



Infrastructure and Planning Committee

Te Komiti Whakarite Mahere

Thursday, 20 February 2025
Tāite, 20 Huitanguru 2025

Tōtara Room, Whakatāne District Council
14 Commerce Street, Whakatāne
Commencing at 9:00 am



Chief Executive: Steven Perdia | Publication Date: 14 February 2025

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A Membership - *Mematanga*

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Mayor Dr Victor Luca
Councillor John Pullar (Chairperson)
Deputy Mayor Lesley Immink
Councillor Andrew Iles
Councillor Toni Boynton
Councillor Julie Jukes
Councillor Gavin Dennis
Councillor Wilson James
Councillor Tu O'Brien
Councillor Ngapera Rangiaho
Councillor Nándor Tánczos

B Delegations to the Infrastructure and Planning Standing Committee - *Tuku Mahi ki te Komiti***B Delegations to the Infrastructure and Planning Standing Committee - *Tuku Mahi ki te Komiti***

To monitor and advise on the implementation of Council's Infrastructure Strategy, capital works programme, operational service delivery, and related policy and bylaws.

Specific functions and delegations:

- a. Monitor the operational performance of Council's activities and services against approved levels of service.
- b. To monitor the progress of projects in Council's capital works programme and have input into and make decisions on the development of proposals, options and costs of projects.
- c. Approval of tenders and contracts that exceed the level of staff delegations.
- d. Consider and approve changes to service delivery arrangements arising from the service delivery reviews required under section 17A LGA 2002 that are referred to the Committee by the Chief Executive.
- e. Monitor the development and implementation of associated Central Government Reform programmes including the transition programme for Three Waters reform.
- f. Develop and review associated bylaws (Note: the Council cannot delegate to a Committee to "make" (adopt) a bylaw).
- g. Develop, review and approve strategies, policies and plans on matters related to the activities of this Committee (Note: the Council cannot delegate to a Committee the adoption of policies associated with the Long-term Plan).
- h. Approve Council submissions to Central Government, Councils and other organisations including submissions to any plan changes or policy statements on matters related to the activities of this Committee.

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1 Prayer - *Karakia*

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2 Meeting Notices - *Ngā Pānui o te hui*

1. Live Streaming

The Whakatāne District Council livestreams Council and Standing Committee meetings held in Tōtara Room, within the Council building. The webcast will live stream directly to Council's YouTube channel in real time. The purpose of streaming meetings live is to encourage transparency of Council meetings.

Welcome to members of the public who have joined online and to those within the public gallery.

By remaining in the public gallery, it is understood your consent has been given if your presence is inadvertently broadcast. Please be aware the microphones in Totara Room are sensitive to noise, so please remain quiet throughout the meeting unless asked to speak.

2. Health and Safety

In case of an emergency, please follow the building wardens or make your way to the nearest exit. The meeting point is located at Peace Park on Boon Street.

Bathroom facilities are located opposite the Chambers Foyer entrance (the entrance off Margaret Mahy Court).

3. Other

3 Apologies - *Te hunga kāore i tae*

No apologies were recorded at the time of compiling the agenda.

4 Acknowledgements / Tributes - *Ngā mihi mihi*

An opportunity for members to recognise achievements, to notify of events, or to pay tribute to an occasion of importance.

5 Conflicts of Interest - *Ngākau kōnatunatu***5 Conflicts of Interest - *Ngākau kōnatunatu***

Members are reminded of the need to stand aside from decision making when a conflict arises between their role as an elected member and any private or other external interests they might have. Elected Members are also reminded to update their register of interests when changes occur.

The [register of interest](#) can be viewed on the Council website.

1. Financial Conflict

- Members present must declare any direct or indirect financial interest that they hold in any matter being discussed at the meeting, other than an interest that they hold in common with the public.
- Members cannot take part in the discussion, nor can they vote on any matter in which they have a direct or indirect financial interest, unless with an approved exception.
- Members with a financial interest should physically withdraw themselves from the table. If the meeting is public excluded, members should leave the room.

2. Non-Financial Conflict

- If a member considers that they have a non-financial conflict of interest in a matter they must not take part in the discussions about that matter or any subsequent vote.
- Members with a non-financial interest must leave the table when the matter is considered but are not required to leave the room.

6 Public Participation - *Wānanga Tūmatanui***6 Public Participation - *Wānanga Tūmatanui*****6.1 Public Forum - *Wānanga Tūmatanui***

The Council has set aside time for members of the public to speak in the public forum at the commencement of each meeting. Each speaker during the forum may speak for five minutes. Permission of the Chairperson is required for any person wishing to speak during the public forum.

With the permission of the Chairperson, Elected members may ask questions of speakers. Questions are to be confined to obtaining information or clarification on matters raised by a speaker.

Thornton Bar and Eatery - Brenda Collins

B Collins, representing Thornton Bar and Eatery, will speak to the Committee about the impact of the Thornton Road closure on local businesses, highlighting concerns about communication and financial losses. They request that measures be put in place to improve future closures.

6.2 Deputations - *Ngā Whakapuaki Whaitake*

A deputation enables a person, group or organisation to make a presentation to Community Board on a matter or matters covered by their terms of reference. Deputations should be approved by the Chairperson, or an official with delegated authority, five working days before the meeting. Deputations may be heard at the commencement of the meeting or at the time that the relevant agenda item is being considered. No more than two speakers can speak on behalf of an organisation's deputation. Speakers can speak for up to 5 minutes, or with the permission of the Chairperson, a longer timeframe may be allocated.

With the permission of the Chairperson, Elected members may ask questions of speakers. Questions are to be confined to obtaining information or clarification on matters raised by the deputation.

7 Confirmation of Minutes - *Te whakaaetanga o ngā meneti o te hui*

The minutes from the Infrastructure and Planning Committee meeting held Thursday, 14 November 2024 can be viewed via the Council website.

Click on the link below in order to view the 'unconfirmed minutes'.

- [Unconfirmed Minutes - Infrastructure and Planning Committee 14 November 2024](#)

8 Reports - *Ngā Pūrongo*

8 Reports - *Ngā Pūrongo*

8.1 Three Waters Consent Replacement Programme Update Report – February 2025



To: **Infrastructure and Planning Committee**

Date: **Thursday, 20 February 2025**

Author: **J Joyce / Programme Manager**

Authoriser: **D Bewley / General Manager Planning, Regulatory and Infrastructure**

Reference: **A2826714**

1. Reason for the report - *Te Take mō tēnei rīpoata*

The purpose of this report is to update the Infrastructure and Planning Committee on the Three Waters Consent Replacement Programme (the Programme) on matters to February 2025.

2. Recommendation/s - *Tohutohu akiaki*

1. THAT the Infrastructure and Planning Committee **receive** the Three Waters Consent Replacement Programme Update February 2025 report; and
2. THAT the Infrastructure and Planning Committee **notes** the Programme Steering Group terms of Reference December 2024 (Appendix A).

3. Background - *He tirohanga whakamuri*

The Whakatāne District Council owns, operates, and maintains three waters infrastructure: stormwater, wastewater, and municipal water supply, across urban areas within the Whakatāne District. This infrastructure comprises six wastewater treatment plants and their reticulation networks, with plans for an additional wastewater scheme underway. The Council's municipal water supply infrastructure includes ten water supply schemes that draw from several water sources before treatment. Furthermore, stormwater networks exist within major urban areas to manage rainfall runoff and mitigate flooding risks.

The impending expiration of resource consents issued under the Resource Management Act 1991 will necessitate a number of significant upgrades within the Whakatāne District. For the Council, this includes replacing consents associated with four wastewater treatment plants and seven water supply schemes, as well as irrigation for Rugby Park. These upgrades are anticipated to come with a significant financial cost to the community, as well as increased ongoing operational costs associated with more advanced infrastructure.

8.1 Three Waters Consent Replacement Programme Update Report – February 2025(Cont.)

4. Discussion – Kōrerorero

4.1. Three Waters Programme Steering Group

The Three Waters Programme Steering Group (the Steering Group) met again on Thursday, 5 December 2025.

Key discussion areas included:

1. Communications and Engagement update.
2. Draft Programme Project Plan and procurement approach
3. Endorsement of the Programme Steering Group Terms of Reference
4. Whakatāne and Edgecumbe wastewater project update
5. Three waters affordability assessment overview.

8.1 Three Waters Consent Replacement Programme Update Report – February 2025(Cont.)**4.1.1. Key actions and or recommendations from the Steering Group meeting included:**

Report / Key Discussions	Key Actions / recommendations
Communications and engagement update	<ul style="list-style-type: none"> Interactive session on 'what success looks like' to inform the programme plan including purpose and key objectives. Example points included: <ul style="list-style-type: none"> Everyone has the right to healthy living - healthy communities, healthy homes, healthy relationships. Value for money and efficient water delivery that meets the needs of people, the environment and affordability. Long term solutions, do it once and do it right. Opportunity for education of the community including key benefits. Timely robust information to help make good decisions going forward.
Draft Programme Project Plan and procurement approach	<ul style="list-style-type: none"> Programme project plan will be a 'live' document and will continue to be refined so it is fit for purpose. Minor updates to be made, following the C&E interactive session and brought back in the new year for PSG endorsement and then inclusion on future IPC agenda. The programme team are currently reviewing the most appropriate procurement approach for the different projects and workstreams within the programme. Need to take into consideration internal processes and government direction on three waters. PSG endorsed that the programme team will come back in the first quarter of 2025 on procurement, once further work has been undertaken.
Programme Steering Group terms of reference	<ul style="list-style-type: none"> The PSG endorsed the Terms of Reference December 2024 (see Appendix A). The Terms of Reference will be updated throughout the programme, when appropriate.
Whakatāne / Edgecumbe wastewater project	<ul style="list-style-type: none"> Progress update on the Whakatāne / Edgecumbe Wastewater Working Group including ongoing discussions with Fonterra. Undertaking high level costing work looking at both standalone and combined options. Look to come to Council in first quarter 2025 to outline key information and agree direction on the project.
Three waters affordability assessment overview	<ul style="list-style-type: none"> Presentation by GM Finance outlining affordability, debt levels, capital programme and 30-year time frame funding scenarios.

8.1 Three Waters Consent Replacement Programme Update Report – February 2025(Cont.)

	<ul style="list-style-type: none"> • A 30-year timeline is being used so is in line with the Infrastructure Strategy and is a more realistic timeline for significant infrastructure funding requirements. • Timeframes to deliver the overall programme will need to be multi-year programmes. • Need to take the community with us. • PSG gave direction that any future options need to be fit for purpose and consider both affordability and compliance, and how implementation can be sustainably balanced over the 30 years and beyond.
Programme progress report	<ul style="list-style-type: none"> • Progress update on programme delivery. • Report was summarised with no further questions.

4.2. Procurement Approach to Three Waters Consenting

The programme team are continuing to investigate the most appropriate and efficient approach to procurement for the Three Waters Consenting Programme. A number of factors have emerged that will further influence this decision:

- a tentative two-year extension for the replacement of wastewater consents which constitute the majority of the larger, more complex procurement requirements on this programme;
- the internal review underway of Council procurement thresholds and processes; and
- the variability of 'broader outcomes' that may be sought across the range of expected procurements, which may diminish the efficiencies usually realised from a two-stage procurement process such as a panel.

While further clarity is gained over these variables, the programme team intends to use standard Council procurement processes for any procurement requirements in the short-term.

4.3. Local Waters Done Well – Bill 3

The Local Government (Water Services) Bill (the Bill) had its first reading in Parliament on 17 December 2024. This legislation introduces several key changes that will likely influence the Three Waters Consent Replacement Programme. While Local Waters Done Well is outside the PSG's scope, the following proposed changes will impact the programme:

4.3.1. Environmental Standards – Wastewater

- Wastewater environmental performance standards are being developed under the Water Services Act 2021 to establish a single standard for wastewater and stormwater nationwide. Provisions in the Bill will amend the Water Services Act 2021 and the Resource Management Act 1991 to enable the introduction of these national standards. This approach will ensure councils adopt a consistent framework for resource consents. The standards are expected by August 2025 and will influence the required upgrade levels and guide the programme's planning phase.

8.1 Three Waters Consent Replacement Programme Update Report – February 2025(Cont.)**4.3.2. Infrastructure Design Solutions (IDS)**

- A new regulatory tool, Infrastructure Design Solutions (IDS), will be introduced under the Water Services Act. IDS will set standardised design and operating requirements for modular wastewater treatment plants. Initially targeting small community systems (populations under 1,000), the first IDS is anticipated by mid-2026.

4.3.3. Wastewater Consent Extensions

- The Bill proposes a two-year extension for existing wastewater consents (that are due to expire within two years of the commencement date) under the RMA. This extension provides additional time to align consent replacement efforts with the evolving legislative framework and forthcoming national standards.

The proposed changes reinforce the necessity of delivering the consent replacement programme and upgrading infrastructure to meet future requirements. The impact of the Bill will largely depend on the specifics of the wastewater performance standards and IDS, including how they will address local environmental and cultural issues. The Water Services Authority / Taumata Arowai's first draft of the standards, expected mid-2025, will provide further clarity on their application and influence on planning.

While the Bill proposes to introduce performance standards, standardised design for small systems, and extend the expiry dates of wastewater consents nearing expiry, the impact will become clearer once the implementation framework is confirmed. The programme team will continue to monitor these developments closely.

In response to these changes, the programme will shift its focus towards replacing water consents that are nearing expiry. The team has recognised that the proposed extension of wastewater consents presents an opportunity for more detailed planning, including developing a wastewater strategy for the district. The intent of the strategy is to assess infrastructure and upgrade needs in the context of growth, cost, resilience and environmental and cultural impacts. The programme team is working on a scope for the wastewater strategy, which will be brought to the next PSG meeting in March for consideration.

4.4. Programme Budget

The following budget is included in the Long Term Plan 2024-34 for the Programme.

8.1 Three Waters Consent Replacement Programme Update Report – February 2025(Cont.)

Activity	LTP Budget Years 1-3 (2024-2027)	LTP Budget Years 4-7 (2024-2027)	LTP Total (2024-2034)
WATER			
410031 - All Equalised Schemes Replacement of Water Take Consents	\$608,206	\$0	\$608,206
410118 - Rangitāiki Plains Replacement of Water Take Consents	\$283,264	\$126,028	\$409,292
412556 - Murupara Replacement of Water Take Consents	\$88,112	\$0	\$88,112
WASTEWATER			
510062 - Whakatāne Equalised across District Wastewater Discharge Resource Consents (Whakatāne, Edgecumbe, Tāneatua)	\$4,087,403	\$352,462	\$4,439,865
512504 - Murupara Wastewater Discharge Resource Consents	\$1,377,757	\$0	\$1,377,757
511016 - Murupara Wastewater Discharge monitoring	\$83,697	\$220,426	\$304,123
TOTALS	\$6,528,439	\$698,916	\$7,227,355
<u>Notes to Table</u>			
1. Cost code 511016 has been split out within the programme to show monitoring components.			
2. There is an additional amount of \$266,400 of budget carried forward from the 2023/24 year. This is not included in the LTP amounts outlined above.			

4.4.1. Programme Budget Management

The current allocated budget of \$7.2M within the LTP 2024-34 is for planning activities to replace consents and does not include any upgrades following consent approvals. These will be budgeted as part of future Annual Plan and Long Term Plan deliberations and decisions.

Given the scale of consent renewals for Council, it will be important that there are clear processes in place to manage budget allocation throughout the programme, including being able to highlight early any funding constraints and/or challenges that may present.

4.5. Programme Resourcing

The Long-Term Plan 2024-34 includes six additional roles (three FTE and three contractors) to support the delivery of the Three Waters Consent Replacement Programme. The roles are based on the required skills and experience to deliver the work programme and include a mix of contractor and full-time/fixed-term equivalents.

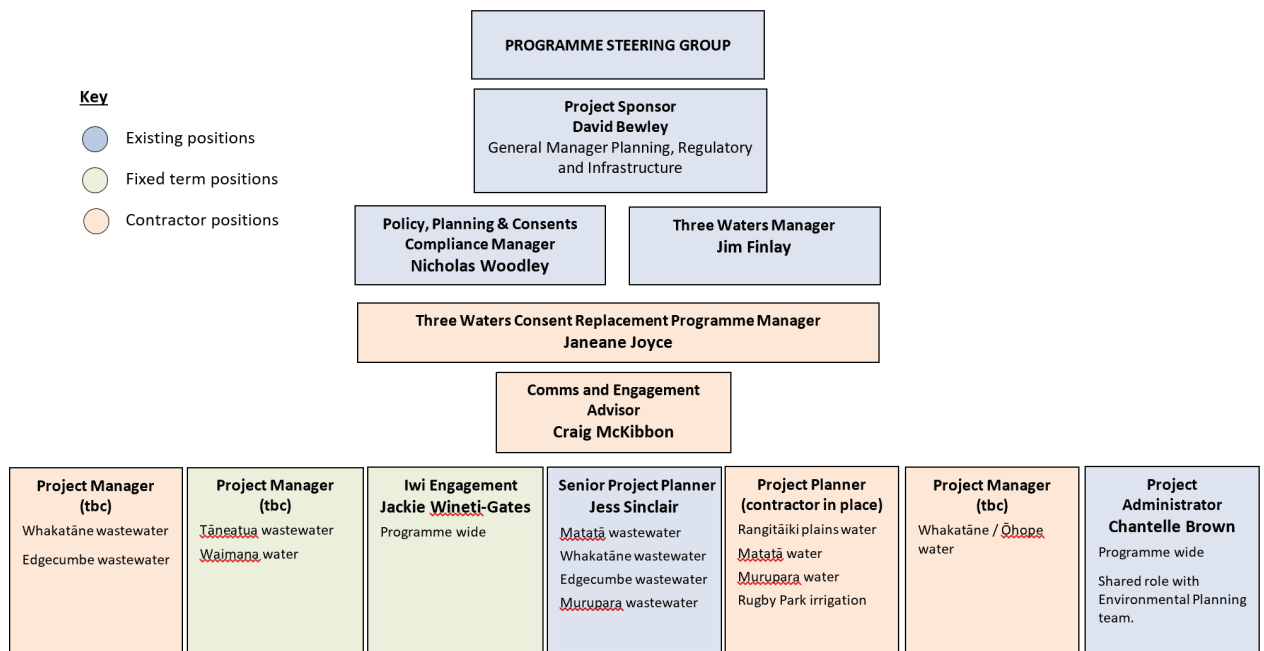
The programme team is in place with some key project level roles still to be confirmed including:

1. **Project manager Whakatāne / Edgecumbe wastewater** - short-term contractor (M Consulting) is in place to complete key tasks to March 2025 (extended from December 2024). A long-term project manager will be appointed once future project scope is confirmed

Infrastructure and Planning Committee - AGENDA

8.1 Three Waters Consent Replacement Programme Update Report – February 2025(Cont.)

2. **Project manager Tāneatua wastewater & Waimana water** - role will be coordinated with Tūhoe in terms of requirements and recruitment. The programme iwi engagement advisor will also support this project.
3. **Project manager Whakatāne / Ōhope water** – to be determined with the new Three Waters Manager.
4. **Project planner** (minor water consents) - one part-time contractor has been appointed, commencing with Tāneatua.

4.5.1. Programme Team Structure February 2025**4.6. PROGRAMME PROGRESS**

The following table summarises the current programme and progress to date on relevant projects:

8.1 Three Waters Consent Replacement Programme Update Report – February 2025(Cont.)

Project	Date	Progress
WASTEWATER CONSENTS		
Whakatāne and Edgecumbe Wastewater	2024 - 2027	The Council is exploring a potential partnership for developing a combined wastewater treatment plant (WWTP) and discharge system. The partner has a large industrial waste stream. Both parties have evaluated the costs, benefits and risks of this collaboration.
Tāneatua Wastewater	2024 - 2027	On hold whilst the district wastewater strategy is developed / further clarity from LWDW is gained, primarily around compliance standards.
Murupara Wastewater	2024 - 2027	The Murupara Co-design Group, consisting of Ngāti Manawa and the Council, has been established. The Terms of Reference include relationship principles and outlay Ngāti Manawa's aspirations—including the removal of wastewater discharge from the Rangitāiki River—have been agreed upon. As Murupara is the most isolated town in the district, planning will proceed with the understanding that the wastewater strategy is unlikely to impact the project. Next steps involve creating a project plan and assembling a technical team to manage key workstreams such as environmental monitoring, wastewater and discharge system options, cultural narrative, legal and planning considerations, and communications.
WATER CONSENTS		
Whakatāne and Ōhohe Water	2024 - 2026	Whakatāne / Ōhohe Water Project will build on a comprehensive water roadmap developed in 2021. A supporting Project Manager will be acquired internally, in coordination with the new Three Waters Manager.
Rangitāiki Plains	2025 - 2026	These projects are still in the development phase or are awaiting the appointment of a project planner to apply for "like for like" consents.
Matatā Water (Jennings Spring)	2025 - 2027	
Murupara Water	Late 2024	
Waimana Water	Early 2025	
Rugby Park irrigation	Late 2024 / Early 2025	
Tāneatua Water	Mid-2024	A consultant has been engaged to prepare the consent application for the Tāneatua water take. A pre-application meeting with BOPRC has been held to ensure that the appropriate level of assessment and technical details are provided. This will ensure we manage the budget effectively.
Rūātoki Water	n/a	* Note an alternative water supply is being sought for Rūātoki due to resilience issues. It is currently uncertain whether the existing supply will be maintained and, thus, whether replacement consent is required.

4.7. CO-DESIGN APPROACH

Following the successful co-design approach established for the Matatā Wastewater Project, a number of additional co-design structures have been or are planned to be established to support the more complex consent replacement projects. Co-design processes are in the early stages, with progress to continue once the Three Waters Programme Team is fully in place.

8.1 Three Waters Consent Replacement Programme Update Report – February 2025(Cont.)

Whakatāne / Edgecumbe Wastewater Consent Replacement	Co-Design approach in early stages of establishment. Draft Terms of reference in progress.
Murupara Wastewater Consent Replacement	Co-design group established in early 2024 with the Council and Te Rūnanga o Ngāti Manawa. Terms of Reference are in place.
Tāneatua Wastewater Consent Replacement	Co-design group established in early 2023 with the Council, Te Uru Taumatua, and Te Taraipara o Rūātoki Tribal. Draft Terms of Reference in progress. It is expected the co-design group will be reset following the appointment of a Project Manager after being on hold.
Water Consent Replacements (Rangitāiki plains, Whakatāne/Ōhope, Matatā, Murupara, Waimana, Tāneatua and Rūātoki)	<p>These projects are still in the development phase. They build on a comprehensive water roadmap that was developed in 2021. Standalone schemes with existing water supplies that the Council intends to apply for “like for like consents” will go through standard iwi and hapū consultative processes. This includes water supplies for Waimana, Tāneatua, Murupara, and Rugby Park irrigation.</p> <p>For more complex schemes necessitating broader strategies and changes to water sources or service areas, co-design or working groups involving iwi and hapū will be required. This pertains to projects such as the Whakatāne and Ōhope scheme, which includes potential integration with the Otumahi Scheme.</p> <p>When co-design groups are already established, such as those for wastewater projects, the Council will utilise these to establish or combine co-design initiatives for water.</p>

5. Options Analysis - Ngā Kōwhiringa

No options have been identified at this time, relating to the matters of this report.

6. Significance and Engagement Assessment - Aromatawai Pāhekoheko**6.1. Assessment of Significance**

The decisions and matters of this specific report are assessed to be of low significance in accordance with the Council’s Significance and Engagement Policy. However, this report is part of a broader process that is, or may be in future, assessed to be of moderate significance.

The following criteria are of particular relevance in determining the future level of significance.

- **Level of community interest:** The Three Waters Consent Replacement Programme is expected to generate a moderate level of community interest. A communications and engagement plan will be developed for each of the significant projects which will include engagement with the wider community.

8.1 Three Waters Consent Replacement Programme Update Report – February 2025(Cont.)

- **Rating / Financial impact:** The financial costs associated with the Three Waters Consent Replacement Programme are included in the Long-Term Plan (LTP) 2024-34. However, this does not include the costs of the subsequent infrastructure upgrades that will be required due to the new consents.
- **Impact on Māori:** The consent replacement programme has a notable impact on Māori, given the strong cultural connections to land, water, and other taonga. The co-design approach with iwi and hapū is intended to ensure that the concerns and aspirations of Māori are integral to the programme's planning and execution.

6.2. Engagement and Community Views

Resourcing is in place to support with Council's ongoing communications and engagement on the programme. This includes the development of a programme level Communications and Engagement (C&E) Plan which is currently underway.

Relevant consent replacement projects will develop a project plan and include relevant place-based communications and engagement planning as part of this, aligned to the programme level C&E Plan.

7. Considerations - *Whai Whakaaro***7.1. Strategic Alignment**

No inconsistencies with any of the Council's policies or plans have been identified in relation to this report.

7.2. Legal

Meeting the Resource Management Act requirements of replacing expiring consents for water and wastewater has been identified as a strategic project for the Council and is a legal requirement.

7.3. Financial/Budget Considerations

Project costs are being funded out of the budget for the Three Waters Consent Replacement Programme and are included in the Long Term Plan (LTP) 2024-34.

There is no budget considerations associated with the recommendations of this report.

7.4. Climate Change Assessment

There are no significant or notable impacts associated with the matters of this report.

8.1.1 Appendix A - Programme Steering Group Terms of Reference December 2024**7.5. Risks**

Risk	Description and/or Mitigation
The current 2026 timeframe for replacing most of the identified consents will be very challenging to meet, especially for consents associated with the four wastewater treatment plants, given the amount of technical work, partnerships, and community engagement required.	The programme team will keep across the new Draft Local Water Services Bill which currently includes a two-year extension. Each project will develop a project plan and include adequate planning for any interim approach that may need to be taken if the timeframe(s) cannot be realistically met.
Obtaining the necessary resource consents will be challenging due to the complex nature of the projects, especially wastewater consents.	The most effective way of mitigating this risk is through the partnership and collaborative approach process with iwi and hapū that is being implemented as part of the relevant projects.
Recruiting the right level of skills and experience into the approved roles may prove challenging given the current demand for three waters expertise and support across local government in New Zealand.	The programme team are using all recruitment methods and staff advice available to help mitigate this risk.

8. Next Steps – E whai ake nei

- Continue to manage the Programme Steering Group as per agreed terms of reference.
- Continue recruitment processes for relevant roles to support project development and delivery.
- Continue to establish and work in co-design partnerships for relevant projects.

Attached to this Report:

- Appendix A - Programme Steering Group Terms of Reference December 2024.

8.1.1 Appendix A - Programme Steering Group Terms of Reference December 2024

8.1.1 Appendix A - Programme Steering Group Terms of Reference December 2024(Cont.)**Three Waters Consent Replacement Programme****Programme Steering Group - Terms of Reference**

Approved by the Programme Steering Group: 5 December 2024

Background

Whakatāne District Council owns, operates, and maintains three waters infrastructure: stormwater, wastewater, and municipal water supply, across urban areas within the Whakatāne District. This infrastructure comprises six wastewater treatment plants and their reticulation networks, with plans for an additional wastewater scheme underway.

The Council's municipal water supply infrastructure includes ten water supply schemes that draw from several water sources before treatment. Furthermore, stormwater networks exist within major urban areas to manage rainfall runoff and mitigate flooding risks.

However, with the impending expiration of resource consents under the Resource Management Act 1991, the district faces the need for several upgrades to its three waters infrastructure to obtain replacement consents.

Local government future water services delivery

In 2024, the Government set out key details of New Zealand's future water services delivery system under Local Water Done Well (LWDW).

The proposed Local Government Water Services Bill will establish the enduring settings for the new water services system. Changes are proposed to the water services delivery system and to the water services regulatory system. The Three Waters Consent Replacement Programme will keep across this emerging legislation to ensure that government direction is integrated and informing future planning and decision making.

Purpose

To provide a specialised forum to oversee and guide, at a programme level, the development and delivery of the Three Waters Consent Replacement Programme.

The Programme Steering Group (the Steering Group) shall report to and provide updates and recommendations to the Whakatāne District Council Infrastructure and Planning Committee and will:

- Recommend the strategic direction and appropriate processes, at a programme level, for the replacement of the identified three water consents.
- Bring high-level political, cultural and community perspectives to the Council's Three Water Consents Replacement Programme.

Ref: A2750255



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Commerce St, Private Bag 1002, Whakatāne 3158, New Zealand

8.1.1 Appendix A - Programme Steering Group Terms of Reference December 2024(Cont.)

- Develop relationships with central government and gain an understanding of the current and future legislation, funding opportunities and mechanisms available for delivering the programme.
- Enable consistent and effective leadership, advocacy, communication, and engagement.
- Champion connections with mana whenua, stakeholders and partners at a programme level.

For clarity, the Steering Group's purpose is to advise on strategic matters at the programme level. It does not provide detailed design or delivery recommendations for technical or co-design aspects of individual projects.

Roles and Responsibilities

The roles and responsibilities of members include the following:

- Oversee the process for developing the Three Water Consents Replacement Programme at a programme level, including:
- Oversee:
 - the delivery of key programme milestones;
 - programme costs and budgets;
 - strategic alignment;
 - key risks and challenges identified through specific projects' design, development, and implementation processes.
- Consider current and emerging government direction on water services delivery.
- Receive progress updates and reports from the Programme Manager.
- Ensure effective and timely engagement with mana whenua, other key partners and stakeholder groups.
- Consider information and make recommendations for the Programme based on, Mātauranga Māori, community, partner and stakeholder insights, Whakatāne District Council staff and consultant advice.
- Provide advice and make recommendations to the Infrastructure and Planning Committee and oversee the implementation of Committee or Council decisions.
- Give effect to Te Tiriti of Waitangi.

Ref: A2750255



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8.1.1 Appendix A - Programme Steering Group Terms of Reference December 2024(Cont.)

Programme Structure

<i>Strategic Direction</i>	Programme Steering Group Provide a specialised forum to oversee and guide the development and delivery of the Three Waters Consent Replacement Programme.
<i>Programme Management</i>	Programme Management Team Provide overarching programme management and coordination to ensure effective planning, monitoring and delivery.
<i>Project Delivery</i>	Specific Project Delivery Teams Provide project management and technical expertise in delivering identified three waters consent replacement projects.

Membership

Steering Group Members

Three members appointed by Whakatāne District Council	Councillor John Pullar (Chair of the Infrastructure and Planning Committee) Councillor Ngapera Rangiaho Councillor Julie Jukes (Chair of the Finance and Performance Committee) His/ Her Worship the Mayor (ex officio)
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An independent specialist appointed by the Whakatāne District Council members on the Steering Group	<i>To be determined</i>
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One senior leadership member appointed by the Whakatāne District Council Executive Team (plus an alternate)	David Bewley, GM Planning, Regulatory and Infrastructure Bevan Gray, GM Finance and Commercial Services (alternate)
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Supporting Roles

Whakatāne District Council Management	Nicholas Woodley, Manager Policy Planning & Consents Three Waters Manager (<i>tbd</i>)
Programme Management and Support	Janeane Joyce, Programme Manager

Ref: A2750255



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8.1.1 Appendix A - Programme Steering Group Terms of Reference December 2024(Cont.)

Jessica Sinclair, Senior Project Planner

Chantelle Brown, Programme Coordinator

Chairperson	The Steering Group is to be chaired by the Chair of the Council Infrastructure and Planning Committee.
Quorum	Three members with at least one member representing Whakatāne District Council.
Decision making	By consensus where possible. If consensus cannot be reached, by majority vote. If there are an equal number of votes, the member who is chairing the meeting has a casting vote.
Meeting frequency	All meetings will be at such frequency, times, and places as agreed necessary to perform the purpose, roles, and responsibilities under the Terms of Reference, and will be held at least bi-monthly. Members may attend in person or online.

Administration

Whakatāne District Council will administer the Steering Group. This includes coordinating the agenda, taking minutes, and distributing meeting minutes to the members.

In advance of each meeting, the Steering Group Members will be provided sufficient information on each agenda item to enable robust consideration and recommendations. The information provided at meetings will be supplied by supporting staff from Whakatāne District Council or external providers.

All Steering Group advice and decisions will be formalised by meeting minutes. These minutes/reports are confirmed by all Steering Group members present at the meeting. A summary of the meeting reports and any relevant recommendations will be reported to the Council Infrastructure and Planning Committee.

Delegations

The Steering Group is an advisory group to the Infrastructure and Planning Committee at Whakatāne District Council and has no specific financial or final decision-making delegation.

Duration and Review

It is anticipated that this programme will take approximately three to four years to deliver. This Steering Group will remain active through the development and implementation and will provide advice throughout.

Ref: A2750255



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8.1.1 Appendix A - Programme Steering Group Terms of Reference December 2024(Cont.)

To ensure the Steering Group remains fit for purpose, any aspect of the Group, including its role, membership and ways of working, will be reviewed annually or earlier if a majority of members or the Whakatāne District Council requests it.

Variations

Any member may propose a variation, deletion or addition to these Terms of Reference by putting the wording of the proposed variation, deletion or addition to the Steering Group via a meeting. If agreed by the Steering Group, such variation, deletion, or addition shall be referred to the Infrastructure and Planning Committee for approval.

Confidentiality

All Steering Group members must agree and abide by all standards of behaviour specified in the Whakatāne District Council's [Code of Conduct, particularly those related to confidentiality and conflict of interest obligations and requirements](#).

In the course of their duties, members will receive information, whether in reports or through debate, that is confidential. This will generally be information that is either commercially sensitive or personal to a particular individual or organisation. Accordingly, members agree not to use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the member.

Members are required to disclose all actual, perceived, and potential conflicts of interest before joining the Steering Group. You can make this disclosure by providing the General Manager Infrastructure Whakatāne District Council, via email, the same information requested through Appendix B: Register of Interests Template in the Code of Conduct.

Ref: A2750255



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8.2 Amendments to the Register of Parking Restrictions, Prohibitions and Limitations**8.2 Amendments to the Register of Parking Restrictions, Prohibitions and Limitations**To: **Infrastructure and Planning Committee**Date: **Thursday, 20 February 2025**Author: **C King-Hazel / Team Leader Administration - Transportation**Authoriser: **D Bewley / General Manager Planning, Regulatory and Infrastructure**Reference: **A2802446****1. Reason for the report - *Te Take mō tēnei rīpoata***

This report is presented to the Infrastructure and Planning Committee for consideration and approval of amendments to the Register of Parking Restrictions, Prohibitions and Limitations.

Since the last review in November 2024, there is one existing amendment recently actioned due to imminent safety concerns, and two proposed amendments, both needing review and approval. These amendments aim to address the current parking needs more effectively and require endorsement by the committee before they can be publicly notified and enforced. This approval process ensures that all modifications are thoroughly reviewed and aligned with the community's best interests.

2. Recommendations - *Tohutohu akiaki*

1. THAT the Infrastructure and Planning Committee **receive** the Amendment to the Parking Restrictions, Prohibitions and Limitations Report; and
2. THAT the Infrastructure and Planning Committee **approve** the existing parking amendment, and the proposed parking amendments, including the need for the amendments to be publicly notified, as set out in Appendix 1 'Register of Parking Restrictions, Prohibitions and Limitations Schedule of Amendments – February 2025'; and
3. THAT the Infrastructure and Planning Committee **notes** that once the parking amendments are in place, the Parking Restrictions, Prohibitions and Limitations Register will be updated following public notification.

3. Background - *He tirohanga whakamuri*

The Whakatāne District Council maintains a register of all parking restrictions, prohibitions, and limitations. This register operates as a separate schedule from the Traffic and Speed Limits Bylaw 2018. Amendments can be made through a publicly notified resolution without undergoing a bylaw review process.

Following the last review in November 2024, further reviews have identified an existing parking amendment and two proposed new parking improvements. The existing amendment is detailed in Appendix 1 - Schedule of Amendments – February 2025, and Appendix 2 – Map of the Amendments. Proposed parking amendments are detailed in Appendix 3 – Map of Proposed New Amendments.

8.2 Amendments to the Register of Parking Restrictions, Prohibitions and Limitations(Cont.)**4. Discussion – Kōrerorero****The following is a summary of the existing parking amendment:****4.1. Update Register of removed carpark on Bridge Street outside Allandale Superette, replace with broken yellow lines.**

A Request for Service (RFS) was received regarding the safety of children crossing the school patrol crossing adjacent to the Allandale Superette on Bridge Street. The current car park was a black spot that blocked visibility of the crossing with near misses occurring daily.

Council staff inspected and removed the last carpark, extending the broken yellow lines from King Street to Bridge Street to increase safety at this crossing.

Reference Appendix 1 – Schedule Item 1.1 Removal of carpark and extend broken yellow lines at Bridge Street and King Street Intersection.

Reference Appendix 2 – Item 2.1 Removal of carpark and extend broken yellow lines at Bridge Street and King Street Intersection.

The following is a summary of the proposed new amendments:**4.2. Bus stop relocation, Edgecumbe**

The Bay of Plenty Regional Council (BOPRC) requested the 13m bus stop at 8 College Road, adjacent to the dairy, be relocated to the opposite side of the road, to accommodate the new bus route. Currently the bus is unable to use the proposed location as parked vehicles are preventing access.

BOPRC requested an additional 13m bus stop on the north side of Rata Street, near College Road, to provide another point of access for local bus services and support the new route.

The proposed amendments better meet the needs of residents and bus operators.

The adjacent business owner (butchery) has been consulted and is comfortable with the proposed change in bus stop location as long as only four spaces are lost.

The adjacent homeowner on Rata Avenue will have very minor impact as the bus will only pull in to collect or drop off passengers.

There will be no impact on local businesses on College Road as the changes proposed do not impact parking availability.

The bus stop relocation is planned for early 2025.

Refer Appendix 3 – Item 3.1 Bus stop changes proposed for College Road and Rata Ave, Edgecumbe.

4.3. Proposed new broken yellow lines outside Four-Square, 205 Pohutukawa Avenue, Ohope.

A request was received from the owners of the Four-Square on Pohutukawa Avenue, Ohope to extend the broken yellow lines to improve visibility when exiting the Four-Square carpark and to allow turning into the carpark easier.

As the only impact is on the Four-Square, no further consultation is deemed necessary.

8.2 Amendments to the Register of Parking Restrictions, Prohibitions and Limitations(Cont.)

Council staff assessed and recommended to remove one on-street carpark and extend the broken yellow lines across the Four-Square entrance.

Reference Appendix 3 – Item 3.2 Extend broken yellow lines outside Four-Square Pohutukawa Avenue, Ōhope.

5. Options Analysis - Ngā Kōwhiringa**5.1. Option 1 Approve Existing Parking Amendments and Proposed Parking Amendments – Recommended option.**

This option will ensure that the existing and proposed amendments can be formally approved, and following implementation are publicly notified, and enforceable. These amendments are a result of requests from the public and BOPRC and aim to enhance road safety and optimise parking for the majority of road users.

Advantages	Disadvantages
<ul style="list-style-type: none"> Ensures all implemented parking changes made are enforceable. Improve safety and parking efficiency for road users. 	<ul style="list-style-type: none"> None.

5.2. Option 2 Do not approve or approve some of the Existing and Proposed Parking Amendments.

This option would see only some or none of the existing and proposed amendments approved.

Advantages	Disadvantages
<ul style="list-style-type: none"> No advantage. 	<ul style="list-style-type: none"> Existing amendments are not enforceable and would require removal. Non approval will negate the improvements to road safety and parking efficiency being made through the proposed changes.

6. Significance and Engagement Assessment - Aromatawai Pāhekoheko**6.1. Assessment of Significance**

The decisions and matters of this report are assessed to be of low significance, in accordance with the Council's Significance and Engagement Policy.

6.2. Engagement and Community Views

Engagement on proposed amendments has occurred with affected parties.

8.2.1 Appendix 1 - Schedule of Amendments February 2025

The Parking Restriction Register is appended to the Whakatāne District Council Traffic and Speed Limits Bylaw 2018, clause 5.1 and 5.4 and is published on the Council's website.

7. Considerations - *Whai Whakaaro***7.1. Strategic Alignment**

All proposed changes align with the Council's strategic direction in the LTP outcomes and priorities and are within the Council and Waka Kotahi's approved standards and rules.

7.2. Legal

The proposed changes are made to the Parking Restriction Prohibitions and Limitations Register; a schedule appended to the Bylaw. The Infrastructure and Planning Committee has the delegation to approve the proposed changes.

7.3. Financial/Budget Considerations

The costs associated with the proposed changes in parking restrictions and the implementation are low and can be completed within existing traffic signs and line marking budgets.

7.4. Climate Change Assessment

There are no significant or notable impacts associated with the matters of this report.

7.5. Risks

There are no significant or notable risks associated with the matters of this report.

8. Next Steps – E whai ake nei

Following the approval of the proposed changes to the Parking Register, the proposed amendments will be implemented, and the public will be notified before any enforcement, as required by Clause 5(1) of the Traffic and Speed Limits Bylaw.

Attached to this Report:

- Appendix 1 - Schedule of Amendments February 2025
- Appendix 2 - Map of Amendments February 2025
- Appendix 3 - Map of Proposed New Amendments February 2025

8.2.1 Appendix 1 - Schedule of Amendments February 2025

8.2.1 Appendix 1 - Schedule of Amendments February 2025(Cont.)

Appendix 1

**Whakatāne District Council
Register of Parking Restrictions, Prohibitions and Limitations
Schedule of Amendments: February 2025**

1. Amendments

1.1 Bridge Street

Add the Following:

Parking Prohibitions	north side, from a point 15 metres west of the western kerb alignment of King Street extending west for a distance of 7 metres.
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Amend the Following:

Parking Prohibitions P10	north side, from a point 22 metres west of the western kerb alignment of King Street extending west for a distance of 12 metres. Prohibitions apply 2:45pm-3:15pm School days. Parallel parking 2 Spaces.
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8.2.2 Appendix 2 - Map of Amendments February 2025

8.2.2 Appendix 2 - Map of Amendments February 2025

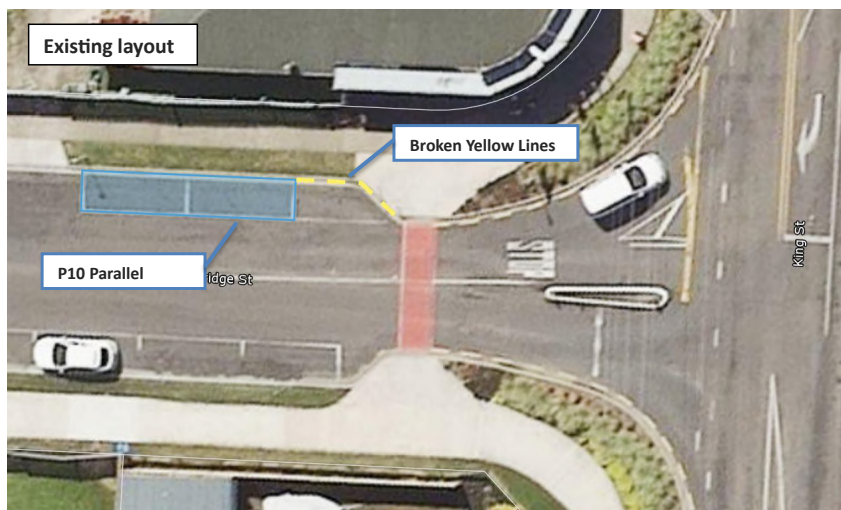
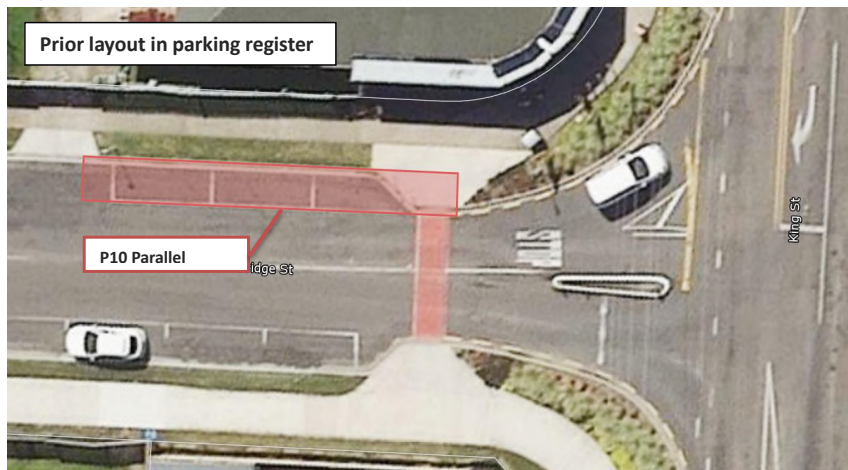
8.2.2 Appendix 2 - Map of Amendments February 2025(Cont.)

Appendix 2: Map of Amendments February 2025

Whakatāne District Council
Register of Parking Restrictions, Prohibitions and Limitations
Map of Amendments - February 2025

2. Map of amendments:

2.1 Removal of carpark and extend the broken yellow lines at Allandale Superette Bridge Street and King Street Intersection.

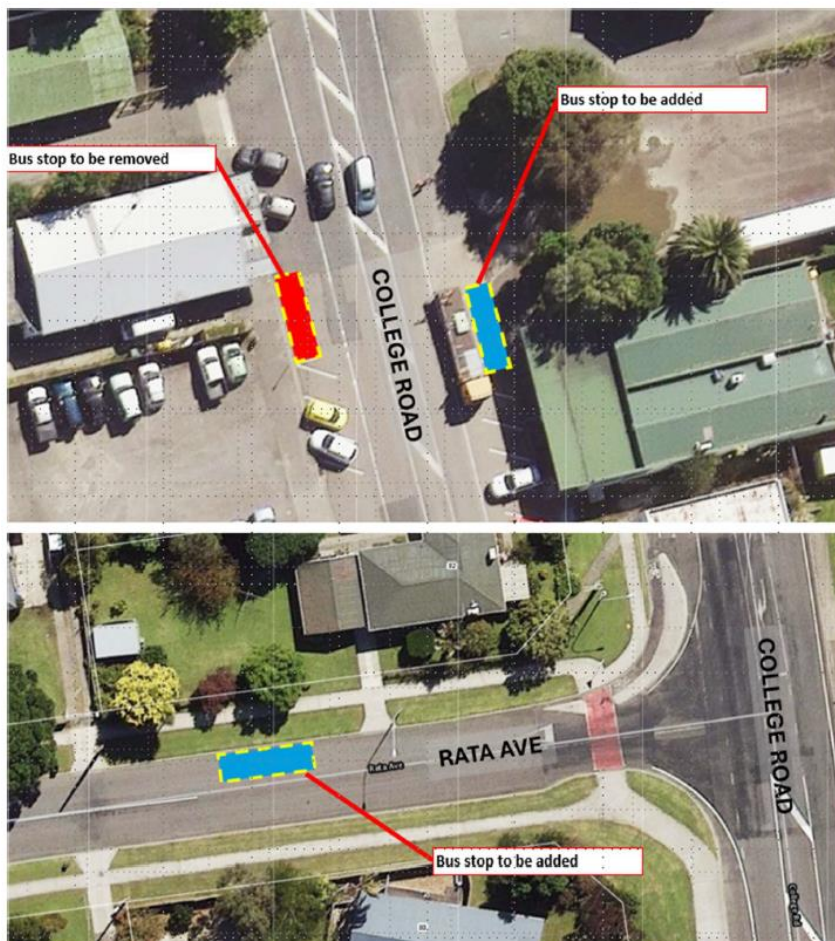


8.2.3 Appendix 3 - Map of Proposed New Amendments February 2025

8.2.3 Appendix 3 - Map of Proposed New Amendments February 2025

8.2.3 Appendix 3 - Map of Proposed New Amendments February 2025(Cont.)Appendix 3: Maps of proposed new amendments

Whakatāne District Council
Register of Parking Restrictions, Prohibitions and Limitations
Maps of Amendments - Proposed New Changes: February 2025

3. Maps of proposed new amendments:**3.1 Bus stop changes proposed for College Road and Rata Ave, Edgecumbe.**

8.2.3 Appendix 3 - Map of Proposed New Amendments February 2025(Cont.)

3.2 Broken Yellow Lines outside Four Square Pohutukawa Ave Ohope



8.3 Matatā Wastewater Project Update - February 2025**8.3 Matatā Wastewater Project Update - February 2025**To: **Infrastructure and Planning Committee**Date: **Thursday, 20 February 2025**Author: **J Joyce / Programme Manager**Authoriser: **D Bewley / General Manager Planning, Regulatory and Infrastructure**Reference: **A2827470****1. Reason for the report - *Te Take mō tēnei rīpoata***

The purpose of this report is to update the Infrastructure and Planning Committee on the Matatā Wastewater Project.

2. Recommendation/s - *Tohutohu akiaki*

THAT the Infrastructure and Planning Committee **receive** the Matatā Wastewater Project Update February 2025 report.

3. Background - *He tirohanga whakamuri*

Matatā currently does not have a reticulated wastewater scheme, which means that individual landowners are reliant on their existing on-site septic tank system arrangements. Monitoring has detected elevated levels of faecal indicator bacteria and nutrients, particularly downstream of Matatā. The likely sources of contamination are the septic tanks within Matatā, which are posing risks to public health and contributing to environmental degradation and poor water quality.

Several significant consequences will persist in the absence of an appropriate wastewater treatment and disposal solution in Matatā. These include environmental and public health risks, as well as the potential for homes to fail to meet relevant standards, potentially rendering them uninhabitable. Both the Bay of Plenty Regional Council and Toi Te Ora Public Health have identified key concerns and expectations for mitigation regarding the environmental and public health impacts of the current situation.

The Council has committed to a project for a wastewater solution for Matatā as a matter of priority, implementing the solution as soon as practicably feasible, recognising community, legislative and funding requirements.

4. Discussion – *Kōrerorero***4.1. Phase 3 Workstreams**

The key workstreams in Phase 3 include:

8.3 Matatā Wastewater Project Update - February 2025(Cont.)

1. Cultural Narrative	Development of a cultural narrative and technical advice, working collaboratively with Matatā iwi and hapū representatives to inform all other technical workstreams. This will include areas, sites and stories of significance, desired outcomes and community benefits, and land development aspirations.
1. Environmental Monitoring Programme	Develop a consistent and robust set of data and information on the current environment and environmental effects in Matatā to support decisions on the Matatā Wastewater Project.
1. Wastewater System Options Analysis	Determine and analyse appropriate wastewater collection system design options for Matatā, including recommendation of preferred option.
1. Land Analysis Review	Identify the preferred site(s) for the treatment and disposal of wastewater for inclusion in the resource consent application.
1. Resource Consent Application	Develop resource consent application including an AEE that is approved and submitted.

4.2. Phase 3 Technical Reports

All Project Phase 3 workstreams are complete or nearing completion. These include the Cultural Narrative (complete), Wastewater System Options Analysis (final draft), Environmental Monitoring Programme (nearing completion), and Land Option Analysis (nearing completion).

All reports will inform the resource consent process, if approved by Council.

4.3. Te Niaotanga ō Mataatua ō Te Arawa Co-Design Group

The Te Niaotanga ō Mataatua ō Te Arawa Co-design Group, supported by the project technical team, are planning to formally report to Council on the Matatā Wastewater Project to seek direction and endorsement to move to resource consent application. This is currently planned for the 10 April Infrastructure and Planning Committee meeting.

4.4. Project Progress

The following table summarises progress to date on workstreams.

8.3 Matatā Wastewater Project Update - February 2025(Cont.)

Task	Progress / Recent Actions Taken	Status
Co-Design Partnership Approach (Iwi and Council)	<ul style="list-style-type: none"> Co-Design Group hui held monthly. Two Co-Design Group hui held 25 November 2024. Next Co-Design Group hui is scheduled for 24 February 2025. 	
Project Phase 1: Project Set Up	<ul style="list-style-type: none"> Phase 1 complete. 	
Project Phase 2: Review Information and Identify Gaps	<ul style="list-style-type: none"> Phase 2 complete. 	
Project Phase 3: Options Analysis and Resource Consent Application		
Cultural Narrative workstream	<ul style="list-style-type: none"> Cultural Narrative Report complete. This will inform the resource consent process if approved. 	
Environmental Monitoring Programme workstream	<ul style="list-style-type: none"> Currently finalising the Environmental Monitoring Programme Report, which will also inform the resource consent process if approved. 	
Wastewater System Options workstream	<ul style="list-style-type: none"> Currently finalising the Wastewater Systems Analysis Report and Land Analysis Systems Report, both which will also inform the resource consent process if approved. 	
Land Analysis Review workstream		
Business Case	<ul style="list-style-type: none"> Development of the business case is underway to support ongoing funding discussions both internal and external to Council. 	
Resource Consent Application	<ul style="list-style-type: none"> This will follow and be informed by the other Phase 3 workstreams. 	
Project Phase 4: Resource Consent Approval Process		
	<ul style="list-style-type: none"> This will follow and be informed by completion of Phase 3. 	
Project Phase 5: Finalise for Detailed Design and Construction		
	<ul style="list-style-type: none"> This will follow and be informed by completion of Phase 4. 	

4.5. Future Growth Planning

The Eastern Bay of Plenty is experiencing consistent annual population and economic growth and requires an integrated spatial plan to support and guide future planning and investment decisions.

The sub-region's challenging natural geography, increasing demand on housing (including affordability and suitability of housing stock), increasing demand on existing infrastructure, and further development of economically important industries, are all key challenges that require integrated management and partner led solutions.

8.3 Matatā Wastewater Project Update - February 2025(Cont.)

The Whakatāne District Council has committed to working with its partners to develop an Eastern Bay of Plenty Spatial Plan. Neighbouring communities (Rotorua and the Western Bay of Plenty) have also undertaken significant spatial planning work that has implications for the Eastern Bay of Plenty.

Over the next 30 years we need to plan for approximately 12,000 extra people or 5,500 homes across the Eastern Bay sub-region.

4.5.1. Matatā Area

Matatā could be suitable for future housing and population growth. The lack of an appropriate wastewater system has been a growth constraint, but once this is addressed through the Matatā Wastewater Project, Matatā has the potential to be a growth area for the Eastern Bay. Its location central to work centres in Kawerau, Whakatāne and the new Rangiuru Business Park (in the Western Bay) makes it an ideal location for growth in the west of the Eastern Bay.

Through the Long-term Plan and the Spatial Plan submission processes, the Council has received strong support from the community for delivering a wastewater scheme for Matatā, but also questioning the scale of growth over time and the change that could bring to the township. This is being discussed further at the Spatial Plan Governance Group meetings over the coming months. Further discussions will be held with residents, the Matatā Residents Association, iwi and hapū and the Rangitāiki Community Board, as the Spatial Plan is finalised.

Should Matatā be identified as a growth area, the implementation of the Spatial Plan would then include detailed master planning to show how this growth could be accommodated and inform future changes to the Whakatāne District Plan.

The timings of the Spatial Plan and Matatā Wastewater Project are well aligned to enable the necessary coordination between these two projects.

5. Options Analysis - Ngā Kōwhiringa

No options have been identified at this time, relating to the matters of this report.

6. Significance and Engagement Assessment - Aromatawai Pāhekoheko**6.1. Assessment of Significance**

The decisions and matters of this specific report are assessed to be of low significance in accordance with the Council's Significance and Engagement Policy. However, this report is part of a broader process that is, or may be in future, assessed to be of high significance.

The following criteria are of particular relevance in determining the future level of significance.

- **Level of community interest:** the expected level of community interest, opposition or controversy involved.
- **Level of impact on current and future wellbeing:** the expected level of adverse impact on the current and future wellbeing of our communities or District.
- **Rating impact:** the expected costs to the community, or sectors within the community, in terms of rates.

8.3 Matatā Wastewater Project Update - February 2025(Cont.)

- **Financial impact:** the expected financial impact on Council, including on budgets, reserves, debt levels, overall rates, and limits within the Council's Financial Strategy.
- **Consistency:** the extent to which a proposal or decision is consistent with the Council's strategic direction, policies and significant decisions already made.
- **Reversibility:** the expected level of difficulty to reverse the proposal or decision, once committed to.
- **Impact on Māori:** the expected level of impact on Māori, taking into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.
- **Impact on levels of service:** the expected degree to which the Council's levels of service will be impacted.
- **Impact on strategic assets:** the expected impact on the performance or intended performance of Council's Strategic Assets, for the purpose for which they are held.

6.2. Engagement and Community Views

Community engagement continues with direct neighbours of Tahi Hill Farm. To support this a site visit to the Rotoiti / Rotoma wastewater scheme was undertaken on 15 January 2025. This was a good way to share a practical example of a working wastewater scheme with any neighbours that were interested in attending. All directly adjacent neighbours were invited to attend, and three different groups of neighbours took the opportunity.

Communications and engagement with residents and wider stakeholders will continue throughout the project including through the resource consent phase, if approved by Council.

7. Considerations - *Whai Whakaaro***7.1. Strategic Alignment**

Providing a wastewater solution for the Matatā Community has been identified as a key strategic project for Council.

The Council has initiated a project to align several workstreams in a Local Growth Strategy. This will also start to implement the direction laid out in the Spatial Plan, but also align work underway on a waters Strategy, wastewater Strategy and transport planning. The funding and financing tools associated with delivering the required infrastructure to support growth will be planned, for inclusion in the next LTP.

No inconsistencies with any of the Council's policies or plans have been identified in relation to this report.

7.2. Legal

Meeting the Resource Management Act requirements for the Matatā Wastewater Project is a legal requirement.

The service delivery of our waters (through the Local Waters Done Well project) may also influence the delivery of this project.

8.3 Matatā Wastewater Project Update - February 2025(Cont.)**7.3. Financial/Budget Considerations**

Project costs are being funded out of the budget for the Matatā Wastewater Project and are included in the 2024-34 LTP.

There is no budget considerations associated with the recommendations of this report.

7.4. Climate Change Assessment

There are no significant or notable impacts associated with the matters of this report.

7.5. Risks

Risk	Description and/or Mitigation
Project costs have been estimated by Council staff based on a stand-alone wastewater treatment plant discharging to land.	Cost estimates will continue to be refined, using expert technical advice, as options are further developed.
Obtaining the necessary resource consents.	<p>The most effective way of mitigating that risk is through the co-design and partnership approach process with iwi and hapū that is being implemented as part of this project.</p> <p>Ongoing communications and engagement with affected neighbours and the community forms part of the Phase 3 workstreams.</p>

8. Next Steps – E whai ake nei

Continue to support the Co-design Group on the collaborative co-design approach for the Matatā Wastewater Project, including the upcoming Co-Design Group hui on Monday, 24 February 2025.

Key focus is to work with the Co-design Group, landowners, local residents and Council to complete work on the treatment plant and disposal recommended option.

Finalise technical reports on the Phase 3 workstreams.

Continue wider community engagement, in partnership with the Co-design Group.

Attached to this Report:

- There are no appendices attached to this report.

8.4 Local Government (Water Services) Bill Submission**8.4 Local Government (Water Services) Bill Submission**To: **Infrastructure and Planning Committee**Date: **Thursday, 20 February 2025**Author: **I Morton / Project Manager - Local Waters Done Well**Authoriser: **D Bewley / General Manager Planning, Regulatory and Infrastructure**Reference: **A2834131****1. Reason for the report - *Te Take mō tēnei rīpoata***

The purpose of the report is to seek approval of the draft submission on the Local Government (Water Services) Bill, which is due to be submitted by 23 February 2025.

2. Recommendation/s - *Tohutohu akiaki*

1. THAT the Local Government (Water Services) Bill Submission be **received**; and
2. THAT the Infrastructure and Planning Committee **approves** the draft submission to Parliament's Finance and Expenditure Committee on the Local Government (Water Services) Bill as attached in Appendix A; and
3. THAT the Infrastructure and Planning Committee **notes** the next steps.

3. Background - *He tirohanga whakamuri***3.1. Legislative Framework**

The Government repealed the previous water services legislation in February 2024. It then introduced new water services legislation called the *Local Government (Water Services Preliminary Arrangements) Act 2024*.

The Water Services Preliminary Arrangements Act was enacted on 2 September 2024, requiring councils to submit a Water Service Delivery Plan to the Department of Internal Affairs (DIA) by 3 September 2025.

The Local Government (Water Services) Bill was released for public consultation on 17 December 2024, with submissions closing on 23 February 2025. It is this legislation that this report relates to.

It is anticipated that details of new regulations affecting wastewater standards will be available in draft at the end of February 2025.

8.4 Local Government (Water Services) Bill Submission(Cont.)**4. Discussion – Kōrerorero**

The DIA released the Local Government (Water Services) Bill on 17 December 2024, with submissions closing on 23 February 2025. A summary of the Bill is captured below.

The Bill provides for—

- arrangements for the new water services delivery system; and
- a new economic regulation and consumer protection regime for water services;
- changes to the water quality regulatory framework and the water services regulator.

As part of Local Waters Done Well Territorial authorities have flexibility and discretion to determine the optimal structure and delivery arrangements for their water services within the requirements and parameters defined in the Bill.

Under the Bill, territorial authorities that provide water services directly, and water organisations, are referred to as water service providers. Core requirements that apply to all water service providers include:

- a set of objectives, including that each provider must manage and provide water services in a cost-effective and financially sustainable manner; and
- compliance with financial principles, including a requirement that revenue received from the provision of water services must be spent on those services; and
- operating within the planning and reporting framework for water services in the Bill; and
- restrictions against privatisation.

Additional requirements will apply to water organisations, including having an independent, competency-based board, being a company, and limiting their activities to the provision of water services.

The Bill includes a new planning and accountability framework for water services, which applies to all water service providers instead of certain provisions in the LGA 2002.

The Bill extends the Ministerial powers in Part 10 of the LGA 2002 to apply to all water service providers and shareholders of water organisations.

The Bill provides for an economic regulation regime for water supply and wastewater services, with flexibility to include stormwater at a later date through designation by Order in Council.

The new regime will give the Commerce Commission a number of regulatory tools, which can be adapted for different suppliers and services. Although information disclosure will be the key tool.

The Bill makes changes affecting the water quality regulatory framework, including changes to the Water Services Act 2021 to reduce the regulatory burden of the drinking water quality regime and improve proportionality in the application of regulatory powers.

The Bill amends the Water Services Act 2021 and the Resource Management Act 1991 to provide for a single standard for wastewater and stormwater environmental performance.

The Bill introduces a mechanism for establishing mandatory national engineering design standards to ensure consistent standards for the design and construction of water network infrastructure.

8.4 Local Government (Water Services) Bill Submission(Cont.)

The Bill includes a compliance and enforcement regime, including offences and penalties that cover new functions, and graduated enforcement tools for water service providers.

See below a link to the full Bill:

<https://www.legislation.govt.nz/bill/government/2024/0108/latest/LMS1004209.html>

5. Options Analysis - *Ngā Kōwhiringa*

There were two options available to Whakatāne District Council:

- **Do not provide** a submission to DIA on Local Government (Water Services) Bill, or
- **Provide a submission** to DIA on Local Government (Water Services) Bill.

Due to the significant nature of changing the way three waters services are provided to our community it was agreed to prepare a draft submission for the Council's consideration.

6. Significance and Engagement Assessment - Aromatawai Pāhekoheko**6.1. Assessment of Significance**

The decisions and matters of this report are assessed to be of low significance, in accordance with the Council's Significance and Engagement Policy. The future of water services delivery is considered to be a significant issue. However, this report does not commit the council to a decision relating to that reform. Instead it highlights the process undertaken which forms the basis of the submission to DIA.

6.2. Engagement and Community Views

Engagement on this matter has not been sought due to the tight timeframes for responding to this submission between 17 December 2024 and 23 February 2025.

Whakatāne District Council will be consulting with the public on the preferred Water Service Delivery Option, in accordance with the Local Government (Water Services Preliminary Arrangements) Act 2024. This is currently planned to take place in April / May 2025.

7. Considerations - *Whai Whakaaro***7.1. Strategic Alignment**

This report is consistent with the Strategic Direction in the LTP 2024-3034. Within the LTP 2024-2034, it highlights that new legislation was in effect for three waters, with the previous legislation being repealed in February 2024. The assumption in the LTP 2024-2034 is that three waters activities will remain with council from years one to three.

7.2. Legal

There is no legal requirement for council to provide a submission on the Local Government (Water Services) Bill.

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill**7.3. Financial/Budget Considerations**

There is no budget considerations associated with the recommendations of this report.

7.4. Climate Change Assessment

There are no significant or notable impacts associated with the matters of this report.

7.5. Risks

There are no significant or notable risks associated with the matters of this report.

8. Next Steps – E whai ake nei

Once submissions close, the Select Committee will consider the submissions received. There will be an opportunity for Whakatāne District Council to provide a verbal submission to the Select Committee.

This Bill is not expected to receive Royal Assent until after 3 September 2025, when the Water Services Plans are due to be submitted.

Attached to this Report:

- Appendix A - Draft Submission to Local Government (Water Services) Bill

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)

Whakatāne District Council Submission

Local Government (Water Services) Bill

11 February 2025

1. Introduction

The Whakatāne District Council (WDC) is submitting on the Local Government (Water Services) Bill to ensure the requirements and needs of our local communities are clearly understood by the Crown, as it progresses decision making for Local Water Done Well (LWDW).

2. Background

The Whakatāne District has a population of 38,400 spread over a large geographic area (433,000 hectares). Within the District there are seven iwi (Ngāti Awa, Ngāti Manawa, Ngāti Rangitihi, Ngāti Tūhoe, Ngāti Whare, Ngāti Māhino and Ngāti Tūwharetoa ki Kawerau) and a large Māori population (47%).

From a three waters perspective, the Whakatāne District Council manages 9 drinking water schemes, 6 wastewater schemes, 6 stormwater schemes, with 18 treatment plants, 94 pump stations and approximately 957 kilometres of underground pipes across the district.

The average household income in the Whakatāne district is \$116,728 for the year to March 2024, compared to a New Zealand Average of \$132,812.

Within the Whakatāne District there are a large number of beneficiaries - 19.1% as a percentage of the working population. This compares to a New Zealand average of 10.5%.

The Whakatāne District Council engages with local iwi and our communities to understand what is important for our local ratepayers. We will endeavour to continue this engagement throughout any changes to our three-water service delivery.

3. Comments and Recommendations for Key Concerns

3.1 Complexity of the Bill

Comments: -

- The Bill is comprehensive, containing 432 clauses, 12 schedules, and 305 pages. With this level of detail comes a level of complexity that will require clarification and periodic updates to the Bill. Some examples and recommendations are captured below.
- Clauses 8 and 9 (Transfer of responsibilities). There is a concerning lack of clarity about what a council's residual responsibilities will be, if any, after a transfer agreement is entered into. The key issue here is with clause 8 of the Bill, which states that a territorial authority is

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)

responsible for “ensuring” that water services are provided for in its district, while also allowing the transfer of responsibility.

- Clause 15 (Objectives of water service providers). The clause requires clarification and updates. Currently there are no objectives around (i) considering the community, (ii) urban development and growth, and (iii) integrated planning. These matters should be explicit in the objectives section of the Bill. The objective concerning safety of drinking water should be extended to cover wastewater and stormwater. The objective concerning environmental effects is unrealistic, with the Bill saying there should be ‘no adverse environmental effects’.
- Clause 116 (Power to carry out work in relation to water services infrastructure on land). If the landowner disagrees with entry, the infrastructure provider has to raise the matter with the district court. Within the Local Government Act (LGA) the obligation is on the landowner to progress the matter through the courts. While understanding the need to respect the property rights of a landowner, the reality is that wastewater and drinking water leaks frequently occur on private properties and it is in the collective interest to have these matters fixed quickly.
- Clauses 150-154. These clauses require both Trade Waste Plans and Trade Waste Bylaws. There is significant overlap between the requirements for preparation and content of a Trade Waste Plan under clauses 150 - 154, and those of a trade waste bylaw. Only a trade waste bylaw is effective as a regulatory document. It is not clear why both documents need to be prepared, and this is likely to result in unnecessary duplication and cost.
- In addition, the Whakatāne District Council has reviewed the Taituarā, the Local Government New Zealand (LGNZ) and the Water New Zealand draft submissions on the Bill. We note our support in respect of various issues and recommendations highlighted by these bodies in sections 4 to 6 of this submission.

Recommendations: -

- **Clause 8/9. Explicitly state that a transfer of responsibility can be a complete transfer of responsibilities.**
- **Clause 15(1)(a)(i). Extend the clause’s intent to cover all three waters.**
- **Clause 15(1)(a)(ii). Replace the words “do not have” with “in a way that minimises (so far as practicable).”**
- **Clause 15 (1)(a). Add new objective (vii) support housing growth and urban development.**
- **Clause 15 (1)(a). Add new objective (viii) similar to LGA Section 59 “to exhibit a sense of social and environmental responsibility by having regard to the interests of the community in which it operates.”**
- **Clause 15 (1)(a). Add new objective (ix): that directs (or requires) alignment between key stakeholders that are involved in urban growth planning and operations.**
- **Clause 116. Update the clause to match Section 171 of the Local Government Act providing a general power of entry onto land “for the purpose of doing anything that the local authority is empowered to do under this Act or any other Act” to achieve a flexible, workable regime.**
- **Update Clauses 150 to 154. To streamline requirements around trade waste bylaws and trade waste plans.**

3.2 Cost effectiveness and impacts on ratepayers

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)**Comments: -**

- As set out in the background section of this submission, the Whakatāne District's resident population has below average annual incomes and a significant representation of beneficiaries in the district. Affordability and the impact of any proposed change on local ratepayers is a key concern. There is no economic analysis of compliance costs or impacts of the new regulatory cost burden on consumers.
- Clause 15 (Objectives of water service providers). The clause contains reference to cost effectiveness. We would like to see this as a clear standalone objective for water organisations.
- Clause 109 (Crown exempt from development contributions). It is inappropriate that apart from Kainga Ora, the Crown is exempt from paying for the three waters infrastructure needed to service its growth and that local ratepayers and water customers must meet this cost.
- Clause 183 (Publication requirements). There is a list of documents that must be prepared by a Water Service provider, including Statement of Expectations, Water Services Strategy, Water Services annual budget, Water Services annual report, Water Services half-yearly report, additional plans of reports. The Whakatāne District Council agrees there needs to be a level of transparency for a Water Services Organisation; however, there has been no financial impact analysis completed to assess the additional obligations for monitoring and reporting and the resultant impact on ratepayers and water customers. In addition, there is a regime of penalties and fines for Water Service organisations if they are non-compliant. There will therefore likely need to be some provision assigned to cover this potential risk.

Recommendations: -

- **Clause 15 (1)(a). Add a new objective (x) "are cost effective."**
- **Clause 109 (Crown exempt from Development Contribution). Delete this clause.**
- **Request Crown officials (with urgency) prepare financial impact statements for the additional obligations on Water Service organisations covering reporting, monitoring, and risk contingency.**

3.3 Māori Relationships**Comments: -**

- The Whakatāne District Council has been and will be working closely with its seven iwi in the district throughout the water reform process. Within this Bill, the obligations to engage with Māori have been significantly removed and/or reduced. The Whakatāne District Council would like to see emphasis added concerning the expected involvement of Māori in relation to three waters service delivery.
- Clause 15 (Objectives of water service providers). The clause contains no objective to engage with Māori.
- Part 5 Amendments to other legislation. Subpart 8. Amendments to the Act previously called Taumata Arowai - the Water Services Regulator Act 2020. Within this Bill Te Mana o Te Wai

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)

obligations have been removed and also the requirement for Water organisations to have board members with Te Tiriti Māori perspectives.

Recommendations: -

- **Clause 15 (1)(a). Add a new objective (xi)“.... to provide water services in a way that affords opportunities for meaningful input from, and partnership with Māori”.**
- **Reinstate requirements in the ‘Act previously called Taumata Arowai - the Water Services Regulator Act 2020’ giving (i) effect to Te Mana o Te Wai and (ii) requiring board members of water organisations to have Te Tiriti Maori perspectives.**

3.4 Timing and Confusion with earlier legislation**Comments: -**

- The timing of the Bill is problematic. Currently councils are preparing Water Services Delivery Plans (WSDP) in accordance with the Local Government (Water Services Preliminary Arrangements) Act 2024. This requires each Territorial Authority (TA) to prepare, consult and submit a WSDP by 3 September 2025.
- Under Clause 25(3), all territorial authorities will be required to comply with Clauses 26 to 30, irrespective of when they make a decision to change the way they deliver water services. As a consequence, if a territorial authority has made a decision to change under the Preliminary Arrangements Act, which requires community consultation on proposed delivery models, but has not yet implemented that change, a second decision-making process will be required.
- Clause 26 (Identification and assessment of options) identifies three options to be considered, whereas the Preliminary Arrangements legislation requires only two options to be considered.
- Clause 27 (Consultation required) notes that consultation must be undertaken on a change proposal, and if consultation results in a significant amendment, the Council must consult on the amended proposal. Most TA's plan to undertake consultation between March and May 2025 in order to meet the timeline for delivering a Water Service Delivery Plan by 3 September. As a result TA's may need to re-consult on options that it has just consulted on, once this Bill comes into effect. Through discussions with DIA officials we have been verbally assured that the policy intent of this section of the legislation is only for future changes, and also note they do not expect this Bill to come into effect before the 3 September 2025.

Recommendations: -

- **Clause 27. Remove the mandatory obligation to consult on a change proposal.**
- **Clause 27 (1)(b)(i). Remove the requirement for further consultation if “significant amendments” are made to a proposal following consultation.**

3.5 Strong support for National Standards, Infrastructure Design Solutions and changes for rural supplies**Comments: -**

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)

- This Bill introduces some key streamlining aspects that will result in lower costs for our community. We fully support these aspects of the Bill and change proposals.
- This Bill introduces National Stormwater and Wastewater standards and associated infrastructure design solutions. It is expected that these standards will be released for comment in late February 2025. This could help streamline consenting approaches, with the infrastructure design solutions supporting some of the smaller wastewater schemes in the Whakatāne District. We understand these infrastructure design solutions are intended to apply to Waste Water Treatment Plants (WWTP) for smaller populations (under 1,000 people). Within Whakatāne we have small WWTP's in Taneatua (1,000 population), Murupara (2,060 population), and Edgecumbe (1,820 population). We would like the new standards and infrastructure design solutions to apply to a slightly larger population base (up to 2,500) which would help considerably with the cost of reconsenting these smaller schemes.
- Changes to the Water Services Act 2021, specifically with the Water Service Authority considering 'level of risk' to consumers is positive. This allows for more flexibility for the Authority to consider risk and costs of the potential solutions proposed.
- Changes to the Water Services Act 2021 include a relaxing of the rules for properties that must prepare a Water Services Plan. Previously this applied to anyone that was supplying water to any other dwelling on their property. This has now been relaxed to up to 25 consumers. This is a welcome change, especially for our rural ratepayers.

Recommendations: -

- **Request officials developing the Waste Water National Standards and associated infrastructure solutions to lift the threshold for Wastewater schemes up to the equivalent of a population of 2,500, as opposed to the 1,000 population number currently being proposed.**

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)**4. LGNZ Submission**

The draft LGNZ submission was provided through to the Whakatāne District Council. The format of the themes provided a useful framework for commenting on the Bill. Below we have set out an extract of the LGNZ draft submission and the LGNZ position. In the right hand column, we have outlined the WDC position on specific issues and highlighted key points within the LGNZ submission for ease of reading.

Theme	LGNZ Position	WDC Position
Simplification	LGNZ has several concerns with the proposed objectives, including that important direction has been omitted. Of note, specific objectives should be included in relation to the importance of the provision of water services to support growth and development in an integrated way, and the cultural importance of water.	Support
Objectives – Cost effective	The absence of any specific objective that addresses cost-effectiveness Recommend : Add in new clause in 15(1)a specifically “(vii) are cost effective”	Strongly Support
Objectives – obligations for community	The objectives should look beyond the interests of consumers. LGNZ considers that any providers, which could be new public entities, should have broader obligations to the community. Recommend : Add new clause, similar to LGA Section 59 “to exhibit a sense of social and environmental responsibility by having regard to the interests of the community in which it operates.”	Support
Objectives – adverse effect on Environment	The objective in cl 15(1)(a)(ii) is directed at providing water services that “do not have adverse effects on the environment”. This is an unrealistic objective for a water services provider. Recommend : Replace the words “do not have” with “in a way that minimises (so far as practicable)”	Strongly support
Objectives – housing growth and urban development	The Bill does not include any objective relating to supporting housing growth and urban development. This is an important oversight that should be addressed. Recommend : Add new objective in Clause 15 (1)(a) (viii) support housing growth and urban development	Support
Objectives – integrated planning	Integrated planning and delivery is a key factor in delivering a successful operating model. Recommend : a new objective is added to cl 15 that directs (or requires) alignment between key stakeholders that are involved in urban growth planning and operations.	Support
Objectives – Engagement with Māori	LGNZ is concerned that there is a complete lack of reference to relationships and engagement with Māori in the Bill’s objectives. More broadly, there is no high-level attempt to guide the relationship or partnership between water	Strongly support

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)



Theme	LGNZ Position	WDC Position
	organisations and Māori under the Bill. Instead, this issue is left to be determined by water organisations and territorial authorities separately, on an ad hoc and entity-by-entity basis. Recommend : Add to clause 15(1)(a),” to provide water services in a way that affords opportunities for meaningful input from, and partnership with Māori”.	
Transfer of Responsibilities - Clarification	There is a concerning lack of clarity about what a territorial authority’s residual responsibilities will be, if any, after a transfer agreement is entered into. The key issue here is with clause 8 of the Bill, which states that a territorial authority is responsible for “ensuring” that water services are provided for in its district, while also allowing the transfer of responsibility. Recommend : Explicitly state in Clause 8 / 9 that a transfer of responsibility can be a complete transfer of responsibilities	
Water Service provision - process	Clauses 25 to 30 set out process requirements that will apply when a territorial authority is proposing to make a decision to change how the provision of water services occurs. While it is accepted that there is a place for this process, as currently drafted these provisions will apply to any decision to “Change” from the date the Bill is enacted. Depending on the timing of the Bill’s progress, this could introduce a new, duplicate, requirement to consult on changes, which would serve to add significant process costs and risk to territorial authorities. Under cl 25(3), all territorial authorities will be required to comply with cls 26 to 30, irrespective of when they make a decision to change the way they deliver water services. As a consequence, if a territorial authority has made a decision to change under the Preliminary Arrangements Act, which requires community consultation on proposed delivery models, but not yet implemented that change, a second decision-making process will be required. On this point, Clause 25(7) explains that the Bill prevails if there is any inconsistency, but it does not give the decisions made under the Preliminary Arrangements Act any special status.	Support
Water Service provision - process	Recommend : Remove the mandatory obligation to consult on a change proposal. Based on the significance of the change proposal, consultation may not be warranted at all (for example, the entering into of a shared service arrangement for an ancillary aspect of a council’s water service delivery responsibilities, which would not benefit from community input at all).	Strongly support
Water Service provision - process	Recommend : The removal of the requirement in clause 27(1)(b)(i), which operates to require further consultation if “significant amendments” are made to a proposal following consultation. This is at odds with the more streamlined approach introduced in the Preliminary Arrangements Act,	Strongly support

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)



Theme	LGNZ Position	WDC Position
	which supports changes to the way water services are delivered, and allows councils to rely on one comprehensive approach to consultation.	
Accountability and control of Water Organisations	<p>LGNZ's concern is that the Bill reserves more oversight and control to the shareholders of water organisations than was expected and that exists in the standard CCO model. This risks political influence in operational matters, and the potential that the shift to a new water organisation, and benefits expected to be realised from the ability to have a long-term focus, will be undermined. Given that any new WO will be operating in a highly regulated environment, which LGNZ supports, it is not clear why shareholders should be reserved the ability to set expectations and the strategic priorities for a water organisation through the statement of expectation process (clause 187). This could potentially reduce the attractiveness of working for the new water organisations or joining their boards.</p> <p>Clause 184 significantly increases the ambit of a Statement of Expectations (SOE) when compared to equivalent statements for CCOs under s 64B of the LGA. For example, s 64B does not allow shareholders to set out the objectives or priorities of a CCO. Instead, those are matters for the Boards of the CCOs to determine.</p>	Support
Water Services Strategy and Long Term Plans	<p>Under cl 191 of the Bill, the relationship between a Water Services Strategy (WSS) and a long-term plan is addressed. The implicit intention is for the LTP to be replaced when a new WSS comes into force, but this provision does not state that it is only the LTP (as relevant) that ceases to apply.</p> <p>Recommend : Clause 191(4) is amended so that it specifically states how and what aspects of an LTP apply to a water organisation, and how this is determined, prior to a WSS coming into force.</p>	Support
Funding and financing – Development contributions	<p>The Bill largely incorporates the existing development contributions regime from the LGA. However, we are aware that Treasury is currently reviewing the LGA's development contributions regime.</p> <p>LGNZ is supportive of the current review, and submits that any future changes to the LGA development contributions regime (which may involve the introduction of a levy regime) are replicated in the Bill, so that water organisations will have the same development contributions collection powers as territorial authorities.</p>	Support

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8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)



Theme	LGNZ Position	WDC Position
Funding and financing – Charges	While LGNZ supports the ability for water organisations to set their own charges for water services, these provisions could be made clearer. It is unclear whether the Bill intends to remove the ability for a water organisation to set non-statutory (contractual) charges. Recommend : Clause 60(1) should be amended to state that water organisations may only set or collect charges for water supply, stormwater and wastewater services in accordance with the Act.	Support
Financial implications of economic regulator	No information or economic analysis that assesses the increased costs for the sector has been made available. The absence of this information means that it is unclear what the financial impact of the new economic regulation regime will be on councils, and communities. LGNZ asks that the Government urgently progress this work , so that councils can be properly informed when making their decisions under the Preliminary Arrangements Act on the impact the new regime will have on their modelling.	Strongly support
Empowering new water organisations	The powers of entry to carry out work for water services infrastructure need to be reworked. At present, clause 116 and 117 of the Bill establish a process which provides a limited power of entry only, with significant uncertainty as to the ability to obtain consent from relevant landowners. This consent requirement should be flipped in favour of the water service provider. It is simply not workable for water service providers to be at risk of refusal of access for necessary works. While LGNZ understands the importance of landowner rights, the critical lifeline nature of water services needs to also be recognised and works facilitated. Recommend : Section 171 of the LGA providing a general power of entry onto land “for the purpose of doing anything that the local authority is empowered to do under this Act or any other Act” be carried into the Bill to achieve flexible, workable regime.	Strongly support
Regulatory and planning responsibility overlap	Overlap between regulatory and planning functions and responsibilities can lead to complexity and confusion for territorial authorities. The Bill has several examples of this overlap, which LGNZ considers needs to be addressed through the parliamentary process. While LGNZ is concerned about the increased regulatory burden placed on councils, and the compliance costs, it is accepted that a regulated framework is also required. If this regime is to be introduced, it is important that it operates in a streamlined manner, without unnecessary duplication.	Support
Regulatory and planning responsibility overlap –	Under cl 143 of the Bill, territorial authorities remain responsible for preparing drinking water catchment plans, even when a water organisation may end up managing and providing water services. We consider it illogical to require a territorial authority to create these plans where they have	Strongly support

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)



Theme	LGNZ Position	WDC Position
Drinking Water Catchment plans	<p>decided to transfer the responsibility for providing water services to new organisations. Retaining this requirement would mean that councils need to retain staff for that purpose, which is inefficient in circumstances involving a transfer.</p> <p>Recommend : Clause 143 is updated to allow the transfer of responsibility for creating Drinking Water Catchment Plans to a Water Organisation.</p>	
Regulatory and planning responsibility overlap – Trade waste	<p>There is significant overlap between the requirements applying to the preparation and content of a trade waste plan under clause 150 - 154, and those of a trade waste bylaw. However, only a trade waste bylaw is effective as a regulatory document. It is not clear why both documents need to be prepared, and this is likely to result in unnecessary duplication and cost.</p> <p>Recommend : Update Clauses 150-154 to clarify / streamline requirements around trade waste bylaws and trade waste plans.</p>	Strongly support
Timing of Bill, and process complexity	<p>While LGNZ is generally supportive of the Bill, the timing of its introduction presents complexity for the local government sector.</p> <p>All territorial authorities, and Greater Wellington Regional Council, are currently progressing their decision-making under the Preliminary Arrangements Act, and in particular considering their future delivery models and options. As the detail in this Bill is yet to be finalised, there is a high degree of uncertainty for current decision-making processes, particularly in terms of the governance and control frameworks for new water organisations (ie WSCCOs). This is problematic and could act to diminish the appetite for change at this time, until the new (full) regime is understood.</p> <p>To address this issue, LGNZ asks that the Government progress this Bill in a timely way, with clear communication to interested stakeholders as to the extent of change that will be made in response to the submission process.</p>	Strongly support

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)**5. Taituarā Submission**

The draft Taituara submission was provided through to the Whakatāne District Council. This was an extensive submission (55 Pages), with 66 recommendations identified. We have outlined the WDC position in relation to the draft recommendations and highlighted key points within the Taituarā submission for ease of reading.

Area	Recommendation	WDC Position
Relationships with Māori	1. the Committee seek advice from officials in regards the intent of clause 41 and the relationships between water providers and Māori	Strongly support
	2. clause 41 be relocated to a place in the Bill that is more in keeping with its applicability to all water providers	Strongly support
	3. clause 40(2) be amended to require that the collective mix of skills of a board of directors must include knowledge of tikanga Māori te Ao Māori, and te Tiriti	Strongly support
	4. any new provision regarding capability development for directors include a specific requirement to develop the skills and knowledge of the directors with respect to tikanga Māori te Ao Māori, and te Tiriti	Strongly support
	5. clause 187(2) be amended to require shareholders of water organisations to include provisions setting out expectations for how water organisations conduct their relationships with Māori.	Strongly support
Objectives of the water service providers	6. the objective that water service providers provide safe drinking water be extended to all water services	Strongly support
	7. the objective that water service providers operate in a way that does not have an adverse effect on the environment be amended to require that any environmental effect be minimised	Strongly support
	8. a requirement to support the housing and urban development objectives of their shareholding territorial authorities and of the Government be added to subclause 15(1)	Support
	9. a requirement to support the economic development objectives of their shareholding territorial authorities and of the Government be added to subclause 15(1)	Support
	10. the objective relating to service be quality be amended to read “are of a quality that meets consumer expectations, subject to regulatory requirements and the other requirements of this Act	Support

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8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)



Area	Recommendation	WDC Position
	11. clause 15(1) be amended to fully define the objectives of a good employer. This might be based on the obligations placed on local authorities under clause 36, schedule seven of the Local Government Act	Strongly support
	12. water service providers be placed under an obligation to have regard to the interests of the community in which they operate. This might be based on the equivalent obligation that section 59 of the Local Government Act places on CCOs.	Strongly support
Financial Ringfencing	13. the Select Committee seek further advice as to whether payment of a dividend or distribution of a surplus is consistent with the financial ringfencing set out in clause 16(1)(a), and how any conflict might be resolved	Support
	14. clause 16(1)(a) be amended by deleting all the words after the word 'services'.	Support
Significant Contracts	15. clause 22 be amended to require water organisations to gain shareholder approval before entering into any significant contract to transfer a responsibility to another body.	Strongly support
Significant policies for water organisations	16. That clause 23 be amended to require water organisations to prepare a policy that governs assessment of significance in any of the contexts specified in the Act.	Support
Transitional arrangement and service delivery plans	17. That the Select Committee note the potential overlap in processes for establishing joint arrangements under this Bill and the Water Services (Preliminary Arrangements) Act and seek further advice on options to resolve this	Support
References to the companies act and the local government act	18. That clause 40(5) be amended with cross-references to the provisions of the Companies Act 1993 and the Local Government Act 2002. Similar provisions elsewhere in the Bill require a similar amendment.	Support
Appointment of Directors	19. Clause 40(2) be amended to specifically mention commercial acumen and knowledge of tikanga Māori, te Ao Māori and te Tiriti without limiting other skill and knowledge sets	Strongly Support
	20. shareholders of water organisations be required to develop a policy for the capability of the directors of water organisations.	Support
Terminology	21. the Committee invite officials to review the use of the terms 'water provider', 'water organisation' and 'local authority' for consistency in their use.	Support

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8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)



Area	Recommendation	WDC Position
Consultation on Network plans	22. the consultation requirements for the Drinking Water Catchment Plan, Trade Waste Plan, and Stormwater Network Risk Management Plan be unified into a single provision	Strongly support
	23. the unified consultation process provided under clause 144 include a requirement for the water provider to offer the public at least one opportunity to present their views using a spoken or New Zealand sign language format	Support
	24. that any unified consultation process be open to the general public as well as the Waters Services Regulator – Taumata Arowai, transport corridor operators and shareholders (if a water services organisation).	Support
Challenge to a trade waste permit decisions	25. applicants requesting to review a decision on granting a trade waste permit be required to meet actual and reasonable costs of a review	Support
	26. any appeal of a District Court decision require the Court of Appeal to grant leave.	Support
Stormwater network risk management plans	27. subclause 166(3) be deleted, thereby clarifying that multiple water providers managing different aspects of the same stormwater network must collaborate to prepare a joint stormwater network risk management plan	Support
	28. the words “without limitation” be added before the list of contents of a stormwater network risk management plan in clause 167	Support
	29. the review period for stormwater network risk management plans be aligned with the other network plans at ten years	Support
	30. clause 169 be amended to delete the unnecessary term ‘ stormwater network manager’ and replace with water services provider	Support
A single bylaw-making power	31. the Bill be amended to unify and standardise the bylaw-making provisions of part 3m subparts 3,5,6 and 7	Support
Recommendations : Competency to make stormwater bylaws	32. clause 170 be amended to bring the list of agencies with power to make stormwater bylaws into line with those for water and trade wastes.	Support
Recommendations : Water	33. clause 348 be amended to clarify that water organisations can propose different bylaws to different local authorities where the organisation consider different circumstances warrant it	Support

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8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)



Area	Recommendation	WDC Position
services bylaws	34. clause 349 be deleted by removing redundant requirements to consult	Support
	35. clause 353 be amended to require local authorities to consult all affected parties during a review of water services bylaws	Support
	36. clause 355 be amended to refer local authorities consulting on the review of water bylaw back to the bylaw requirements of the Local Government Act 2002.	Support
Compliance and enforcement	37. clause 356 be amended to allow for the charging of an infringement fee daily, where an infringement offence is ongoing	Support
	38. either clause 368(2) be amended to clarify the circumstances in which a compliance officer becomes ineligible for appointment or that clause 368(2) be drafted.	Support
Bylaws and infringement offences	39. The Select Committee seek clarification as to whether the Government intends that a bylaw made under this Act can specify any of the offences in the Act as infringement offences and within that, A bylaw made under this Act is able to specify any offence in the bylaw as an infringement offence.	Support
	40. the Select Committee clarify the reference to specified serious risks in clause 413.	Support
Recommendations : Funding disclosures	41. that Schedule 3, subclauses 5(2)(a)(i) and (ii) be deleted as unnecessarily vague	Support
	42. that a disclosure be added to Schedule 3, clause 5 regarding a schedule of prices and charges	Support
	43. that Schedule 3, subclause 5(2)(a)(iii) be amended to read "the water service providers intended approach to funding the water services it provides, including the sources of revenue, and indication of the amount or level, and an explanation of the reasons for the selection of those sources"	Support
	44. that water organisations be required to consider the matters in section 101(3)(a) of the Local Government Act in their explanation of their revenue systems.	Support
Consultation summaries	45. That water organisations should produce summaries that meet the same content requirements as for local authorities when their shareholders ask them to consult on water services strategies.	Support

Infrastructure and Planning Committee - AGENDA

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)



Area	Recommendation	WDC Position
Audit of water service strategies	46. clause 199(1) be amended to enable shareholders of water organisations to request an audit of that organisation's water services strategy	Support
	47. clause 199(2) be amended to require that any request for an audit of a water services strategy be made at least twelve months before the strategy must be adopted, regardless of the agency making the request.	Support
Asset management plans	48. clause 209(1)(b) be deleted	Support
	49. a direct requirement be placed on all water providers to prepare an asset management plan for each of the water services they provide. This might be modelled on sections 151 to 153 of the now repealed Water Services Entities Act.	Support
Charging for stormwater services	50. clause 60(5) and clause 63 be amended to allow water organisations that provide stormwater services to collect all or part of the charge for these services by a charge based on property value.	Support
Access to rating information	51. clause 74 be amended by adding that both requires the water organisations to contribute to the cost of preparing the rating information database, and provide a formula for apportioning costs where parties cannot agree based on section 43 of the Rating Valuations Act 1998.	Support
Waivers of charges	52. water organisations be permitted to waive charges for water services provided that these waivers are consistent with a waivers policy adopted by the water organization	Support
	53. any waiver policy must be adopted only after engagement with the public	Support
	54. water organisations must publish any waiver policy on an internet site maintained by the water organisation.	Support
Penalties	55. clause 60 be amended to require the boards of water organisations to authorise the levying of charges for water services.	Support
Water charges and rates rebates	56. The proposed amendment to the Rates Rebate Act be amended to read "charges set under the authority of sections 60, 61 and 62 of the Local Government (Water Services) Act 2025".	Support
Development contributions	57. clause 109 be deleted making the Crown liable for development contributions for water services set by water organisations	Strongly Support
	58. the Select Committee make a similar amendment extending liability for development contributions for water services to the Crown.	Strongly Support

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)

Area	Recommendation	WDC Position
Taxation consequences of transfers of undertakings	59. the transitional tax arrangements on the transfer of water undertakings to and from water organisations be extended to include transfers between two or more water organisations	Support
	60. the transition arrangements created in clause 214 be made permanent by deleting references to five years.	Support
Amendments to the Income Tax Act 2007	61. the proposed section CW55BC of the Income Tax Act be amended to explicitly state that qualifying water organisations are tax exempt. This drafting would be consistent with the approach taken in sections CW38, CW38B and CW55BA of that same Act	Support
	62. section 32E of the Tax Administration Act be amended to exempt water organisations from Resident Withholding Tax.	Support
GST and water Organisations	63. That, for the equivalence with water services supplied by local authorities: - water organisations be permitted to claim back GST on all their expenditures	Support
	64. That, for the equivalence with water services supplied by local authorities: - penalties on water charges set by water organisations be treated as an exempt supply for GST purposes	Support
	65. That, for the equivalence with water services supplied by local authorities: - sections 5(7B), section 5(7C) and section 11B be amended to extend the same supply rules for development contributions set by water organisations as apply to local authorities	Support
	66. That, for the equivalence with water services supplied by local authorities: - the Select Committee consider whether a specific time of supply rule is required for charges set by water organisations.	Support

8.4.1 Appendix A - Draft Submission to Local Government (Water Services) Bill(Cont.)**6. Water New Zealand**

An initial list of key issues identified by Water NZ was provided through to the Whakatāne District Council. The Water NZ submission focusses on the technical aspects of the legislation. We have outlined the WDC position in relation to the draft comments.

Theme	Water NZ Key Issue	WDC Position
Regulators & Governance	A need for strong regulators and professional governance	Support
Financial Sustainability	There is insufficient emphasis on financial sustainability	Support
Te Ao Māori / Te Tiriti	Te Ao Māori, Te Tiriti and the role of and relationships with iwi/Māori	Strongly support
Oversight	Excessive oversight of water organisations and blurring of the distinction between service delivery options	Support
Objectives	A need for broader and stronger objectives for water service providers	Support
Planning obligations	Duplication of planning obligations	Strongly Support
Private land access	The private land arrangements will hinder water services provision	Strongly Support
Complexity	Unnecessary complexity and high compliance costs	Strongly Support
Workforce	The need to lift workforce capacity and capability	Strongly Support

8.5 Capex Delivery Update Report

8.5 Capex Delivery Update Report



To: **Infrastructure and Planning Committee Meeting**

Date: **Thursday, 20 February 2025**

Author: **J Finlay / Manager Three Waters**
A Reynolds / Manager Transportation

Authoriser: **David Bewley / General Manager Planning, Regulatory and Infrastructure**

Reference: **A2832879**

1. Reason for the report - *Te Take mō tēnei rīpoata*

This report updates and informs the Infrastructure and Planning Committee on delivery of the capital works programme for the Three Waters and Transportation Activities for the 2025 financial year, and highlights any issues or risks with future delivery.

2. Recommendation/s - *Tohutohu akiaki*

THAT the Infrastructure and Planning Committee **receive** the Capex Delivery Update Report.

3. Background - *He tirohanga whakamuri*

The Long term Plan and Business Plan outline the capital projects to be delivered this financial year. This report provides an update on the delivery of all capital projects and highlights the key completed projects since the last report.

4. Discussion – Kōrerorero

4.1. Transportation

There has been good progress made with delivering projects this financial year, with the majority on track/slightly ahead of schedule. The good weather has seen the rehabilitation and resealing programmes progress very well, with all planned works coming to an end in the coming weeks. The disadvantage of this year's programme has been that several arterial routes were resealed in quick succession, leading to some adverse comments about driver inconvenience and/or dust nuisance.

The total planned capital programme in the LTP was reduced by NZTA funding changes, with the Council making amendments as a result. This has led to some intended programmes being reduced to the local share (ratepayer) contribution only.

8.5 Capex Delivery Update Report(Cont.)**4.2. Completed Projects****4.2.1. *Te Mapou Bus Shelter***

In January 2025, works commenced at Te Māpou to undertake the bus shelter replacement, shoulder widening for the bus to pull clear of the live lane, and vegetation work to improve visibility. These works were completed on 5 February 2025, with the new shelter being installed.



The other associated works, including the installation of pedestrian refuges and improved signage, will be progressed with NZTA, but timing is not expected in the 2024-27 period due to the current Transport Funding Priorities. Council's transport team will continue to obtain further information about funding opportunities and will keep the Ngāti Hāmua Hapū and the Council up to date.

8.5 Capex Delivery Update Report(Cont.)**4.2.2. Smith Road Bridge Installation Project**

The Smith Road Bridge installation project was led by Bay of Plenty Regional Council and co-funded by Whakatāne District Council. The project replaced an existing under road culvert with a new bridge, to enhance the biodiversity and water quality in the surrounding area. Construction was completed in December 2024.

4.3. Three Waters

The main capital projects that are underway and or completed are:

- Otumahi Water Storage – the new reservoir structure is complete, and the pipework and control valves are being installed. This is due to be completed by the end of the financial year.
- Watermain renewals – We are leveraging the supplier panel approach for streamlining procurement which is providing efficiencies around awarding work and completing planned renewals work.
- Stormwater pump replacements – There has been some time delay due to consultant availability. The upgrade in Riverside Drive has commenced. The Rose Gardens pump renewal work is at scoping stage.
- Hinemoa Street/Henderson Street stormwater upgrade – Works to install culverts under the stopbanks are underway, with pumps to then be installed. To be completed this financial year.
- The Ōhope Wastewater oxidation ponds - Pond 1 has been de-sludged.

The team is having to manage/prioritise some work where contractors are unavailable or other pressures. In saying that, many multi-year projects are underway.

While not a capital expense, it is noted that the recent weather event that occurred in Matatā on the weekend of 4/5 February 2025 resulted in approximately 10,000 tonnes of material (silt and logs) needing to be removed from roads, and from the Awatarariki and Waitepuru silt traps. While there was silt, rocks and water temporarily blocking road access, and some damage to the railway embankment, both the Waitepuru and Awatarariki catchment works completed after the 2005 debris flow, worked to reduce the impact of this debris flood on the township. The cleanup is estimated at \$100,000+ to remove and will take about one month to complete.

8.5 Capex Delivery Update Report(Cont.)

5. Summary of Capital Works Programme

5.1. Rationale for Assessment

For each capital project that is being delivered through the Transportation or Three Waters teams, we have assessed each project to understand the status of the following key components of the project:

- Project scope
- Schedule
- Finances
- Risk

An assessment was carried out to determine the status of key components of successful project delivery and a Red/Amber/Green status was assigned. This review is carried out monthly and updated monthly by activity managers and the General Manager as appropriate.

- The Red/Amber/Green assessment uses the following criteria:

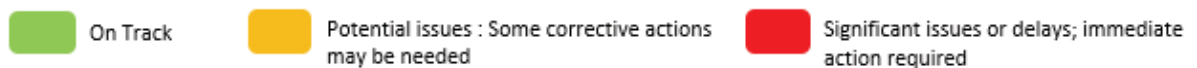
• Red	• Significant issues or delays / No plan in place / Immediate action required
• Amber	• Significant issues – plan in place to address, or • Moderate issues which are manageable
• Green	• No issues / Clear plan in place / On Track

- **Red Flag Projects**

As highlighted through the RAG Status report, there are some projects which require additional focus in order to get the projects back on track for successful delivery. Table 3 (below) contains details of the proposed 'Go to Green' plans for all red flags identified.

1. RAG Status (All active Capital projects for 3 Waters & Transport)

See below for a list of active projects (excluding RED flags) for both 3 Waters and Transport.



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8.5 Capex Delivery Update Report(Cont.)

Activity	Project Name	Budget	Scope	Schedule	Financial	Issue/Comment
Transport	Resurfacing- Chipseal	\$4,486,028				Complete March 2025
Transport	Mimiha Bridge	\$2,428,864				Complete April 2025
Transport	Pavement Rehab	\$1,975,989				Planned programme complete
Transport	Resurfacing- AC	\$886,525				Commerce Street complete by end of February
Transport	BOF -Edge to Thornton Cycle Trail	\$800,103				Subject to property owner consent or alternative route
Transport	Unsealed Metalling Local Roads (LR)	\$767,965				Ongoing
Transport	Rewatu underslip	\$720,000				Behind schedule due to initial uncertainty with funding. Project larger than initial budget allowed, but funding from savings elsewhere will allow completion.
Transport	NFA Miscellaneous Projects	\$379,176				Te Māpou Bus Shelter
Transport	Drainage Kerb & Channel LR	\$363,155				On track
Transport	Footpath Renewals	\$355,000				Reduced funding may affect LoS
Transport	Structures Renewals	\$349,269				Herepuru Road
Transport	NFA Smith Road New Bridge	\$299,069				Complete
Transport	Unsealed Metalling SPR	\$256,344				Reduced funding may affect LoS
Transport	Drainage-Culverts LR	\$249,936				On target
Transport	Resurfacing - Chipseal SPR	\$245,663				Reduced funding may affect LoS
Transport	Rehab Improvements - LCLR	\$200,000				On target

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8.5 Capex Delivery Update Report(Cont.)

Transport	Traffic Service-Signs LR	\$173,033				Ongoing
Transport	Red Deavon curves Design	\$150,000				Design nearing completion
Transport	Drainage - Culverts SPR	\$143,126				Reduced funding may affect LoS
Transport	Structures-Bridges LR	\$136,717				On target
Transport	Bridge / Arawa Design	\$100,000				IPC Report in April 2025
Transport	Bridge and structures renewals -Retaining SPR	\$53,405				Reduced funding may affect LoS
Transport	Blue Rock Quarry design	\$50,000				Design nearing completion
Transport	Safety & Access - LCLR	\$50,000				Reactive works as a result of reduced funding
Transport	Goulstone Road Crossings	\$50,000				IPC report in April 2025
Water	Otumahi Water Storage	\$4,896,626				Reservoir complete
Stormwater	Western Catchment Upgrade	\$2,617,955				Hinemoa Street upgrade due for completion before EOFY
Stormwater	SW Pump Replacements	\$2,748,128				Hinemoa pump station (underway) and Rose Gardens stormwater pump station (design stage)
Water	Otumahi Water Storage Pipes	\$3,880,000				Works commenced. To be completed EOFY
Water	Equalised Water Network Renewals	\$2,722,408				Underway after delay. Projected to be completed next financial year.
Water	Plains Water Backflow Preventors	\$1,267,017				2 year project
Wastewater	Equalised Sewer Network Renewals	\$1,446,774				Relining programme, new valve pits and valves, some pump replacements
Water	Whakatane Water Backflow Preventors	\$681,383				2 year project

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8.5 Capex Delivery Update Report(Cont.)

Stormwater	Apanui Linear Park	\$300,000				Complete, but silt removal from pipe required
Wastewater	Whakatane Upgrade Wastewater Treatment Plant	\$426,288				Upgrades underway
Stormwater	Whakatāne Stormwater pipes upgrade	\$649,013				Projects well underway (James Street)
Wastewater	Whakatane Wastewater Rising main renewal	\$575,254				
Wastewater	Edgecumbe Wastewater Relining	\$398,890				
Wastewater	Ōhope WWTP renewal & upgrade	\$213,209				Desludging of Pond 1 completed
Wastewater	Edgecumbe Wastewater Rising main renewal	\$158,835				Complexities associated with State Highway delaying one renewal project
Water	Whakatane Water Treatment Plant Upgrade	\$271,950				
Stormwater	Reactive Emergency Stormwater Renewals	\$266,511	n/a – Reactive funds			
Wastewater	Reactive Wastewater emergency renewals	\$266,511	n/a – Reactive funds			
Wastewater	Murupara Sewer Manhole Renew/Upgrade	\$254,260				
Water	Tāneatua Water Treatment Plant Access Track	\$50,000				
Water	Equalised Water Network Upgrade	\$238,081				Complexities associated with State Highway delaying one renewal project (Edgecumbe)
Water	Murupara Water Network Renewals	\$228,438				
Water	Headworks - Otumahi	\$218,786				
Water	Matata Water Meters	\$208,330				Likely to be deferred to next year and combined with pipe renewal project

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8.5 Capex Delivery Update Report(Cont.)

Water	Plains Water Mains Renewals	\$190,365				Ongoing project. Final scoping will combine this year's budget with next years, for delivery next year.
Water	Whakatane Water Safety Plans	\$163,170				
Water	Whakatane Water Model	\$67,411				
Stormwater	Ōhōpe Stormwater Upgrades	\$137,854				
Wastewater	Murupara Wastewater Pipe manholes	\$129,272				
Wastewater	Equalised Pump Station Renewals	\$118,026				Awaiting delivery of new pump for McAlister Street.
Water	Provisional water reactive 'emergency' renewal	\$108,780	n/a – Reactive funds			
Water	Provisional water reactive 'emergency' renewal	\$108,780	n/a – Reactive funds			
Wastewater	Whakatane Wastewater model	\$35,000				Revising scope to meet budget
Stormwater	Electrical & Minor replacement	\$70,000				Rose Garden pump station
Water	Whakatane water losses/Leak detect	\$71,577				
Wastewater	Pumpstation Pohutu	\$71,536				
Wastewater	Equalised Sampling/Cond Assess	\$57,110				
Stormwater	SW 7 Capt Upd from Compr MGM	\$83,865				
Stormwater	Tāneatua Stormwater Network Renewals	\$53,302				

6. Options Analysis - Ngā Kōwhiringa

There are no options as this is an information report.

7. Significance and Engagement Assessment - Aromatawai Pāhekoheko**7.1. Assessment of Significance**

The decisions and matters of this report are assessed to be of low significance, in accordance with the Council's Significance and Engagement Policy.

8.5 Capex Delivery Update Report(Cont.)

7.2. Engagement and Community Views

Engagement on this matter is not being undertaken in accordance with Section 6.0 of the Council's Significance and Engagement Policy. This states that the Council will not consult when:

- the matter is not of a nature or significance that requires public engagement (low significance).
- the matter has already been addressed by the Council's policies or plans, which have previously been consulted on. The projects have been proposed and agreed through the development of the Long Term Plan.

8. Considerations - *Whai Whakaaro*

8.1. Strategic Alignment

No inconsistencies with any of the Council's policies or plans have been identified in relation to this report, other than inconsistency of delivery of some projects against the LTP programme of work.

8.2. Legal

Many of the capital projects have alignment with compliance requirements.

8.3. Financial/Budget Considerations

There is no budget considerations associated with the recommendations of this report.

8.4. Climate Change Assessment

Goal	Matters to consider	Comments	Impact Assessment
1	The likely impacts (flood, drought, storms, sea level rise, etc.) of climate change in the Eastern Bay of Plenty on the matters of this report.	Some projects are intended to improve resilience to natural hazard risks	<i>Medium</i>
	The matters of this report's reduction on the effect of climate related impacts (flood, drought, storm, sea level etc.).	Capital works can reduce the effects of climate related impacts through design	<i>Medium</i>
2	Options for lowering greenhouse gas emissions have been specifically considered in relation to the matters of the report, including: <ul style="list-style-type: none"> • Energy efficiency / renewable energy, • Resource usage, • Waste/Whole of Life, and • Fossil fuel usage. 	Some Three Waters projects seek to be more efficient in terms of energy use in particular.	<i>Low to Medium</i>

8.5 Capex Delivery Update Report(Cont.)

Goal	Matters to consider	Comments	Impact Assessment
	Key emission sources, and (if possible) calculation of the greenhouse gas emissions for matters of report/project.	Wastewater ponds, vehicle use associated with capital delivery	<i>Low</i>
	Opportunities to address inequities or disadvantages due to climate change considered in relation to the matters of the report.		<i>Low</i>
3	Impacts upon the district's biodiversity.		Low
	Matters that increase resilience to climate change for Council and/or our communities.		Medium
<p>Summary: Many of the capital works projects are intended to increase resilience to natural hazards and/or mitigate risk.</p> <p>Overall Analysis: The decisions and matters in this report are assessed for their impact on greenhouse gas emissions and climate change effects, which are categorised as moderate.</p>			

- Risks
- Design and planning delays
- Cost escalations
- Contractor availability
- Procurement processes being fair and equitable to all
- Unanticipated compliance costs
- Weather or other delays

These risks are mitigated through strong Project Management practices, ensuring the project is well scoped and planned, and budgeted. This includes planning for the necessary engagement and consenting processes. Risks around procurement are managed through adhering to our Procurement Manual and skilled staff with expertise in procurement and tender processes. The EPMO (and infrastructure PMO) will eventually provide the framework to better manage risks with our capital delivery programme.

Attached to this Report:

- There are no appendices attached to this report.

8.6 Local Waters Done Well – February 2025 Update Report**8.6 Local Waters Done Well – February 2025 Update Report**To: **Infrastructure and Planning Committee**Date: **Thursday, 20 February 2025**Author: **A Dalziel / Contractor - Director of Infrastructure**Authoriser: **D Bewley / General Manager Planning, Regulatory and Infrastructure**Reference: **A2832904****1. Reason for the report - *Te Take mō tēnei rīpoata***

To update the Committee on the considerable amount of work that is occurring in response to the Government's Local Waters Done Well (LWDW) reform programme.

2. Recommendation/s - *Tohutohu akiaki*

THAT the Infrastructure and Planning Committee **receives** the Local Waters Done Well February 2025 Update report.

3. Background - *He tirohanga whakamuri*

In February 2024, the Government introduced and passed legislation to repeal previous legislation relating to water services entities - the Water Services Acts Repeal Act repealed the Water Services Entities Act 2022, Water Services Legislation Act 2023 and the Water Services Economic Efficiency and Consumer Protection Act 2023.

The Act reinstated previous legislation related to the provision of water services (including local government legislation). This allowed continued council ownership and control of water services, and responsibility for service delivery.

The Local Government (Water Services Preliminary Arrangements) Act 2024 establishes the Local Water Done Well framework and the preliminary arrangements for the new water services system. It was enacted on 2 September 2024.

It lays the foundation for a new approach to water services management and financially sustainable delivery models that meet regulatory standards.

Key areas included in the Act are:

- Requirements for councils to develop Water Services Delivery Plans by 3 September 2025
- Requirements that Plans outline future water services delivery arrangements, and for councils to commit to an implementation plan

8.6 Local Waters Done Well – February 2025 Update Report(Cont.)

- Requirements for councils to include in their Plans baseline information about their water services operations, assets, revenue, expenditure, pricing, and projected capital expenditure, as well as necessary financing arrangements, as a first step towards future economic regulation
- Streamlined consultation and decision-making processes for setting up future water services delivery arrangements
- Interim changes to the Water Services Act, which mean the Te Mana o te Wai hierarchy of obligations in the National Policy Statement for Freshwater Management (NPS-FM) will not apply when the Water Services Authority – Taumata Arowai sets wastewater standards.

In December 2024, The Local Government (Water Services) Bill was introduced, and it will establish the enduring settings for the new water services system. The objectives of the Bill are to ensure water services are safe, reliable, environmentally resilient, customer responsive and delivered at the least cost to consumers and businesses. There is a separate report in this agenda on this proposed legislation.

The Council will be asked to make its decision on at least two options for consultation at the end of March 2025. The consultation process will occur in April to May, for a decision on Council's preferred option for the preparation of our Water Services Delivery Plan. This is a simplified consultation process.

4. Discussion – Kōrerorero**4.1. Current State Review and Options**

In responding to the direction outlined in the Local Government (Water Services Preliminary Arrangements) Act 2024 and the proposed Local Government (Water Services) Bill, the LWDW team presented to Council in December 2024.

This included a presentation from Martin Jenkins, who has analysed the current state of the District's Three Waters Activities and reviewed potential options for future water service delivery in line with the legislation.

The Martin Jenkins assessment highlighted some challenges for the Council in relation to the Government's financial sustainability requirements, as identified in the legislation. The challenges that were identified were:

1. The challenge of investment sufficiency, with funding for anticipated upgrading of Wastewater Treatment Plants deferred until years 11 to 15 of the LTP 24-34.
2. The challenges with revenue sufficiency, where the revenue for Three Waters does not fund the investment required.

Regarding potential options for future water service delivery, two options were identified for further investigation.

- The establishment of an Internal business unit (with shared service arrangements).
- A sub-regional or regional Council Controlled Organisation (CCO).

8.6 Local Waters Done Well – February 2025 Update Report(Cont.)**4.2. Regional Discussions**

In December 2024, the BOP Mayoral Forum received a high-level nominal BOP multi-council owning CCO model design. The Chief Executives were asked to develop the model. It would allow any Bay of Plenty council to start a CCO and for other councils to opt in after the model had been adopted by others. The CCO would be asset owning, 100% owned by councils, have a Board based on capability and competence appointed by councils, be able to independently set the price for water based on cost of delivery, engage with mana whenua and honour existing agreements, and have a date of establishment to be determined after various councils consult on their Water Services Delivery Plan.

The Bay of Plenty Chief Executives also asked the DIA to assist with investigating the viability and workability of a regional water services CCO. The DIA primarily used LTP information to undertake an initial assessment of a combined CCO. Their analysis confirmed a BOP CCO with the six councils would be financially viable. An updated version of the DIA report, including a consolidated financial model that could be used for Water Services Delivery Plans and implementation planning was produced in late January.

The Council also resolved in December 2024 for the Mayor to write to the Minister of Local Government, requesting support from the Department of Internal Affairs (DIA) to help facilitate regional partnership discussions. The Minister, Simon Watts, replied to the Mayor on the 29 January 2025, and a meeting was held with DIA officials on Wednesday 5 February 2025. The discussions are likely to lead to further support for Council (elected members included) in preparation for the consultation process and in making a final decision on a preferred option.

Staff have been working with Tauranga City Council, Western Bay of Plenty and Thames Coromandel District Councils to explore options for a joint CCO. It has been agreed to progress joint modelling, although each Council is in a very different place in terms of the drivers for working together. Other sub-regional discussions are underway through the Chief Executive.

4.3. Compliance/Regulatory**4.3.1. Levies**

The Water Services Authority (Taumata Arowai) and the Commerce Commission released consultation documents in late 2024, seeking feedback on an approach to funding their water related monitoring and enforcement functions through charging a levy. The close of submissions was the 24 January 2025 and 7 February respectively. Based on the timing of submission to both, staff prepared submissions opposing the imposition of a levy, arguing that this should be a cost funded through Government taxes. The cost to the Whakatāne District Council would be \$202k (\$152k for Taumata Arowai and \$48k to the Commerce Commission) starting from 1 July 2025. This amount has been included into the Annual Plan budget despite the opposing submission, and it will have a 0.7% impact on rates for those who are connected to water services. Other councils have submitted opposing the levies.

4.3.2. Review of Work Programme

The Council asked the Chief Executive to assess the existing capex and opex water services spend profile to determine if a staged approach to achieving compliance would be viable for an internal business unit with shared services.

8.6 Local Waters Done Well – February 2025 Update Report(Cont.)

Tonkin and Taylor Consultants has reviewed capital and operational budgets as planned in the LTP. They stress tested the proposed works and the budgets for each project to ensure they are accurate and will meet our compliance requirements.

The analysis carried out to date suggests a \$21M annual capex spend will deliver our required infrastructure upgrades over a 30-year time horizon.

However, initial discussions with DIA and The Water Services Authority (Taumata Arowai) suggest that such a long timeframe for compliance will not be acceptable to the regulators.

While this work has identified specific projects that could be refined, the conclusions suggest the budget is generally accurate. The main defining component of the work is the current estimates used for upgrading our wastewater plants once consented. The Government's signal is that new standards will be less costly than those currently being consented, and that modular treatment solutions may also reduce anticipated costs. The standards are not yet available (due at the end of February as proposals open for submission) and so rebudgeting has not been possible to date. This rebudgeting forecast will be undertaken once there is greater certainty about what the standards will require. In saying that, the Council has a number of pre 1991 consents due for renewal. They focus primarily on the quantity of flow rather than the quality of the discharge, so there are likely to be significant upgrading of our wastewater plants still required

4.4. Local Government (Water Services) Bill

The Local Government (Water Services) Bill was released on the 10 December 2024. This Bill establishes the new regulatory framework for water services delivery. Submissions on this are due on 23 February 2025. A separate report has been prepared for IPC to consider in regard to this submission.

5. Options Analysis - *Ngā Kōwhiringa*

There are no options as this report is an information report only.

6. Significance and Engagement Assessment - Aromatawai Pāhekoheko**6.1. Assessment of Significance**

The decisions and matters of this specific report are assessed to be of low significance in accordance with the Council's Significance and Engagement Policy, as it is for information purposes only. However, this report is part of a broader process that is, or may be in future, assessed to be of moderate to high significance. In this case, the new legislation is proposing a streamlined process for consultation recognising that the timeframes are very tight for Council to deliver a Water Services Delivery Plan.

6.2. Engagement and Community Views

The Local Government Water Services Preliminary Arrangements Act defines a streamlined version of the normal special consultative process defined in the Local Government Act 2002. The Council will consider a draft consultation document in late March 2025. A Consultation and Engagement Plan has been drafted starting with preparing online information to help residents understand the current state of our Three Waters activities, and the legislative requirements. More targeted consultation will occur as the consultation document is developed.

8.6 Local Waters Done Well – February 2025 Update Report(Cont.)

Engagement on this matter is not being undertaken in accordance with Section 6.0 of the Council's Significance and Engagement Policy.

7. Considerations - *Whai Whakaaro***7.1. Strategic Alignment**

The process being followed is legislatively driven. The LTP work programme and Infrastructure Strategy has been stress tested to enable service delivery models to be rigorously tested. In saying that, the need to comply with legislative requirements earlier than planned and changing assumptions about standards may well lead to changes being proposed that are inconsistent with our LTP, including the way Three Waters activities will need to be ringfenced for financial purposes, the timing of the delivery of some compliance-based projects, and the delivery model. Our Three Waters works will also need to be supplemented with the infrastructure demands from the Spatial Plan and Local Growth Strategy.

7.2. Legal

The Local Government (Water Services) Bill was introduced into Parliament in December 2024. This Bill establishes the new regulatory framework for water services delivery. Along with the requirements of The Water Services Authority (Taumata Arowai) and the BOPRC, there will be compliance issues that the Council will need to consider further.

7.3. Financial/Budget Considerations

The funding for professional services to assist the Council in preparing its Water Services Delivery Plan is unbudgeted. The Council will spend approx. \$200k through to the preparation of the Water Service Delivery Plan, through the expert help of Martin Jenkins, M Consulting and Capture Engagement support. The Council has previously agreed to loan fund shortfalls in budget for this work. However, there is also potential scope for some surplus Better Off Funding (BoF) to be reallocated to meet this cost. This is based on advice from DIA (reflecting Government expectations) that unallocated or unused BoF should be redirected to the delivery of Local Waters Done Well.

The Commerce Commission and The Water Services Authority intend to charge levies to meet their regulatory costs. The Council's contribution for 1 July 2025 will be \$202k, presuming the levy stands. A request has been added to the proposed Annual Plan budget for Council's consideration.

7.4. Climate Change Assessment

Goal	Matters to consider	Comments	Impact Assessment
1	The likely impacts (flood, drought, storms, sea level rise, etc.) of climate change in the Eastern Bay of Plenty on the matters of this report.		<i>Low</i>
	The matters of this report's reduction on the effect of climate related impacts (flood, drought, storm, sea level etc.).	The management of stormwater is a consideration for the Council.	<i>Medium</i>

8.6 Local Waters Done Well – February 2025 Update Report(Cont.)

Goal	Matters to consider	Comments	Impact Assessment
2	Options for lowering greenhouse gas emissions have been specifically considered in relation to the matters of the report, including: <ul style="list-style-type: none"> • Energy efficiency / renewable energy, • Resource usage, • Waste/Whole of Life, and • Fossil fuel usage. 		<i>Low</i>
	Key emission sources, and (if possible) calculation of the greenhouse gas emissions for matters of report/project.		<i>Low</i>
	Opportunities to address inequities or disadvantages due to climate change considered in relation to the matters of the report.		<i>Low</i>
3	Impacts upon the district's biodiversity.		<i>Low</i>
	Matters that increase resilience to climate change for Council and/or our communities.		<i>Low</i>
<p>Summary: The report is principally for information. However, the management of drinking water, wastewater and stormwater can impact on climate change (e.g. wastewater ponds) or be affected by climate change (e.g. location by vulnerable areas). For the purpose of this report, the assessment is generally low.</p> <p>Overall Analysis: The decisions and matters in this report are assessed for their impact on greenhouse gas emissions and climate change effects, which are categorised as low.</p>			

7.5. Risks

- Assumptions around investment and revenue sustainability assessments.
- Reliance on our LTP Three Waters budget to assess financial sustainability.
- The lack of fully funding our Three Waters capital programme to meet compliance requirements and growth.
- The lack of regional or sub regional partners willing to partner with Whakatane District Council.
- The tight timeframe to complete a Water Services Delivery Plan, including a public consultation process.
- The consultation process and its outcome.

Attached to this Report:

8.7 State Highway Speed Limit Consultation

- There are no appendices attached to this report.

8.7 State Highway Speed Limit Consultation

To: **Infrastructure and Planning Committee**

Date: **Thursday, 20 February 2025**

Author: **A Reynolds / Manager Transport**

Authoriser: **D Bewley / General Manager Planning, Regulatory and Infrastructure**

Reference: **A2833794**

1. Reason for the report - *Te Take mō tēnei rīpoata*

This report provides a summary of the State Highway Speed Limits currently out for Public Consultation that are located in the Whakatāne District and seeks direction from the Infrastructure and Planning Committee on whether to provide a submission, and the theme of the submission.

2. Recommendations - *Tohutohu akiaki*

1. THAT the Infrastructure and Planning Committee **receives** the State Highway Speed Limit Consultation report; and
2. THAT the Infrastructure and Planning Committee **direct** staff to prepare a Council submission on the State Highway Speed Limit Consultation; and
3. THAT the Infrastructure and Planning Committee **direct** the theme of the submission to be **RETAIN or REVERT** the speed limits under consultation in the Whakatāne District; and
4. THAT the Infrastructure and Planning Committee **provides** staff with any addition relevant comments for inclusion in the submission; and
5. THAT the Infrastructure and Planning Committee **delegate** authority to the Mayor to approve the submission on behalf of Council to meet the 13 March 2025 deadline.

3. Background - *He tirohanga whakamuri*

Following the Minister of Transport's most recent announcement (31 January 2025) on state highway speed limit reversals, this report summarises the impacts for the Whakatāne District. Note that the Rule has been amended twice since its initial adoption, and previous staff advice regarding which roads are impacted has changed in this time. Further information can also be found on the NZTA website nzta.govt.nz/state-highway-speed-management.

The new Rule requires speed limits lowered on four categories of roads managed by NZTA since 1 January 2020, to revert to their previous, higher speed limits by July 2025, with some exceptions. The categories are urban connectors, interregional connectors, rural connectors and transit corridors.

8.7 State Highway Speed Limit Consultation(Cont.)

There is the opportunity for the Whakatāne District Council to provide a submission in relation to this consultation.

4. Discussion – Kōrerorero**4.1. Automatic Reversals**

These are the highways in the Whakatane District that will be automatically reverting to a higher speed by July 2025:

Section of State Highway	Length (km)	Current speed (km/h)	Reverting to (km/h)	Classification
SH30 Coastlands urban - Whakatāne From west of the centre of the SH30/Gateway Drive/Phoenix Drive roundabout to north of the northern abutment of the Whakatāne Bridge	0.94	60	80	Urban connector

NZTA has advised this is a mandatory, automatic reversal. However, the Minister has made some exceptions to this, where retaining the new speed limit has been petitioned by the local Mayor/Councillors.

If there is desire to retain the current 60kph speed limit on SH30 outside The Hub, this can be noted in the submission.

NZTA is currently developing the programme to implement the required speed limit reversals before July 2025. This automatic reversal outside The Hub is currently planned for late March or early April, but this timing is not yet confirmed.

4.2. Sections out for Consultation – Reversal subject to feedback

For interregional connectors and rural connectors NZTA will consult with the public from 30 January to 13 March 2025 to understand if there is community support to retain the lower speed limits on all or part of the route instead of seeing them reverse to the previous higher speed limit. SH30 Rotorua to Whakatāne, is the state highway speed change in the Whakatāne District to be consulted on for the following sections:

Sections of State Highway	Length	Current speed limit	Speed reverting to IF no public support to retain
SH30 Te Ngae Junction to Lake Rotoiti Lake Rotokawau Road to Hauparu	4.66km	80km/h	100km/h

8.7 State Highway Speed Limit Consultation(Cont.)

Sections of State Highway	Length	Current speed limit	Speed reverting to IF no public support to retain
SH30 Lake Rotoehu to Lake Rotomā West of Morehu Road West to west of Oxford Road	4.51km	80km/h	100km/h
SH30 Lake Rotomā to Te Teko West of SH30/SH34 Kawerau Junction West to west of Huia Crescent	16.1km	80km/h	100km/h
SH30 Te Teko to Awakeri North-east of Galatea Road to south-west of SH2/SH30 Awakeri Junction West	8.62km	80km/h	100km/h
SH30 Awakeri to Whakatāne North-east of the SH2/30 Awakeri Junction East to west of Shaw Road	8.25km	80km/h	100km/h

These defined areas provide the scope of the particular sections of road that the Committee could submit on, by indicating whether it wished to retain the current lower speed limits or revert it to its previous higher speed limits.

4.3. Sections to retain current speed limit, not included for consultation

Due to their classification and exemption under the Speed Rule, NZTA are not consulting or changing speeds at the following locations in the Whakatāne District, which did have a change of speed limit since 2020:

Sections of State Highway	Speed Limit	Classification
SH 30 Tikitere to Hauparu Te Ngae to Lake Rotokawau Road	80km/h	Peri urban
SH30 Hauparu to Hinehopu From east of Curtis Road to west of Morehu Road West	60km/h	Peri urban & Mountainous
SH30 Lake Rotoma Urban From west of Oxford Road to west of SH30/SH34 Kawerau Junction West	60km/h	Peri urban & Mountainous
SH30 Te Teko East	60km/h	Peri urban

8.7 State Highway Speed Limit Consultation(Cont.)

Sections of State Highway	Speed Limit	Classification
From east of Te Teko Road to north-east of Galatea Road		
SH30 Awakeri Urban From south-west of SH2/SH30 Awakeri Junction West to north-east of the SH2/30 Awakeri Junction East	60km/h	Peri urban
SH30 Awakeri to Coastlands West of Shaw Road to west of Phoenix Drive Roundabout.	80km/h	Peri urban

4.4. Other State Highway Speed Limits

NZTA acknowledge there may be community views on speed limits not included for consultation or on the changes that will be made. There is an opportunity to provide feedback outside the scope of this consultation. For sections of State Highway that are not subject to reversal or consultation, or have not had recent changes in speed limits, there will be an opportunity after July 2025 to review these. Following implementation of the required speed reversals programme, NZTA will start to look at future speed reviews that align with the Rule. We will have the opportunity to capture feedback on these from Councillors and the public as we progress our draft speed limit changes – report coming to 10 April 2025 IPC meeting.

5. Options Analysis - *Ngā Kōwhiringa*

A preferred option has not been identified relating to the matters of this report. Staff seek direction from the Infrastructure and Planning Committee as to which option to progress.

5.1. Option 1 – Do not provide submission

This option would see no formal submission provided on behalf of the Whakatāne District Council regarding State Highway Speed Limit Changes.

Advantages	Disadvantages
<ul style="list-style-type: none"> The Whakatāne District Council stays neutral in the State Highway Speed Limit decisions. The public have the ability to submit their views. 	<ul style="list-style-type: none"> The Whakatāne District Council does not have the ability to influence the State Highway Speed Limit decisions.

8.7 State Highway Speed Limit Consultation(Cont.)**5.2. Option 2 – Provide a submission to retain the lower speed limits**

This option would see a formal submission on behalf of the Whakatāne District Council that advocates for the retainment of the lower speed limits on the sections of State Highway listed under section 4.2 of this report.

Advantages	Disadvantages
<ul style="list-style-type: none"> The Whakatāne District Council advocates for lower speed limits to contribute to road user safety. 	<ul style="list-style-type: none"> The current reduced speed limits are a contentious topic, and this option could have reputational risks.

5.3. Option 3 – Provide a submission to revert to the higher speed limits

This option would see a formal submission on behalf of the Whakatāne District Council that advocates for the reversal of the lower speed limits on the sections of State Highway listed under section 4.2 of this report, to reinstate these sections to their previous higher speed limit.

Advantages	Disadvantages
<ul style="list-style-type: none"> The higher speed limits support transport productivity. 	<ul style="list-style-type: none"> The higher speed limits may impact on road user safety.

5.4. Additional Option – Provide a submission advocating to retain the lower speed limit at The Hub

This option would be in addition to either options 2 or 3 and allows for an additional comment to be included in the submission to retain the lower speed limit outside The Hub, if this is desired. Without advocating specifically on the issue, the speed limit outside The Hub will automatically revert to the previous higher speed limit. The Minister has made some exceptions to this rule where there has been a petition from Councillors/Mayor.

Advantages	Disadvantages
<ul style="list-style-type: none"> Gives the Whakatāne District Council a voice on a matter that would otherwise occur automatically. There is general public support for the reduced speed limit at this particular location due to the surrounding environment. 	<ul style="list-style-type: none"> Without advocacy from the Mayor or Councillors, this higher speed limit reversal will happen automatically.

6. Significance and Engagement Assessment - Aromatawai Pāhekoheko**6.1. Assessment of Significance**

The decisions and matters of this report are assessed to be of low-moderate significance, in accordance with the Council's Significance and Engagement Policy.

8.7 State Highway Speed Limit Consultation(Cont.)

Significance Criteria	Comments	Impact Assessment
Level of community interest: Expected level of community interest, opposition or controversy involved.	<ul style="list-style-type: none"> Speed limits is a very topical subject 	<ul style="list-style-type: none"> Moderate
Level of impact on current and future wellbeing: Expected level of adverse impact on the current and future wellbeing of our communities or District.	<ul style="list-style-type: none"> Minimal impact in the scheme of things, but does impact on road safety, transport productivity, and public feeling 	<ul style="list-style-type: none"> Low
Rating impact: Expected costs to the community, or sectors of the community, in terms of rates.	<ul style="list-style-type: none"> None – all state highway funded 	<ul style="list-style-type: none"> Low
Financial impact: Expected financial impact on the Council, including on budgets, reserves, debt levels, overall rates, and limits in the Financial Strategy.	<ul style="list-style-type: none"> None – all state highway funded 	<ul style="list-style-type: none"> Low
Consistency: Extent to which a proposal or decision is consistent with the Council's strategic direction, policies and significant decisions already made.	<ul style="list-style-type: none"> Minimal impact in the scheme of things, but does impact on road safety, transport productivity, and public feeling 	<ul style="list-style-type: none"> Low
Reversibility: Expected level of difficulty to reverse the proposal or decision, once committed to.	<ul style="list-style-type: none"> The speed limits are very reversible 	<ul style="list-style-type: none"> Low
Impact on Māori: Expected level of impact on Māori, considering the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.	<ul style="list-style-type: none"> Minimal 	<ul style="list-style-type: none"> Low
Impact on levels of service: Expected degree to which the Council's levels of service will be impacted.	<ul style="list-style-type: none"> Minimal impact in the scheme of things, but does impact on road safety, transport productivity, and public feeling 	<ul style="list-style-type: none"> Low

8.7 State Highway Speed Limit Consultation(Cont.)

Significance Criteria	Comments	Impact Assessment
Impact on strategic assets: Expected impact on the performance or intended performance of the Council's Strategic Assets, for the purpose for which they are held.	<ul style="list-style-type: none"> Minimal impact in the scheme of things, but does impact on road safety and transport productivity 	<ul style="list-style-type: none"> Low

6.2. Engagement and Community Views

Engagement on this matter is not being undertaken in accordance with Section 6.0a of the Council's Significance and Engagement Policy. This states that the Council will not consult when the matter is not of a nature or significance that requires public engagement. This decision relates to Council providing a submission. The matter itself is out for public consultation for anyone to also provide their views.

7. Considerations - *Whai Whakaaro***7.1. Strategic Alignment**

No inconsistencies with any of the Council's policies or plans have been identified in relation to this report.

7.2. Financial/Budget Considerations

There is no budget considerations associated with the recommendations of this report.

7.3. Climate Change Assessment

There are no significant or notable impacts associated with the matters of this report.

7.4. Risks

There are no significant or notable risks associated with the matters of this report.

Attached to this Report:

- There are no appendices attached to this report.