliamentary Electoral Rolls); and
- all non-resident ratepayer electors (electors who live outside of the Whakatane district but own property within the district).
- After the poll, the Council will undertake a detailed review of its representation arrangements. If the majority of voters are in favour of introducing Maori wards, the Council will determine:
 - the number of general and Maori wards;
 - the number of representatives to be elected for general and Maori wards;
 - the ward boundaries and names.

Representatives for Maori wards would

be elected by people who are enrolled on the Maori Parliamentary Electoral Roll. Electors of these wards would not be able to vote for members of the general wards. Similarly, people who are enrolled on the General Parliamentary Electoral Roll would vote for members of the general wards but not for members of the Maori wards. All electors would still vote for the Mayor and community boards.

The number of Maori ward representatives would be determined by a formula based on the 'Maori electoral population' of the Whakatane District, as defined in legislation. Based on the size of the present Council (10 members plus the Mayor), there would be 3 members elected

from one or more Maori wards and 7 members elected from general wards. If the majority of voters are not in favour of introducing Maori wards, the Council will not consider establishing Maori wards during the review of representation arrangements.

Have your say

The result of the Maori Representation (Wards) Poll is important for determining how members will be elected to Council at the 2010 and 2013 triennial elections. For more information visit the Council website: www.whakatane.govt.nz or contact the electoral officials on 0800 922 822 or 07 306 0500.

Work continuing on Coastal Hazards

(Variation 6)

Work on Variation 6 (Coastal Hazards) to the Proposed Whakatane District Plan is continuing. This Variation recognises current predictions of sea level rise and the anticipated impact of climate change on our coastal areas. It will put clear rules in place governing the activities that can take place in zones identified as being at risk of inundation or erosion over the next 100 years.

The topic of Climate Change, its causes and effects, is currently being widely debated in the media. This has led to some questioning why the Council is choosing to proceed with a Coastal Hazard variation, given the apparent lack of clarity of the issue. It is also worth noting that indications from the insurance industry is that it too is taking the threat of climate change very seriously, and may push premiums up for properties located in hazard zones.

The Resource Management Act, The NZ Coastal Policy Statement and the Regional Coastal Plan each require the Council to accept that Climate Change is occurring, and that it has the effect of raising the sea level as well as increasing the frequency and magnitude of major storm events. The Council also looks to the Ministry for the Environment (MfE) for further guidance. That agency advises use of the Intergovernmental Panel on Climate Change (IPCC) figures, and indicates that a precautionary approach should be taken.

In addition it is important to note that the Council can not "contract out" of its responsibilities. There is no mechanism which allows the Council to simply wash its hands of someone undertaking development within risk zones. To do so would be to put lives and properties at

risk and would expose the Council (and therefore the rate paying community) to considerable liability.

In undertaking the steps required, the Council must have regard to the views and aspirations of its community. There has been extensive consultation with the community on this issue, and there will continue to be throughout the rest of the variation process. As a result of earlier consultation the Council undertook several pieces of further work, including peer reviews of Tonkin and Taylor (2002) and Dr David Kear (2006), and an economic study of the potential effects of Variation 6.

The peer reviews have cautioned the Council about the use of the IPCC's 0.49m figure for sea level rise over the next 100 years. They noted that this it was not the most recent IPCC figure and further, that IPCC projections do not reflect historical trends relating to sea level rise. This is countered by the latest advice from MfE and Environment Bay of Plenty, which directs the Council to continue to use IPCC figures and indicate approval of the figures the Council has been using. While MfE recommends 0.50m, the 0.01m difference between that and the 0.49m which the Council has accepted is very minor and has been accepted in recent case law.

The Council will be opening the next round of consultation within the next couple of months, and encourages all those with an interest to take part in the consultation process. For further information visit our website: www.whakatane.govt.nz/PoliciesPlans/DistrictPlanning/default/Variation6CoastalHazards.htm or tinyurl.com/3blxnq Or contact the Council's Senior Policy Planner, Tony Bullard, at tonyb@whakatane.govt.nz, or on 07 306 0500.



*Sand dune care is not only important for the protection of property and lives, but dunes are also habitats to rare plants such as the Mahoe (*Melicytus novae-zelandiae*) and orange coastal tussock grass (*Carex testaceae*) that was recently located on the Western Whakatane coastal recreation reserve. This is the eastern most known natural location. Previously Papamoa was considered the eastern boundary for these plants. They were discovered in amongst boxthorn which is providing some protection for these plants.*



The Council Civil Defence team continue to strive for excellence. Jan Pryor and Tony Gillard recently received awards for excelling in the training programmes. Jan Pryor (right) received the 2007 Top Student award, while Tony Gillard (left) received the Chief Executive's award.

WDC Emergency Services team shines

The exploits of Whakatane District Council Emergency Services team members have made headlines in the local media in recent weeks. Ten members of the team travelled to Palmerston North in July to graduate with level 2 and 4 'certificates in Emergency Management'.

The certificates were the completion of 15 months of work in a range of subjects including Rope responder, swift water response, flood response, building collapse, urban search and rescue, aircraft safety and command tactics. Tai Poutini Polytechnic and the Emergency Management Academy of New Zealand, who ran the courses, organised the award ceremony which also recognised outstanding contributions to emergency management.

The team was a finalist in the organisation of the year, Jan Pryor received the award for 'student of the year' and Tony Gillard received the 'chief executive's award for excellence'.

Level four certificates were awarded to Jan Pryor, Ron Avers, Tony Gillard, Alan Keeber and Geoff Brown whilst Bill Wycherley, Paul Moffat, Bernie Hopkins, Brenda Davis and Erle Busby, received level two certificates. Whakatane District Council has been a leader in the field of training under the new 'rapid' civil defence modules, with some members completing modules before they had even been loaded on the NZQA framework. As a result of these efforts the Team stood head and shoulders above all other organisations, contributing an outstanding 20% of those graduating.

Crime Prevention through Environmental Design

Whakatane District Council is looking at ways to incorporate principles of crime prevention environmental designs (CPTED) in its planning rules as a way to make our district safer.

- this can be achieved by locating windows and doorways to overlook the street and other public spaces
- siting activities such as shops and offices at the front of buildings

Safer Communities Coordinator Peter Lander says the CPTED has been trialled in several regions with good results being achieved.

We are looking at drawing some lessons from the experiences of Wellington, Christchurch and Auckland in using these CPTED principles as a crime prevention tool and making our communities safer for everyone. The major principle of crime prevention through environmental design is:

1. Natural surveillance – "see and be seen"

People are usually less likely to commit crime if they are (or think they maybe) being watched. Conversely people are more likely to feel safer if they think someone is 'looking' out for them.

CPTED uses the design of buildings and the arrangement of streets, parks and other outdoor spaces to reduce the opportunity for crime and the perception of vulnerability in enclosed spaces. Mr Lander says presentations made to planners and community groups showed a high level of support for the CPTED principles. The next step is getting the Council to adopt and incorporate these principles in the District Planning process.

Crime statistics from areas where CPTED principles are being trialled indicate that individuals feel less at risk of becoming victims of crime however, these figures cannot be used to measure the level of fear individuals may have at the possibility of becoming a victim.

Council changes Development Contributions Policy

The Council's Development Contribution levels have changed with the adoption of the 2007/08 Annual Plan. Changes made during the annual planning process were to take into account the work underway in Otawairere/West End, and to change the level of contribution required for visitor accommodation.

Development Contributions are a tool used by the Council to equitably share the burden of providing land or funds for additional infrastructure from the ratepayer to those who have generated the demand for the infrastructure. They ensure that growth is largely self-funding and does not create an undue burden for current ratepayers.

The Council has amended the formula that is used to calculate the amount of the Development Contribution for visitor accommodation facilities. The new formula is based on the actual demand these types of uses place on facilities and utilities.

This more accurately reflects actual demand on infrastructure when compared to a household unit, and lowers the current level of a development contribution for visitor accommodation, which in turn will encourage "units of demand" to be generated. Over a ten year period, the Council anticipates, the development of 80 visitor accommodation units or rooms (or an equivalent in

backpackers, caravan parks or hosted accommodation). The change in policy will have the effect of potentially reducing the estimated contribution by 51% (or about \$39,000 each year) based on a comparison between the previous and adopted formula.

In addition the Council amended the Development Contributions Policy to include development contributions for the Otawairere/West End stormwater/wastewater disposal scheme. This results in the cost of the installation of the scheme being spread across both current ratepayers and future developers. In doing this the Council recognises that the work done at Otawairere/West End

holds benefit for both present and future residents. The change will ensure that the cost of the scheme is spread more fairly across ratepayers and future developers.

A new Development Contributions fact sheet will be shortly available through Customer Services and the Council's website. The Council is planning a full review of its Development Contributions Policy in 2007/08 to ensure it is meeting the needs of the District. For more details or to be added to the contact list for consultation on the Development Contributions Policy contact the Council's Policy Manager, Chandra Quarmby, at chandraq@whakatane.govt.nz or on 07 307 0500.

Built Heritage an eye opener for many

The Council is undertaking a Built Heritage Study as a joint initiative with Environment Bay of Plenty and the New Zealand Historic Places Trust. Matthews and Matthews Architects Ltd have been commissioned to undertake the study.

The study will characterise buildings in Whakatane's central business area into particular 'themes' over time, e.g. recreation, government, commercial. This 'thematic overview' will detail the settlement and development of the study area in the context of our built heritage. From there, recommendations will be made for the most effective ways, both statutory

and non-statutory, to appropriately manage historic buildings in the future. The economic implications, for building owners and for the community, of buildings being identified as heritage buildings will be a key component of any next steps that are contemplated.

Results from the study are expected in September and will be presented to the Community for comment. If you have any enquires, or wish to be added to the contact list for the study please contact the Council's Policy Planner, Sharn Meekel at sharnm@whakatane.govt.nz or on (07) 306 0500.



Work on the Commerce Street upgrade is on schedule. Installation of retaining wall and benches at Puketapu toe is now almost complete.

Roading 2007-2008

The Council is spending \$3.7million on maintaining the district's roading network. A further \$5.08million on renewal works which include resurfacing of sealed surfaces, the replacement of damaged culverts and signs and the addition of maintenance metal to unsealed roads.

Highlights of the Roothing Programme;

Ohope Road;

- Completion of the current seal widening contract from Ngati Awa Cattle underpass to Pohutukawa Avenue. This section of the road will be resurfaced in February 2008.
- The reconstruction and widening of the balance of Ohope Road from Gorge Road intersection to Ngati Awa Cattle underpass. The design work for this section is underway and construction works are programmed to commence in October to be completed by Christmas.
- The estimated cost of the works is \$1.4million.

Commerce Street

- The current construction works will be completed during August and the road will then be resurfaced. There will be additional works at a later stage as the Countdown project is completed.

Seal Extension

- Wairaka Road has been carried over from the 2006-07 year and will be completed before November. The estimated cost of the works is \$90,000
- 3.8 km of Paekoa Road at Ruatoki plus the side road intersections is proposed to be completed by October in advance of the harvesting of Temanawa O Tuhoe

forest. The estimated cost of the works is \$407,000.

- Two sections of Ruatahuna Road, 1.4 km east of Okaahu Bridge and a further 0.9 km to join to sealed sections at Ruatahuna. The estimated cost is \$260,000.
- Burt Road at Matata at an estimated cost of \$157,000

Bridge works

- The Putiki Road bridge at the Western Drain Road intersection will be widened to a two-lane structure. The estimated cost is \$127,000.
- The single lane wooden bridge on Burma Road will be refurbished with new piles, beams and deck at an estimated cost of \$86,000
- Concrete repairs will continue on structures in the marine environment on Wainui Road and Quay Street at an estimated cost of \$85,000

Footpaths

- \$20,000 has been provided for the construction of new footpaths in Matata and the Rural area with an additional \$50,000 for footpaths in Whakatane and Coastlands

Other Improvement Works

- Seal widening works will be completed on Wano Road at an estimated cost of \$77,000
- Kerb and channel works are to be completed on Pollen Street, Matata at an estimated cost of \$59,000
- \$50,000 has been allocated to the undergrounding of power lines with sections of Stewart and James Street programmed for this year.

Waste - one person's rubbish another's treasure

The idea of being wasteful makes many people uncomfortable. Yet we continue to waste because we can't think of anything better to do with things we no longer need.

We are conditioned to think of things that are old, empty, worn, broken, ugly or marred, as useless so we throw them away without much thought about the consequences.

We can start the process of reusing with the assumption that the used materials that flow through our lives can be a resource rather than rubbish.

Most of us, however, haven't even begun to exploit the resources in our rubbish. Once you have your mind set, you can use rubbish for positive uses - you can begin to brainstorm and generate ideas. Reusing saves money, conserves resources, and it satisfies the human urge to make things.

Hints on reusing

- Containers can be reused at home or for school projects. Ask your school what they would like you to save.

- Carry a reusable bag or take bags when you go shopping. There are attractive nylon mesh bags available that can be stored easily in the glove compartment of your car. Also, durable canvas bags which take very little space to tuck away when not in use.
- Reuse wrapping paper, plastic bags, boxes and timber.
- Give outgrown clothing to a friend or a charity.
- Buy beverages in returnable and/or recyclable containers.
- Try repairing before you consider replacing lawnmowers, tools, vacuum cleaners, TVs and other appliances.
- Sheets of paper that have been used on only one side can be used for taking notes or rough drafts.
- Plastic bags and wraps can be used for storing items. They can be used for packing items for mailing.
- Old towels and sheets can be cut into smaller pieces and used for dusting.
- Books and magazines can be shared or donated.
- Newspapers can be donated to SPCA pound or recycled.



ELECTIONS

all you need to know

Preparing for this year's local government triennial elections is a job requiring detailed planning that begins months before polling day.

The triennial election will be held by postal vote on **Saturday 13 October 2007** to elect representatives on to the Whakatane District Council and the five community boards.

The Council has appointed Dale Ofsoske of Independent Elections Services in Auckland as Electoral Officer. Dale is responsible for the elections process and, with the local electoral officials at Whakatane District Council, Janie Storey and Coral Hair, has crossed every 't' and dotted every 'i' to ensure voters and potential candidates have all the necessary information for the big day.

Planning has involved making sure enrolment forms are available for electors, ensuring data base of electors is complete, notifying all ratepayer electors, finalising the ratepayer roll, inviting schools to take part in Kids Voting and providing election information on the Council's website.

Nominations for all positions open on **Friday 27 July 2007** and will close at **12 noon on Friday 24 August 2007** - forms will be available during this period from the following locations:

- Whakatane District Council Offices (Commerce Street, Whakatane) - 3060 500
- Murupara Service Centre (Civic Square, Murupara) - 3665 896
- or by telephoning 0800 922 822 and ask for one to posted out.

Elections will be required for the following positions:

- Mayor (elected 'at large')
- Councillors (10) - made up of:
 - Edgecumbe-Tarawera Ward (3)
 - Galatea-Murupara Ward (1)
 - Taneatua-Waimana (1)
 - Whakatane-Ohope Ward (5)
- **Community Board Members** (30)
 - Edgecumbe-Tarawera Community (6)
 - Murupara Community (6) - made up of:
 - Murupara Subdivision (3)
 - Galatea-Waiohau Subdivision (2)
 - Te Urewera Subdivision (1)
 - Ohope Beach Community (6)
 - Taneatua Community (6)
 - Whakatane Community (6)
 - Environment Bay of Plenty Members (2 General

Regional Councillors for the Eastern Bay of Plenty Constituency, or 1 Maori Regional Council or for either the Kohi Constituency or Mauao Constituency)

- Bay of Plenty District Health Board Members (7 Members elected 'at-large')

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

- enrolled as a Parliamentary elector anywhere in New Zealand; and
- a New Zealand citizen

Nomination papers must be signed by two persons on the electoral roll for the area (ward or Community Board) in which you are standing and accompanied by a deposit of \$200. Candidates have the option to provide a 150 word candidate profile statement which will be included with the voting papers. Detailed Candidate Information Booklets are available from the Council Office.

Maori Representation Poll

As well as the issues listed above a binding poll on whether Maori wards should be introduced for the 2010 and 2013 elections will form part of every voting paper. The Council considered that this was a question it needed to ask all residents and will ask whether or not you wish to vote for or against the introduction of Maori wards.

To see whether you are on an electoral roll check at any of the Council Offices, public libraries or Post shops

Voting Period

The First Past the Post electoral system will be used for all elections except for the Bay of Plenty District Health Board election which will use the Single Transferable Voting electoral System. Voting documents will be sent to all eligible electors, by post, from **Friday 21 September 2007**.

The voting period is 3 weeks (**Friday 21 September 2007 to 12 noon Saturday 13 October 2007**). Electors may post their completed voting documents back to the Electoral Officer using a pre-paid envelope sent with the voting document.

A polling place for the issuing of special voting documents and for the receiving of completed voting documents will be available from **Friday 21 September 2007 to 12 noon Saturday 13 October 2007** only at the Whakatane District Council Offices on Commerce Street, Whakatane.

ELECTIONS
Helping you have your say

Council takes ballot box to the classroom

For the first time in Whakatane District, secondary students will have the chance to vote in this year's triennial local body elections.



Whakatane District Council is introducing Kids Voting into local schools. Kids Voting started by the Ministry of Education in 2000, has been active in Auckland schools since 2001, is now available throughout local government as part of the Growing Active Citizens Project.

The Council has written to secondary schools in the District inviting them to take part in Kids Voting in the upcoming October elections. Schools will determine individually whether they will take part.

Kids Voting gives Year Nine students the chance to take part in an authentic voting experience. They vote for real candidates, on real ballot paper and the results of their election will be compared with the actual (adult) election.

While the student's votes are obviously not counted in the final election result, the programme aims to raise political awareness among secondary school students and the

importance for them to have a political voice in the future.

Council's electoral official Janie Storey says Kids Voting is a great initiative for schools to help students understand local government and the election process. "so many kids these days are not interested in current affairs or what is happening locally- so anything that can encourage them to broaden their horizons is hugely important".

Voter turnout in local elections has been falling steadily in New Zealand (about 45% of adults take part) and traditionally there has been low engagement among young voters. Janie hopes that by involving the secondary students this year, there also may be a spin-off among parents to encourage more of them to vote in the October's elections.

For more information visit www.kidsvoting.org.nz

Pride Whakatane Celebrates the 20th Anniversary of the Beautiful Whakatane District Garden Competition

Expo Extravaganza

Labour Weekend 19th - 22nd October 2007 • Whakatane War Memorial Complex

!! Guest Extraordinaire !!
"Rudd Kleinpaste
The Bug Man"



Trade Demos
Landscaping etc.
Crafts - Artworks
Environmental Displays



Coach Tours
Garden Competition
Prizegiving

Enquiries: Betty Lyon, Phone 308 9584