



Infrastructure and Planning Committee

Te Komiti Whakarite Mahere

Thursday, 29 May 2025

Tāite, 29 Haratua 2025

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



Chief Executive: Steven Perdia | Publication Date: 23 May 2025

whakatane.govt.nz

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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 - Deputy Chairperson
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 mihimihi*

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 [conflicts of interest register](#) 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.

Hon Simon Court MP

Hon Simon Court MP will speak to the Committee regarding the Government's housing announcement and provide an update on the Infrastructure and the Resource Management Act (RMA) Reform.

6.2 Deputations - *Ngā Whakapuaki Whaitake*

A deputation enables a person, group or organisation to make a presentation to Committee 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, 10 April 2025 can be viewed via the Council website.

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

- [Minutes Infrastructure and Planning Committee - 10 April 2025](#)

7.1 Minutes of Sub-committee**7.1 Minutes of Sub-committee**

At the Infrastructure and Planning Committee meeting dated **10 April 2025**, a resolution was passed to establish a subcommittee consisting of five Councillors and the Mayor, namely:

Councillor Dennis
Councillor Jukes
Councillor James
Councillor Iles
Councillor Rangiaho
Mayor Luca

The subcommittee was tasked with considering discretionary speed limit changes for roads in the District. Subsequently, a meeting of the subcommittee was held on **28 April 2025**, where decisions on the roads were made, and those minutes are included below.


Recommendation

THAT the Infrastructure and Planning Committee **confirm** the minutes as true and correct record, and in accordance with Standing Order 7.2(b), resolves to **dissolve** the Infrastructure and Planning Sub-committee, as it has completed its task of considering the proposed speed limits for each road in the District to be included in the consultation process for the 2025 Proposed Discretionary Speed Limit Changes.

Infrastructure and Planning Committee - AGENDA

7.1 ~12~Minutes of Sub-committee ~~(Cont.)

Minutes Infrastructure and Planning Sub-Committee 28 April 2025

	Details of Meeting:	INFRASTRUCTURE AND PLANNING SUB-COMMITTEE MEETING HELD IN THE PŌHUTUKAWA MEETING ROOM, WHAKATĀNE DISTRICT COUNCIL, 14 COMMERCE STREET, WHAKATĀNE, ON MONDAY, 28 APRIL 2025, COMMENCING AT 1:00 PM
	Present:	His Worship the Mayor Dr V Luca and Councillors A Iles, J Jukes, G Dennis, W James and N Rangiaho
	In Attendance:	A Reynolds (Manager Transportation), J Metcalfe (Team Leader Transport Strategy and Assets) and A Dass (Governance Support Advisor)
	Visitors:	
	Apologies:	

1 Meeting Summary: Local Road Speed Changes for Consultation

The meeting started at 1:06 pm.

Attendance: Councillor Rangiaho entered the meeting at 1:07 pm.

Table 1: Proposed Speed Limit Changes with Council's General Consensus						Resolution
Site Name	Location	Rational	Length	Speed limit (kph)		
				Current	Proposed	
Withy Road	Full Length	Requested by residents. Windy Road with limited visibility and part is unsealed.	3550m	100	70	Members agreed to proceed with the consultation on the proposed 70 kph speed limit.
Te Teko Road	from Okaahu Road intersection south to existing 50kph area.	Current speed is out of context with adjacent land use.	325m	100	50	Members agreed to proceed with the consultation on the proposed 50 kph speed limit.
Thornton Road - East Bank and West Bank Intersections	Thornton Road, 250m west of West Bank Road to 250m east of East Bank Road	Requested by residents and Thornton School. Complex intersections with poor visibility and high usage that could result in significant crashes.	750m	100	70	Members agreed to proceed with the consultation on the proposed 70 kph speed limit.
Wainui Road - Tio Oyster	From Tauwhare Pa Scenic Reserve southern carpark exit heading south for 830m	Current speed is out of context with adjacent land use.	830m	100 (temp 60)	60	Members agreed to proceed with the consultation on the

Infrastructure and Planning Committee - AGENDA

7.1 ~12~Minutes of Sub-committee ~~(Cont.)

						proposed 60 kph speed limit.
Thornton Road - SH30 to past Blueberry Corner	From SH30 to the western boundary of 462 Thornton Road	High risk road with significant crash history.	4650m	100	80	Members agreed to proceed with the consultation on the proposed 80 kph speed limit. With the addition of a specific question to public, whether the reduced speed limit should be seasonal only, and whether the extent should be near RnB's only, or the full extent noted in 'location'.
Shaw Road Subdivision	For the full extent of Shaw Road and adjoining roads urban area	Current speed is out of context with adjacent land use.	1000m	100	50	Members agreed to proceed with the consultation on the proposed 50 kph speed limit.
Thornton Beach Road (carpark and boat ramp)	From existing speed hump north to the end of the carpark area	Current speed is out of context with primary use as car park, boat ramp and access to beach.	570m	50	30	Members agreed to proceed with the consultation on the proposed 30 kph speed limit.
West End Road	From Vills Glade to West End Car Park	Current speed is out of context with usage as access and parking for the beach and reserve areas.	970m	50	30	Members agreed to proceed with the consultation on the proposed 30 kph speed limit.
Galatea Road - Waiohau	Between existing Northern 80/100 boundary and 200m west of Papanui Road	Provide consistency with other rural village speed limits	1970m	80/100	60	Members agreed to proceed with the consultation on the proposed 60 kph speed limit.

Infrastructure and Planning Committee - AGENDA

7.1 ~12~Minutes of Sub-committee ~~(Cont.)

Pukehou Road – Waiōhau	Full extent of road	Included as part of Waiōhau, requires less signs, and provides consistency	2900m	100	60	Members agreed to proceed with the consultation on the proposed 60kph speed limit.
Papanui Road – Waiōhau	Full extent of road	Included as part of Waiōhau, requires less signs, and provides consistency	1500m	100	60	Members agreed to proceed with the consultation on the proposed 60 kph speed limit.
Tawhia Road – Waiōhau	Full extent of road	Included as part of Waiōhau, requires less signs, and provides consistency	950m	100	60	Members agreed to proceed with the consultation on the proposed 60 kph speed limit.
Galatea Road - Matahina Dam	Top of Matahina Dam	Requested by Manawa Energy to provide safety for workers and users while also helping to protect assets from high-speed collisions.	700m	100	60	Members agreed to proceed with the consultation with an amended 80 kph speed limit to be proposed.
Galatea Road - Matahina Dam eastern approach	From Matahina Dam to 750m north of Matahina Dam	Requested by Manawa Energy to provide safety for workers and users. Steep windy section of road on approach to dam.	750m	100	80	Members agreed to proceed with the consultation on the proposed 80 kph speed limit.
Rototaha Road - Matahina Dam eastern Approach	Full extent of road	Current speed limit is out of context with primary usage as boat ramp and car parking area	700m	100	60	Members agreed to proceed with the consultation with an amended 80 kph speed limit proposed.
Galatea Road - Matahina Dam western approach	From Matahina dam to 1000m west of Matahina Dam	Requested by Manawa Energy to provide safety for workers and users. Steep windy section of road on approach to dam	1000m	100	80	Members agreed to proceed with the consultation on the proposed 80 kph speed limit.
Reid Road	From Awahou Road to 500m south of Awahou Road	Legalising prior movement of speed limit signs.	500m	70	100	Members agreed to proceed with the consultation

Infrastructure and Planning Committee - AGENDA

7.1 ~12~Minutes of Sub-committee ~~(Cont.)

						on the proposed 100 kph speed limit.
Airport - Tassel Drive	560 m east of end of road	Requested by Airport Management. Existing speed limit is out of context with primary usage as parking and drop-off/pick-up area for the airport.	560m	60	30	Members agreed to proceed with the consultation on the proposed 30 kph speed limit. Members noted a reduced distance and location of 445m east of end of road to be proposed.
Carried forward from November 2024 Council briefing						
Tāneatua Road	Full Extent	High risk road with significant crash history.	8250m	100	80	Members did not agree to proceed with the consultation on the proposed speed limit.
Valley Road	Commerce Street to Tāneatua Road (full extent)	Speed limit is out of context with other arterial roads in Whakatane.	2500m	70	50	Members agreed to proceed with the consultation on the proposed 50 kph speed limit.
Ōhope Road	From Ōtarawairere Road to Pohutukawa Ave	High risk road with significant crash history.	1300m	80 (temp 60)	80	Members agreed to proceed with the consultation on the proposed speed limits of 80 and 60 kph.
Wainui Road	From 830m south of Tauwhare Pa Scenic Reserve to Whakatane District Boundary (Harrison Road).	High risk road with significant crash history.	8600m	100	80	Members did not agree to proceed with the consultation on the proposed speed limit. But would like staff to further discuss with Ōpōtiki Council.
Te Teko Road - Te Teko to Edgecumbe	From Otaahu Road to Main Road	High risk road with significant crash history.	5800km	100	80	Members agreed to proceed

Infrastructure and Planning Committee - AGENDA

7.1 ~12~Minutes of Sub-committee ~~(Cont.)

						with the consultation on the proposed 80 kph speed limit.
Keepa Road	From SH30 to Bunyan Road	Land use change has resulted in increased traffic volumes and is impacting adjacent residents safe access to properties. Speed control infrastructure not appropriate at 80kph speed limit.	1950m	80	60	Members did not agree to proceed with the consultation on the proposed speed limit.

The meeting was closed at 2:05 pm.

8 Reports - *Ngā Pūrongo*

8 Reports - *Ngā Pūrongo*

8.1 Three Waters Consent Replacement Programme Update Report – May 2025



To: **Infrastructure and Planning Committee**

Date: **Thursday, 29 May 2025**

Authors: **J Joyce / Programme Manager**
J Sinclair / Senior Three Waters Project Planner

Authoriser: **D Bewley / GM Planning, Regulatory and Infrastructure**

Reference: **A2890455**

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 May 2025.

2. Recommendation/s - *Tohutohu akiaki*

THAT the Infrastructure and Planning Committee **receive** the Three Waters Consent Replacement Programme Update Report - May 2025.

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 – May 2025(Cont.)**4. Discussion – Kōrerorero****4.1. Three Waters Programme Steering Group**

The Three Waters Programme Steering Group (the Steering Group) last met on Monday, 24 March 2025. In lieu of holding an April meeting, since no direction was required, a written update was provided on 28 April 2025 and is outlined below.

4.1.1. *Three Waters Consent Replacement Programme Progress Update May 2025***4.1.2. *Proposed Wastewater Environmental Performance Standards***

The Local Government (Water Services) Bill was introduced in December 2024. The Bill outlines a legislative framework for the delivery, regulation, and oversight of water services in New Zealand. Submissions on the Bill closed on 23 February 2025, and it is expected to be enacted by the end of the year. The Bill amends the Water Services Act 2021 to enable the establishment of regulations on wastewater environmental performance standards for:

- discharges to air, water, or land;
- biosolids and other by-products of wastewater treatment;
- energy use; and
- waste introduced into a wastewater network by third parties (e.g. trade waste).

The introduction of these standards aims to ensure national consistency in regulating and consenting wastewater infrastructure. Regional councils will be required to apply the national standard and will not be permitted to impose more lenient or more stringent requirements, except in specific, defined circumstances.

On 25 February 2025, Taumata Arowai – the Water Services authority – released a discussion document titled Proposed Wastewater Environmental Performance Standards and sought feedback by 24 April 2025 through public submissions. Council's submission was discussed and approved at the Infrastructure and Planning Committee on 10 April 2025.

The programme team will continue to monitor the outcomes of the proposed standards and other legislative changes to understand their implications for wastewater consents and potential upgrades.

4.1.3. *Whakatāne District Waters Strategy*

A Whakatāne Waters Strategy is currently under development. Council received an overview of the Strategy at the elected member briefing on 16 April 2025. The Strategy takes a 'system approach' and will help inform appropriate scopes and consenting requirements for relevant projects within this programme. We are aiming to have a draft prepared by late July, with further refinements to follow once the proposed standards are released. The key focus areas are refining the Whakatāne/Plains water integration strategy to support consenting and assessing the viability of integrating the Matatā and Edgecumbe wastewater systems.

8.1 Three Waters Consent Replacement Programme Update Report – May 2025(Cont.)**4.1.4. *Water Consent Focus***

A number of key national and local processes are required to help guide and inform the wastewater consenting projects, including new wastewater standards and wider growth and waters strategy work. While these are further advanced over the next few months, the programme team will focus on the delivery of the water consents, where the consenting process will not be impacted. A number of the water take consents are already underway with a mix of inhouse and consultants preparing

8.1 Three Waters Consent Replacement Programme Update Report – May 2025(Cont.)**4.1.5. Programme Progress Update**

Consent Replacement	Approx Timing	Project status	Progress Update
WASTEWATER CONSENTS			
Whakatāne Wastewater Edgecumbe Wastewater	2024 - 2027	Awaiting national and local strategy direction	LWDW and wastewater standards to be enacted by the Local Government Water Services Bill will inform the scope and consenting requirements for these projects, along with the Whakatāne Waters Strategy. Further direction is expected later in 2025.
<u>Tāneatua</u> Wastewater	2024 - 2027	Awaiting national and local strategy direction	Awaiting direction from the district wastewater strategy, currently being developed, and further clarity from LWDW is gained. Glenn Cooper has been contracted to lead this project with support from a Project Manager from Te Uru <u>Taumatua</u> .
Murupara Wastewater	2024 - 2027	On track	The Murupara Co-design Group, consisting of Ngāti Manawa and the Council, has been established. The Terms of Reference include relationship principles and outline Ngāti Manawa's aspirations, including the removal of wastewater discharge from the <u>Rangitāiki River</u> , which 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. However, wastewater standards and the implementation of local water initiatives will influence potential investment and consenting pathways. Understanding these impacts will be crucial in determining next steps, including how we advance co-design while upholding the agreed Terms of Reference.
WATER CONSENTS			
Whakatāne / <u>Ōhope</u> Water	2024 - 2026	Yet to start	Whakatāne/ <u>Ōhope</u> Water Project will build on a comprehensive water roadmap developed in 2021. A planning assessment will be undertaken in the first instance to inform the scope and consenting requirements for the project. A

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

Consent Replacement	Approx Timing	Project status	Progress Update
			consultant is currently being sourced to support this.
<ul style="list-style-type: none"> • Rangitāiki Plains • Matatā • Murupara • Waimana • Rugby Park Irrigation 	<ul style="list-style-type: none"> • 2025-2026 • 2025-2027 • 2025-2026 • 2025-2026 • 2025-2026 	Yet to start	These projects are currently being commenced with a mix of inhouse and consultant delivery. We are currently seeking proposals from multiple consultants for procurement.
• Tāneatua	• 2025-2026	On track	A consultant has been engaged to prepare the consent application for the Tāneatua water take. A draft has been prepared and is currently under review by Council staff. Engagement is also underway with Te Uru Taumatua and Ngāti Awa to identify any cultural effects that should be acknowledged and (where possible) mitigated as part of the application.
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.

4.1.6. Stormwater Consents

The council's stormwater consent replacements are being undertaken by the Policy, Planning and Consents Compliance team. The table below outlines a summary of progress to date on relevant consents.

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

Consent Replacement	Approx Timing	Project status	Progress Update
STORMWATER CONSENTS			
Whakatāne CSC (RM23-0010-AP)	TBC	Consent application on hold Remains lawful under s124 of the Resource Management Act.	<p>On 16 January 2023, Whakatāne District Council (the Council) lodged an application for a comprehensive stormwater consent (CSC) for the Whakatāne Township. The resource consents sought are:</p> <ul style="list-style-type: none"> • To discharge stormwater to land, wetlands, and water from multiple locations within the urban areas and settlements subject to the application. • To undertake associated land disturbing activities and activities within the Coastal Marine Area (CMA) and/or watercourses. • To undertake maintenance activities on the stormwater network, including ongoing operations and upgrades (replacements, demolition and improvement works). <p>The application was publicly notified, with six submissions received by Bay of Plenty Regional Council by the closing date of 19 June 2024. The application is currently on hold while the Council completes consultation with submitters. Upon approval of the CSC, existing individual stormwater discharge consents held by the Council for the Whakatāne urban area will be surrendered.</p>
<u>Ōhope CSC</u>	TBC	Yet to commence	The Council intends to progress a CSC for <u>Ōhope</u> following completion of the Whakatāne CSC.

4.2. Resourcing and Recruitment

Key programme roles are now in place. Other roles to be further confirmed as relevant project scopes and timings are agreed, include:

1. **Project manager Whakatāne / Edgecumbe wastewater** - a long-term project manager will be appointed once further detail is known on key national and local processes and future project scope is confirmed.
2. **Project manager Tāneatua wastewater and Waimana water** - role will be coordinated with Te Uru Taumatua. The programme iwi engagement advisor will also support.
3. **Project manager Whakatāne / Ōhope water** – consultant to undertake an initial planning assessment currently being sourced. A project manager will be sourced once scope of consent requirements are known.

8.1 Three Waters Consent Replacement Programme Update Report – May 2025(Cont.)**4.3. Budget Spend to Date**

The budget will be regularly assessed to ensure appropriate allocation, including when further detail on the proposed wastewater environmental performance standards is received, and how these will impact relevant consenting processes.

Activity	LTP Budget (2024-2028)	Spend to date up to (17 April 2025)	Remaining (2024-2027)
WATER			
410031 - All Equalised Schemes Replacement of Water Take Consents	\$608,206	\$2,294	\$605,912
410118 - Rangitāiki Plains Replacement of Water Take Consents	\$283,264	\$0	\$283,264
412556 - Murupara Replacement of Water Take Consents	\$88,112	\$1,147	\$86,965
WASTEWATER			
510062 - Whakatāne Equalised across District Wastewater Discharge Resource Consents (Whakatāne, Edgecumbe, Tāneatua)	\$4,439,865	\$313,093	\$4,126,772
512504 - Murupara Wastewater Discharge Resource Consents	\$1,377,757	\$10,883	\$1,366,874
511016 - Murupara Wastewater Discharge monitoring	\$113,069	\$13,499	\$99,570
TOTALS	\$6,910,273	\$340,916	\$6,569,357
Notes to Table			
1. The total programme budget within the Long-Term Plan 2024-34 (LTP) is \$7,227,356.			
2. The above table outlines the first four years of the LTP (2024-2028) where the majority of the budget is included.			
3. Cost code 511016 covers monitoring for the Murupara scheme. Costs associated with wastewater monitoring for Whakatāne, Edgecumbe, and Tāneatua are covered by 510062.			

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.

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

- **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.
- **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 Three Waters Consent Replacement Programme Update Report – May 2025(Cont.)**7.5. Risks**

Risk	Description and/or Mitigation
The current 2026 timeframe for replacing the majority 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.	<p>The programme team will keep across the new Draft Local Water Services Bill, which currently proposes a two-year extension for extant wastewater consents.</p> <p>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.</p>
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 engage with central government on three waters including the Local Government Water Services Bill.
- Continue to manage the Programme Steering Group as per agreed terms of reference.
- Continue recruitment processes for relevant roles once projects are scoped and planned delivery is well understood.

Attached to this Report:

- There are no attachments to this report.

8.2 Matatā and Murupara Storm Damage Report**8.2 Matatā and Murupara Storm Damage Report**

To: **Infrastructure and Planning Committee**

Date: **Thursday, 29 May, 2025**

Author: **J Finlay / Manager Three Waters**

Authoriser: **D Bewley / GM Planning, Regulation and Infrastructure**

Reference: **A2892806**

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

This report outlines the circumstances and cost of storm damage remediation which resulted from events commencing on 4 February 2025 through to 15 May 2025 at the Awatarariki and Waitepuru streams at Matatā and to a 600mm diameter stormwater pipeline off Pine Drive in Murupara.

2. Recommendations - *Tohutohu akiaki*

1. THAT the Infrastructure and Planning Committee **receives** the Matatā and Murupara Storm Damage Report; and
2. THAT the Infrastructure and Planning Committee **approves** the unbudgeted expenditure of \$230,000 (excluding GST) for storm damage remediation works on the Awatarariki and Waitepuru Streams in Matata; and
3. THAT the Infrastructure and Planning Committee **approves** the unbudgeted expenditure of up to \$60,000 (excluding GST) for the reinstatement of the piped stormwater drain off Pine Drive, Murupara.

3. Background - *He tirohanga whakamuri***3.1. Awatarariki Stream**

The very steep and bush clad catchment for this stream lies south and west of Matatā. The stream emanates from a deep gulley and passes through a culvert (known locally as Moores Bridge) under State Highway 2. An extreme flooding event in 2005 which washed boulders, logs and other debris down the gulley, washed out the adjacent railway bridge and approach, crossed over the highway and destroyed approximately \$20 million of private property.

Reparation after the event lead to the construction of sediment ponds with associated management plan and resource consents for Council, in coordination with the Department of Conservation, to manage sediment removal on an ongoing basis. Failure to do so, risks blockage, flooding, debris discharge to residential property and the highway.

8.2 Matatā and Murupara Storm Damage Report(Cont.)**3.2. Waitepuru Stream**

This stream similarly flows down a steep gully with the same catchment features as the Awatarariki Stream to cross under the railway line and Pākehā Street in the southeast corner of Matatā. The extreme 2005 event also caused massive debris flows, blockages, bank washouts and property damage where it flows through the township.

Works were completed after the 2005 event to form sediment catchpits upstream of the railway line and an overflow path to cross farmland with outlet to the Tarawera River. The flow through the township is restricted to the assessed capacity that will retain the flow within the stream channel and to minimise damage in heavy rainfall events. Again, a management plan and resource consents are in place which require Council to monitor and remove sediment and debris which would otherwise cause damming of the sediment catchpit outlets and risk of flood damage to residential properties and safety for the railway, Pākehā (State Highway 2) and Manawahe Road users.



8.2 Matatā and Murupara Storm Damage Report(Cont.)**3.3. Pine Drive stormwater pipeline**

The Pine Drive stormwater pipe is one of three outlets that transfer stormwater from the township to the Whakatāne River. At 600mm diameter, this pipeline accounts for all collected runoff in the southeastern sector including the shopping centre, Ngāti Manawa and Council's Murupara offices and the library. The pipeline extends initially through a private lot and then through reserve land owned by Council.

**3.4. Summary Status of Matatā Stream clearing works - February to May 2025**

The event on 4 February 2025 caused a significantly higher production of debris and sediment from both stream catchments, than experienced in recent years. Ongoing rainfall events since the initial February event, have continued the need for maintenance works at both sediment deposit sites. Material removed has been carted to approved clean fill sites and has been estimated to amount to some 12,000 cubic metres, or over 20,000 tonnes.

Whilst the annual budget provided for such maintenance is \$70,000, expense for the period from 4 February to 15 May 2025, together with \$20,000 works in August 2024, currently amounts to \$300,000 excluding GST. Approximately 60% of the expense was incurred at the Awatarariki fan head.

8.2 Matatā and Murupara Storm Damage Report(Cont.)

Awatarariki primary sediment pond during initial cleanup following 4 February 2025 storm event.



Waitepuru Stream sediment and debris catchpits cleanup after 4 February 2025 storm event.

3.5. Pine Drive Pipeline Damage

Council Three Waters staff were notified on the 1 May 2025 of damage to the 600mm diameter pipeline. It was inspected on 2 May 2025. Whilst the full length of washout was difficult to determine from this initial visit, the depth of the gully formed was seen to exceed 5 metres. Contractors have been engaged to gain access, remove vegetation to expose the full extent and reveal if it is possible to retrieve the pipes in the washed-out area. At the current time, proposed reparation is envisaged to install a fabricated drop structure, either to reinstate the pipeline and recontour the site above the pipe, or to provide an open drain with rock riprap lining. A repair cost will be prepared when the full area of damage is exposed but is expected to be approximately \$60,000 excluding GST. (Note this figure will be updated at the meeting).

8.2 Matatā and Murupara Storm Damage Report(Cont.)

The Murupara stormwater budget for the current year is \$2,720.

**4. Options Analysis - *Ngā Kōwhiringa***

For Matatā, the clean-up work was deemed to be emergency works and therefore necessary, and the work has been completed. The Council was informed at the last Infrastructure and Planning Committee about the works being underway. In this report, the Council is being informed of the final cost of the works acknowledging it exceeds the operational budget allocated to stormwater in Matatā. We are seeking retrospective approval for the additional costs associated with the clean-up in Matatā.

For the Murupara works, the Chief Executive can exercise delegate authority to approve the unbudgeted expenditure. However, in the context of reporting recent storm damage works, the Council is being asked to approve the additional expenditure in this case. The Options for the Council are limited to either approving the proposed \$60,000 budget [TBC] or refer it back to staff to explore other options. Staff are working with a contractor to design the most cost-effective solution and it is considered necessary to spend the proposed budget to achieve a robust solution to avoid further erosion and damage.

5. Significance and Engagement Assessment - *Aromatawai Pāhekoheko***5.1. 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. The 2005 Management Plans and resource consents prescribe Council's commitment to have maintenance works carried out.

8.2 Matatā and Murupara Storm Damage Report(Cont.)**5.2. Engagement and Community Views****5.2.1. *Matatā Stream clearing works***

The required works were of an emergency nature and confined to Council administered property. Advice on the maintenance activity was passed to residents and the casual users of the land surrounding the work areas on an as-inquired basis. Advice was also provided to Ngāti Rangitihi who then provided kaitiakitanga services throughout the works, staying in close contact with R Mahy Contracting Ltd., the locally based company engaged to arrange equipment and to undertake the cleanup and disposal activity. Councillor and Matatā resident Gavin Dennis communicated with Council staff and provided information to the Matatā community.

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

5.2.2. *Pine Drive Pipeline*

Apart from advice to Ngāti Manawa and the Murupara Community Board, no further engagement on this matter is proposed. This is in accordance with Section 6.0 the Council's Significance and Engagement Policy in that there are no other practicable options to follow other than the investigation and the repair.

For Health and Safety risk avoidance, the damage area has been cordoned off to prevent people falling into the scour hole.

6. Considerations - *Whai Whakaaro***6.1. Strategic Alignment**

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

6.2. Legal**6.2.1. *Matatā Stream clearing works***

Resource Consent No. 64965 issued by the Bay of Plenty Regional Council under the seal of the Environment Court New Zealand provides the conditions for maintaining the Awatarariki Stream and Te Awa o te Atua Lagoon. The consent includes specific reference to named management plan documents.

Similarly, Resource Consent No. 64897 issued by the Bay of Plenty Regional Council under the seal of the Environment Court New Zealand provides the conditions for maintaining the Waitepuru Stream debris and stream management works. This consent also has reference to named management plan documents.

6.2.2. *Pine Drive pipeline*

The damaged section of the pipeline is within a Council reserve and there are no legal restrictions known to impede repair.

8.2 Matatā and Murupara Storm Damage Report(Cont.)**6.3. Financial / Budget Considerations**

The additional expenditure for the Matatā Stream clearing works and Pine Drive Stormwater pipeline repairs is unbudgeted therefore funding has not been provided for in the 2025 LTP.

It is proposed to fund these works from internal loans; short term for operational expenditure and long term for capital expenditure. Matatā works are classified as operational, with the Murupara works potentially a split of capital and operational. The rating impact is not considered significant with debt servicing costs repaid over the term of the internal loan.

6.4. Climate Change Assessment

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

6.5. Risks

The significant risk associated with the matters of this report is primarily about reinstating the stream bed and catchpit areas.

Risk	Description and/or Mitigation
Sediment and, or debris buildup if not removed, will result in spillage of flood waters and debris over the road and into residential properties	Immediate response to remove sediment and debris sufficient to recreate catchpit volumes

7. Next Steps – E whai ake nei**7.1. Matatā Stream clearing works**

The management plans and resource consent conditions require that the streams, catchpit areas and vegetation are continuously monitored at maintenance inspection frequencies provided and following storms. There is some concern the recent flows will continue with further heavy rain events. As with previous considerations, arrestation of these flows would be very expensive and difficult to obtain consents and construct.

The Infrastructure and Planning Committee may wish to consider appeals to other agencies that benefit from, but do not contribute to, the ongoing cost currently borne by Whakatāne District Council. Such agencies include the Department of Conservation, New Zealand Transport Agency, Bay of Plenty Regional Council and KiwiRail. Cr Dennis as Chairman of the Eastern Bay Road Safety Committee, brought the matter of the risks to State Highway traffic to the attention of the Bay of Plenty Regional Transport Committee at their 9 May 2025 meeting. This was reported in the Whakatāne Beacon on 16 May 2025.

7.2. Pine Drive stormwater pipeline repairs

Subject to funding approval, the repair will be carried out when resources and materials are available. Extensive delay could lead to further washout and higher cost to remediate.

Attached to this Report:

- There are no appendices attached to this report.

8.3 Matahī Road Motorsport & The Strand Light Up Whakatāne Event Road Closures**8.3 Matahī Road Motorsport & The Strand Light Up Whakatāne Event Road Closures**

To: **Infrastructure and Planning Committee**

Date: **Thursday, 29 May 2025**

Author: **A Reynolds / Manager Transportation**

Authoriser: **D Bewley / GM Planning, Regulatory and Infrastructure**

Reference: **A2890749**

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

To request approval for two temporary road closures, to enable the safe and successful operation of a Motorsport Hill Climb Event and the Light Up Whakatāne Event.

2. Recommendations - *Tohutohu akiaki*

1. **THAT** the Infrastructure and Planning Committee **receives** the Matahī Road Motorsport & The Strand Light Up Whakatāne Event Road Closures report; and
2. **THAT** the Infrastructure and Planning Committee **recommends** that Council **approve** a temporary road closure on Matahī Road, from 551 Matahī Road to the Whakatāne District boundary, on Sunday, 6 July 2025, between 9:00 AM and 5:00 PM, to accommodate the Motorsport Hill Climb event; and
3. **THAT** the Infrastructure and Planning Committee **recommends** that Council **approve** a temporary road closure on Saturday, 5 July 2025, from 6:00 PM to 7:30 PM, to accommodate the Light Up Whakatāne event, affecting The Strand (between Kakahoroa Drive and Whauraurangi), Kakahoroa Drive (between The Strand and Kakahoroa Drive Service Lane #1), the full length of Kakahoroa Drive Service Lane #1, and the full length of Kakahoroa Drive Service Lane.

3. Background - *He tirohanga whakamuri*

Under the Local Government Act 1974, schedule 10, clause 11(e), Council approval is required for the temporary road closures for events. The Council may impose conditions and must consult with the Police and the NZ Transport Agency.

The temporary road closures sought in this paper have been assessed by the Transport Team as unlikely to impede traffic unreasonably for the duration of the events.

4. Discussion – *Kōrerorero*

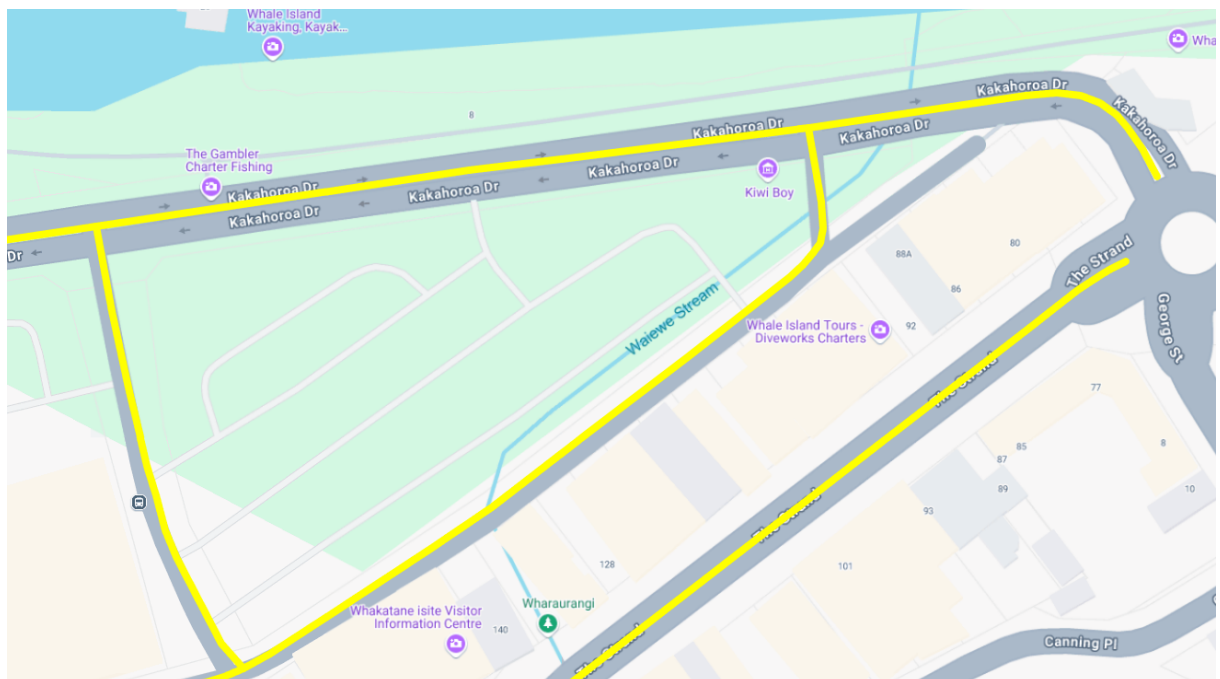
Motorsport Bay of Plenty Inc have applied to hold a Hillclimb Event, requiring the temporary closure of a portion of Matahī Road. The event will run from 200m north of the SH30/Matahī Road intersection to house number 551. This includes a section of Rotorua Lakes Council Road, for which Motorsport BOP are also seeking the required approvals from Rotorua Lakes Council.

8.3 Matahi Road Motorsport & The Strand Light Up Whakatāne Event Road Closures(Cont.)

Whakatāne District Council is holding the Light Up Whakatāne Event which includes a parade on Saturday 5 July. The sections of road needing to be closed are:

- The Strand (between Kakahoroa Dr and Wharaurangi),
- Kakahoroa Drive (between The Strand and Kakahoroa Drive Service Lane #1),
- Kakahoroa Drive Service Lane #1 (Full Length)
- Kakahoroa Drive Service Lane (Full Length)

These are shown in the map below for clarity.



Both events will have appropriate traffic management in place to advise road users of the road closure restricting all public access to the closure area.

5. Options Analysis - *Ngā Kōwhiringa*

There are two options available:

5.1. Option 1: Approve the temporary road closures – Recommended option

Advantages	Disadvantages
<ul style="list-style-type: none"> • Allows the Events to proceed. • Events typically bring economic benefit to the district. 	<ul style="list-style-type: none"> • Negligible - Temporarily restricts traffic movements on this section of road for the duration of the event.

8.3 Matahī Road Motorsport & The Strand Light Up Whakatāne Event Road Closures(Cont.)

Advantages	Disadvantages
<ul style="list-style-type: none"> • Positive outcomes from this event road closure application, will encourage further event considerations in our district. • The closure has been assessed as unlikely to unreasonably impede traffic. 	

5.2. Option 2: Do not approve the temporary road closure

Advantages	Disadvantages
<ul style="list-style-type: none"> • Keeps the road open. 	<ul style="list-style-type: none"> • The Events will not be permitted to proceed. • Deters other event organisers from holding events in our district. • Loss of potential economic benefits that stem from the event(s).

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

Public notices have been placed advertising these road closures and members of public are encouraged to make submissions.

The Motorsport event organisers are working closely with residents located within the Matahī Road closure to advise details of the event and contact details, in case any issues arise during the event. A letter drop will also be completed at least five days prior to the event, by the organisers, to advise other residents of Matahī Road, living outside the closure. They have also contacted emergency services to advise of the upcoming event.

Council's events team will be liaising with business owners in the vicinity of The Light Up Whakatāne Event road closures.

Council staff have consulted with local Police and NZTA regarding the proposed road closures for these events. It is anticipated that we will receive comments prior to the Committee meeting for Councils consideration.

8.3 Matahī Road Motorsport & The Strand Light Up Whakatāne Event Road Closures(Cont.)**7. Considerations - *Whai Whakaaro*****7.1. Strategic Alignment**

Approving these temporary road closures, to allow the safe and successful operation of these events, is consistent with Council's Strategic Priority: *Enhancing the safety, wellbeing and vibrancy of communities*.

7.2. Legal

The power to temporarily close roads for events is found in the Local Government Act 1974, schedule 10 which states:

Section 11 – The council may, subject to such conditions as it thinks fit (including the imposition of a reasonable bond), and after consultation with the Police and the NZ Transport Agency, close any road or part of a road to all traffic or any specified type of traffic (including pedestrian traffic) –

(e) for a period or periods not exceeding in aggregate 31 days in any year for any exhibition, fair, show, market, concert, filmmaking, race or other sporting event, or public function:

provided that no road may be closed for any purpose specified in paragraph (e) if that closure would, in the opinion of the council, be likely to impede traffic unreasonably.

7.3. Financial/Budget Considerations

There is no budget considerations associated with the recommendations of this report. All advertising costs associated with this event, including the publishing of Public Notices, is borne by the event organisers.

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

Upon an approval recommendation being received from the Infrastructure and Planning Committee, this recommendation will be passed on to the Council for formal approval.

Upon approval for the Temporary Road Closure being received from the Council for these events, the Transport Team will work with the event organisers to ensure an appropriate traffic management plan is approved, and necessary public notification is undertaken.

Attached to this Report:

- There are no appendices attached to this report.

8.4 Burma Road Closed Landfill Upgrade Works and Landfill Provisions**8.4 Burma Road Closed Landfill Upgrade Works and Landfill Provisions**To: **Infrastructure and Planning Committee**Date: **Thursday, 29 May 2025**Author: **N Clarke / Manager Solid Waste**Authoriser: **B Gray / General Manager Finance and Commercial Services**Reference: **A2868244****1. Reason for the report - *Te Take mō tēnei rīpoata***

The purpose of this report is to provide an update to the Infrastructure and Planning Committee on the Burma Road Closed Landfill Upgrade Works and work done on the Closed Landfill Provisions.

2. Recommendations - *Tohutohu akiaki*

1. **THAT** the Infrastructure and Planning Committee **receive** the Burma Road Closed Landfill Upgrade Works and Closed Landfill Provisions report; and
2. **THAT** the Infrastructure and Planning Committee **acknowledge** the challenges of managing closed landfills; and
3. **THAT** the Infrastructure and Planning Committee **note** that there is work to do as a sector to ensure that appropriate provisions are made for the management of closed landfills as we near the end of the first aftercare period.

3. Background - *He tirohanga whakamuri*

On 30 May 2024 council provided the report “*Burma Rd Closed Landfill, use of Closed Landfill Provisions for Proposed Works*” to the Infrastructure and Projects Committee. In summary, this report outlined details of previous ‘incidents’ at the landfill that effected landfill integrity, associated works undertaken and the related costs. The report also detailed future planned works required to upgrade the landfill infrastructure to reduce the risk of future ‘incidents’ and ensure ongoing compliance, and the use of Closed Landfill Provisions to fund these works.

These works are now complete and details are outlined below.

Over the past few years council has also been undertaking work to review and improve the Closed Landfill Provisions used for these works. This work has been undertaken alongside Audit NZ. A brief history of this work and the current outcome is outlined below.

8.4 Burma Road Closed Landfill Upgrade Works and Landfill Provisions(Cont.)**4. Discussion – Kōrerorero****4.1. Recent upgrades to leachate and stormwater management**

As advised the proposed works outlined for Burma Rd Closed Landfill in the report of 30 May 2024 have now been completed. Changes to the scope of the works occurred during execution resulting in extra costs. Improvement opportunities were identified such as relocating and recapping landfill waste, increasing pumping capabilities and monitoring, improving stormwater management and health and safety measures. Extreme weather events during works also resulted in washouts and exposed refuse which increased costs. Images and descriptions of completed works which included a complete upgrade of the leachate collection and pumping system, and stormwater management are outlined below.

Photo 1: Leachate pond and surrounding area



Previous overflows from the leachate pond were mainly caused by overland flow of stormwater entering the pond. The pond has now been surrounded on 3 sides with metal sheet piling with a concrete top to prevent this happening again.

A new liner has been placed in the pond with safety ladders (the safety fence is still under construction in the above photo). The old leachate pump station which was located where the chamber is in the above photo, has been decommissioned. This is now a collection chamber from which the leachate flows in new piping around the leachate pond to a new holding chamber and pump lower down. The yellow markers identify new access portals for cleaning out leachate pipes.

8.4 Burma Road Closed Landfill Upgrade Works and Landfill Provisions(Cont.)

The slopes at the foot of the landfill have undergone more reinforcement with rock armour.

Photo 2: Drainage, landscaping and capping



New drains have been established around the outside of the sheet piling to direct stormwater around the pond. A new drain has been established about a third of the way up the landfill slope which directs stormwater across the face of the landfill which is then piped to new drains at the bottom of the slope and around the leachate pond.

The area has undergone substantial landscaping and the area near the shed in Photo 2 was recapped and reinforced.

Photo 3: Western Bund

8.4 Burma Road Closed Landfill Upgrade Works and Landfill Provisions(Cont.)

The side of the leachate pond that was not sheet piled has been bunded, resulting in the pond capacity more than doubling should the need arise. An access track has been placed on top of the bund and two other sides of the leachate pond. New leachate collection pipes have been installed under the pond which feed leachate to the pumping chamber. Again, these can be maintained via portals identified by yellow markers in Photo 3.

Photo 4: Pumping Chamber

8.4 Burma Road Closed Landfill Upgrade Works and Landfill Provisions(Cont.)

A new pumping chamber was installed lower down to create more 'fall' for the collected leachate and nearer the rising main (where the leachate is pumped to tradewaste). This also required a relocation of the power supply as shown by the new power pole in the background of Photo 4.

Photo 5: Pump and telemetry

8.4 Burma Road Closed Landfill Upgrade Works and Landfill Provisions(Cont.)



A new pumping system and monitoring telemetry was installed. This system allows easier maintenance than the previous arrangement and increased monitoring.

Photo 6: Site Drainage

8.4 Burma Road Closed Landfill Upgrade Works and Landfill Provisions(Cont.)

New drainage was also put in place to direct stormwater from surrounding areas and the access track away from the ponds and directly into the nearby stream.

The costs for these works is \$1,370,000 to date. As advised these works were funded from the closed landfill provisions.

These works were undertaken as Emergency Works as council was of the view that they would prevent a repeat of recent incidents whereby the leachate overflow pond overflowed due to the influx of stormwater, resulting in discharges to the local environment. It made sense to undertake other required works and upgrades at the same time, such as increasing leachate pumping abilities and monitoring.

Council is of the opinion that even during the works, the improvements resulted in improved leachate, stormwater and environmental management. Heavy rainfall events during this period which could have typically resulted in leachate discharges from the pond to the local environment did not result in any such incidents.

An assessment by Warren McKenzie Consultants concluded that:

“Overflow due to direct stormwater ingress into the leachate pond. Stormwater ingress (to the leachate pond) seems to occur at a certain rainfall intensity, where I assume the pre-existing stormwater drainage system was not able to keep up and divert this flow correctly around the site. Looking at

8.4 Burma Road Closed Landfill Upgrade Works and Landfill Provisions(Cont.)

the previous events analysed it seems a rainfall intensity of around 15mm/hr (in winter / wet catchment) and 25 mm/hr (in summer / dry catchment) is the approx. trigger point for ingress into the leachate pond.

We have had a few recent events exceeding these intensities in the past few months, with hourly rainfalls depths as follows:

1. 28/04/25 from 12pm; 31mm, 15mm, 10mm. ≈3yr ARI (2hr).
2. 04/04/25 from 5pm; 9mm, 18mm, 23mm, 14mm, 8mm. ≈2yr ARI (2hr)
3. 03/10/24 from 8am; 15mm, 25mm, 9mm, 5mm, 16mm, 31mm. ≈3yr ARI (2hr), ≈8yr ARI (6hr).

I am of the view that the 03/10/24 and 28/04/25 events would have caused an overflow of the leachate pond had the works not been undertaken. The 04/04/25 event may have been OK due to a rather dry spell prior. “

Following this assessment we also had heavy rainfall on the 30th April 2025 as well.

For ongoing management, the upgrade works also included installation of telemetry for monitoring of the closed land fill leachate system. We will have continuous recording of

- the water level in the pump sump and pond (same)
- the pump running time and rate
- the volume of flow into the rising main that transfers the leachate into the Council's sewer.

Infringement issued

Unfortunately, the Regional Council are of the view that these works should have not been undertaken as “Emergency Works”. Although we commenced the works in September 2024, we were not informed of this decision until April 2025, despite a number of joint on-site visits. WDC were put ‘on notice’ as a result of this decision. As a result we received two infringement notices.

4.2. Closed Landfill Provisions

Closed landfills require specific provisions for management and monitoring to address potential environmental and health risks. These provisions include investigations, risk assessments, remediation, ongoing monitoring, compliance with consents and returning the land to a certain state at the completion of the aftercare period. Council has responsibilities for six closed landfills and thirteen related consents in our district:

- Whakatāne Closed Landfill, Burma Rd, closed 2009
- Awatapu Closed Landfill, Awatapu Dr, closed circa 1975
- Matatā Closed Landfill, State Highway 2/Tohi St, closed circa 1990
- Taneatua Closed Landfill, White Pine Bush Rd, closed circa 1995
- Te Teko Closed Landfill, Tahuna Rd, closed 1993
- Murupara Closed Landfill, Harakeke Rd, closed 2004

All of these landfills were not constructed to today's required engineering standards, for example it is understood that car bodies were used as ‘edging’ at Te Teko landfill, only Burma Rd landfill has leachate and gas extraction. Many were ‘local dumps’ where waste was often stockpiled and burned on site. Records of quantities and types of waste were not kept.

8.4 Burma Road Closed Landfill Upgrade Works and Landfill Provisions(Cont.)

The age of these landfills, level of engineering and increased extreme weather events are resulting in an increase in related incidents that require unplanned responsive works and related costs to ensure ongoing compliance and safety. It is important that council maintains landfills provisions to deal with these events. However, it is difficult to predict provisions that will be required for such works. We also need to ensure we have provisions for ongoing maintenance, monitoring, compliance and consent renewals when they arise.

These provisions funded the recent Burma Rd Landfill works.

4.2.1. Provisions Reviews and Audits

Over the past few years council has been reviewing how we manage these provisions and we are still working with the auditors on an acceptable outcome. This work commenced in 2022 when we undertook a review and reported on the outcome. However, the auditors would not accept the concept that 'unplanned events' and related costs could occur and required justification on how we date and cost such events.

In 2023 we undertook a further review with budgeted costs extended to cover the 30-year post closure period or the life of related consents, whichever was greater. This review considered the history and characteristics of individual landfills. Again, the auditors did not accept our approach, raising the same queries as the previous year and advising that we required an external independent assessment, even though a review of the latest assessment by WSP Consultants stated, "I consider the Summary Report has taken a reasonable approach to setting budget allocations based upon the information to hand".

WSP Consultants were then instructed to conduct a further risk-based assessment of the provisions. This work was completed in November 2024 and presented to the auditors. The auditors questioned why we had not used the "Ministry for the Environment - Landfill Full Costs Accounting Guide for NZ 2002" for the assessment. We advised that the costs in this guide were out of date, did not reflect recent costs we had experienced and did not account for unplanned events and related works.

The auditors then requested that we change some allocated budget amounts in the resulting provisions which contradicted the need for an independent assessment. We still need to seek further clarification from the auditors as to what they require from council and what work should be undertaken by council and an independent party.

The auditors also stated that the provisions should only be for the landfill 30-year post closure period. We advised that the life of some resource consents extended past this period, and therefore we still needed provisions to meet our responsibilities for the future. We also advised that we expect most, if not all, of these consents will require renewal or replacement and that we will need provisions for these and related environmental assessments. For these reasons WSP extended the provisions to a further 30-year period from the date of the assessment (to 2055).

Further discussions are expected with the auditors at the next audit and they were taken on a site visit to Burma Rd Closed landfill on 29th April 2025 to aid their understanding.

Another issue that we have experienced is that generally the provisions set aside for managing expenditure related to closed landfills is generally operational in nature. It is our experience however in recent years that we have incurred capital related expenditure, and therefore from an asset management perspective we should be treating these as capital. This is generally not what has

8.4 Burma Road Closed Landfill Upgrade Works and Landfill Provisions(Cont.)

occurred across the closed landfills that Audit NZ have reviewed, and therefore this is new territory for them. Their advice is that we seek further independent advice from a Big 4 accounting firm like PwC to back up our position, and Audit NZ will need to run this past their technical team.

Further work is also required to include current operational costs such as monitoring and resource consent costs within the provisions.

Discussions over this subject with other councils have shown that we have taken a more robust approach than others.

The current provisions are 'summarised' in Appendix 1. These provisions do not include the recent Burma Rd works.

5. Options Analysis - *Ngā Kōwhiringa*

No options have been identified 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 report are assessed to be of low significance, in accordance with the Council's Significance and Engagement Policy.

6.2. Engagement and Community Views

Burma Road Closed Landfill occupies land owned by Ngāti Awa Group Holdings Ltd and Council pays an on-going annual lease to occupy the landfill for maintenance and compliance. Council consulted with Ngāti Awa prior to, during and after the upgrade works. Council has also consulted with hapū on these works.

Community 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).

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

Council holds three Resource Consents related to Burma Rd Closed Landfill which are currently valid up to 2040. It is likely that these consents will be renewed or replaced after expiry as potential environmental effects will probably still exist.

8.4 Burma Road Closed Landfill Upgrade Works and Landfill Provisions(Cont.)

Council also holds another 10 Resource Consents related to other closed landfills. All these consents place responsibilities on council to maintain the integrity of the closed landfills and monitor environmental effects.

All these consents expire between 2032 and 2040 and will require significant work to conduct environmental impact assessments and apply for consent renewals/replacements. We will require direction from the Regional Council prior to this on how we should proceed.

7.3. Financial/Budget Considerations

At the end of 2024 financial year council's landfill provision held approximately \$3.6m. The costs of the recent Burma Rd closed landfill works have yet to be taken out of these reserves.

Central Government also operates a Contaminated Sites and Vulnerable Landfills Fund which can be used for works to remediate old landfills. However, applications can often take up to 4 to 6 months to be assessed, the fund is therefore not suitable where works need to be done quickly and is more suitable to larger projects with a longer planning timeframe. The fund does not cover works retrospectively.

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.	Much of the work undertaken on Burma Rd closed landfill has been in response to incidents resulting from extreme weather events. Climate change effects will result in more of these weather events and possible incidents. Council's closed landfills were not constructed to today's engineering standards and are therefore more susceptible to such events.	<i>Medium</i>
	The matters of this report's reduction on the effect of climate related impacts (flood, drought, storm, sea level etc.).	The work undertaken on Burma Rd closed landfill has been in response to events such as those mentioned above. The purpose of Closed Landfill Provisions is to provide funds for council to undertake such work on all six closed landfills.	<i>Medium</i>

8.4 Burma Road Closed Landfill Upgrade Works and Landfill Provisions(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. 	Of council's six closed landfills only Burma Rd has gas collection infrastructure. The gas is vented into the atmosphere. An assessment in 2010 (Opus Consultants) concluded that; "Not expected that gas is sufficient to generate power." This report did recommend collecting the gas for flaring but this was not done.	<i>Low</i>
	Key emission sources, and (if possible) calculation of the greenhouse gas emissions for matters of report/project.	The gas emissions from Burma Rd closed landfill have not been quantified.	<i>Low</i>
	Opportunities to address inequities or disadvantages due to climate change considered in relation to the matters of the report.	Closed Landfill Provisions include assessing the climate change risks associated with their ongoing management and ensure we have financial provisions to deal with these.	<i>Medium</i>
3	Impacts upon the district's biodiversity.	Council's closed landfills have a variety of land uses. Most are used for grazing, however several border land that is in a 'natural' state contributing to the district's biodiversity. It is important to ensure the integrity of these landfills is maintained to minimise any effects on these areas and landfill provisions are required to do so. Kiwi have been observed on Burma Rd Landfill which borders the Ōhope Reserve.	<i>Low</i>
	Matters that increase resilience to climate change for Council and/or our communities.	Works undertaken on Burma Rd closed landfill will increase its resilience to climate change effects. Closed Landfill Provisions are required to ensure we have assessed the	<i>Low</i>

8.4.1 Appendix 1 - Summary of Closed Landfill Provisions

Goal	Matters to consider	Comments	Impact Assessment
		risks associated with such effects and allocated funds for future resilience measures.	
<p>Summary: Closed landfills can be susceptible to climate change effects especially extreme weather events.</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 medium.</p>			

7.5. Risks

A risk-based approach has been used to budget council's future closed landfill provisions. These consider the likelihood of unplanned events occurring and the associated costs of dealing with these events, taking into account actual costs spent on similar works and characteristics of individual landfills.

The Waste Minimisation Act is currently undergoing consultation for proposed changes. Among these proposed changes is the ability for councils to use Waste Levy Payments for works related to remediating vulnerable landfills. If this proposal is enacted, it could change how council budgets for these provisions.

It is possible that unplanned events could occur before the date for which future provisions provide for them. For example, the first planned provisions for a 'gas breakout' from Burma closed landfill is \$45,000 in 2031 (see Appendix 1). If events such as this occur, then the provision can be used to fund any necessary works.

8. Next Steps – E whai ake nei

Further discussions on how council formulates its closed landfill provisions are expected with the auditors at the next audit. These will include clarification on what part of the process should be done by council and what should be done by an independent party. These will also include discussions on using provisions for capital works.

Further work is also required to include current operational costs such as monitoring, maintenance and resource consent costs within the provisions.

Attached to this Report:

- Appendix 1 – Summary of Closed Landfill Provisions

8.4.1 Appendix 1 - Summary of Closed Landfill Provisions

8.4.1 Appendix 1 - Summary of Closed Landfill Provisions(Cont.)

Appendix one – Summary of Closed Landfill Provisions

Burma Road Closed Landfill

		2029	2031	2034	2035	2036	2039	2044	2049	2054
Location - Natural Environment	Landslip			\$ 250,000						\$ 250,000
Location - neighbouring landuse	Legacy litter issues	\$ 30,000								
Landfill Infrastructure	Pumps and rising mains						\$ 100,000		\$ 100,000	
	Stormwater upgrades									
	Ponds			\$ 30,000				\$ 30,000		
	Landfill cap	\$ 20,000		\$ 20,000			\$ 20,000	\$ 20,000	\$ 20,000	
	Access roads			\$ 50,000				\$ 50,000		
	Gas wells			\$ 100,000						\$ 100,000
Operational factors	Leachate breakout from cap	\$ 75,000					\$ 75,000		\$ 75,000	
	Leachate detected in groundwater in excess of triggers or historic levels			\$ 20,000						
	Gas breakout through cap		\$ 45,000							
	Cap disturbance						\$ 50,000			

8.4.1 Appendix 1 - Summary of Closed Landfill Provisions(Cont.)

	by third party									
	Groundwater bore renewals or new installs			\$ 21,000				\$ 21,000		
	Vegetation control	\$ 5,000		\$ 5,000			\$ 5,000	\$ 5,000	\$ 5,000	
Regulatory change	Consent renewal costs				\$ 50,000					
	Landfill gas collection					\$ 80,000				

8.4.1 Appendix 1 - Summary of Closed Landfill Provisions(Cont.)

Awatapu Closed Landfill

		2029	2034	2036	2039	2044	2049	2054
Location - Natural Environment	Stormwater erosion				\$20,000			
	Rising sea levels							\$15,000
Location - neighbouring landuse	Landfill impacts adjoining property					\$45,000		
Operational factors	Leachate breakout from cap		\$ 20,000			\$ 20,000		\$ 20,000
	Cap disturbance by third party					\$ 30,000		
	Groundwater bore renewals or new installs					\$ 15,000		
	Vegetation control	\$ 5,000	\$ 5,000		\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000

8.4.1 Appendix 1 - Summary of Closed Landfill Provisions(Cont.)

Regulatory change	Consent renewal costs			\$ 50,000				
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8.4.1 Appendix 1 - Summary of Closed Landfill Provisions(Cont.)

Matatā Closed Landfill

		2025	2026	2027- 2032	2033	2034	2039	2041	2044	2049	2050- 2052
Location - Natural Environment	Landslip							\$ 20,000			
	Rising Groundwater									\$ 7,000	
	Ongoing annual cost									\$ 2,500	\$ 2500 p.a.
Landfill Infrastructure	Landfill cap					\$ 20,000					
	Vegetation control	\$ 10,000	\$ 10,000	\$ 5000 p.a.	\$ 5,000	\$ 5,000	\$ 5,000		\$ 5,000	\$ 5,000	
Regulatory change	Consent renewal costs				\$ 20,000						

8.4.1 Appendix 1 - Summary of Closed Landfill Provisions(Cont.)

Tāneatua Closed Landfill

		2033	2034	2035	2036	2039	2044	2054
Location - Natural Environment	Rising Groundwater		\$ 30,000					
	Ongoing annual cost		\$ 5,000	\$ 5,000	\$ 5,000			
	River erosion							\$ 100,000
Landfill Infrastructure	Landfill cap		\$ 25,000				\$ 25,000	\$ 25,000
Operational factors	Leachate breakout from cap					\$ 10,000		\$ 10,000
	Groundwater bore renewals or new installs						\$ 15,000	
Regulatory change	Consent renewal costs	\$ 20,000						

8.4.1 Appendix 1 - Summary of Closed Landfill Provisions(Cont.)

Te Teko Closed Land

		2025	2029	2033	2034	2039	2040	2041	2044	2048	2054
Location - Natural Environment	Landslip					\$ 30,000					
	Stormwater erosion				\$ 20,000				\$ 20,000		\$ 20,000
	Rising Groundwater					\$ 30,000					
	Ongoing annual cost					\$ 5,000	\$ 5,000	\$ 5,000			
Location - neighbouring landuse	Legacy litter issues				\$ 10,000				\$ 10,000		\$ 10,000
Landfill Infrastructure	Landfill cap					\$ 50,000					
	Access roads										\$ 50,000
Operational factors	Leachate breakout from cap				\$ 20,000				\$ 20,000		\$ 20,000
	Cap disturbance								\$ 30,000		

8.4.1 Appendix 1 - Summary of Closed Landfill Provisions(Cont.)

	by third party										
	Vegetation control		\$ 5,000		\$ 5,000	\$ 5,000			\$ 5,000	\$ 5,000	\$ 5,000
Regulatory change	Consent renewal costs	\$ 10,000		\$ 35,000							

8.4.1 Appendix 1 - Summary of Closed Landfill Provisions(Cont.)

Murupara Closed Landfill

		2029	2034	2035	2039	2044	2049	2054
Location - Natural Environment	Stormwater erosion	\$ 10,000	\$10,000		\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Location - neighbouring landuse	Legacy litter issues	\$ 5,000	\$ 5,000		\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
	Landfill cap		\$ 30,000			\$ 30,000		\$ 30,000
Operational factors	Leachate breakout from cap		\$ 15,000			\$ 15,000		\$ 15,000
	Vegetation control		\$ 20,000			\$ 20,000		\$ 20,000
Regulatory change	Consent renewal costs			\$ 25,000				

8.5 Waste and Litter Legislation Amendments Submission**8.5 Waste and Litter Legislation Amendments Submission**

To: **Infrastructure and Planning Committee**

Date: **Thursday, 29 May 2025**

Author: **N Clarke / Manager Solid Waste**

Authoriser: **B Gray / General Manager Finance and Commercial Services**

Reference: **A2880365**

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

The reason for this report is to seek approval from the Infrastructure and Planning Committee to submit to Central Government on proposed amendments to the Waste and Litter Act legislation.

2. Recommendations - *Tohutohu akiaki*

1. THAT the Infrastructure and Planning Committee **receive** the Waste and Litter Legislation Amendments Submission report; and
2. THAT the Infrastructure and Planning Committee **approve** the submission on the proposed amendments to the Waste and Litter Act as attached in Appendix A, for submission to Central Government.

3. Background - *He tirohanga whakamuri*

The Waste Minimisation Act 2008 and Litter Act 1979 make up the key legislation that regulates waste and litter in New Zealand and central government is currently seeking feedback on proposed changes.

4. Discussion – *Kōrerorero*

Elected members have previously been made aware of the details of the proposed changes to these acts and these are summarised below:

- creating a framework for extended producer responsibility
- changes to how the waste levy is allocated to territorial authorities, and what they can spend the money on
- clarifying roles and responsibilities for central government, local government and the waste sector
- improving tools for compliance, monitoring, and enforcement
- creating a new act to encompass both of the previous ones
- enabling efficient and effective controls for littering and other types of mismanaged waste.

8.5 Waste and Litter Legislation Amendments Submission(Cont.)

These Acts impose responsibilities across several teams in council including, Solid Waste, Regulatory and Open Spaces. The proposals will affect council operations and delivery of services from all these teams.

While most of the changes are welcomed by staff there are some areas where we do not agree with the proposals and others where we believe further consideration is needed to make further amendments. These views are outlined in the attached submission (Appendix A).

It should be noted that central government require the submission to be based on set questions with opportunities for further comments and council have followed this format in our submission.

5. Options Analysis - *Ngā Kōwhiringa***5.1. Option 1: Approve the submission – Recommended option**

This option would ensure that Council has a say and expresses its opinions and views on the proposals for amendments to the Waste and Litter Acts.

No disadvantages have been identified in relation to this option.

5.2. Option 2: Do not approve or provide a submission

No advantages have been identified in relation to this option. This option would mean that council would not take the opportunity to influence central government decisions on how we manage our waste and litter and resulting responsibilities for local government.

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 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).

Due to the timeframes involved, low significance and that the consultation is open to the public, their participation is not required to inform decision making.

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. However, the resulting changes could affect future council policies and plans.

8.5 Waste and Litter Legislation Amendments Submission(Cont.)**7.2. Legal**

This submission is in response to central government's proposed amendments to the Waste Minimisation Act 2008 and Litter act 1979. These acts effect operations and services across several council departments and teams, including Solid Waste, Regulatory and Open Spaces.

The proposed extended producer responsibilities will also affect council's responsibilities for dealing with commercial waste. There are also proposed changes in council's compliance, monitoring and enforcement related to litter and waste.

7.3. Financial/Budget Considerations

The proposals being made will affect the amount of Waste Levy Funding that council receives, although it is likely that this amount will increase.

The proposals also include changes on how council can spend this funding. Most of these proposed changes are welcomed and council agrees that the funding should be spent on emergency wastes, contaminated land and vulnerable landfills (with further amendments), compliance, monitoring and enforcement. However, it does not agree that it should be spent on "activities that reduce environmental harm or increase environmental benefits", as the term is too broad and suggest that a more suitable term would be "waste related activities".

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.	The proposals in the amendments are not expected to have any direct impact on these issues.	<i>Low</i>
	The matters of this report's reduction on the effect of climate related impacts (flood, drought, storm, sea level etc.).	The proposals in the amendments are not expected to have any direct impact on these issues.	<i>Low</i>
2	Options for lowering greenhouse gas emissions have been specifically considered in relation to the matters of the report, including: Energy efficiency / renewable energy, Resource usage, Waste/Whole of Life, and Fossil fuel usage.	The proposals for the introduction of Extended Producer Responsibility (EPR) Schemes will result in manufacturers taking more responsibility for their products at the end of life. This could result in less waste and more reuse.	<i>Medium</i>

8.5 Waste and Litter Legislation Amendments Submission(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.	Less waste produced as a result of EPR schemes could result in less emissions from landfills.	<i>Medium</i>
	Opportunities to address inequities or disadvantages due to climate change considered in relation to the matters of the report.	The proposals in the amendments are not expected to have any direct impact on these issues.	<i>Low</i>
3	Impacts upon the district's biodiversity.	The proposals in the amendments are not expected to have any direct impact on these issues.	<i>Low</i>
	Matters that increase resilience to climate change for Council and/or our communities.	The proposals to allow waste levy funding to be used for dealing with emergency wastes could increase resilience to such events.	<i>Medium</i>
<p>Summary:</p> <p>The proposed amendments to the Waste and Litter Acts could reduce waste, increase re-use of resources, reduce landfill gas emissions and increase financial resilience to emergency events.</p> <p>Overall Analysis:</p> <p>The decisions and matters in this report are assessed for their impact on greenhouse gas emissions and climate change effects, which are categorised as medium.</p>			

7.5. Risks

If we do not submit on these proposed changes, it would mean that council has not taken the opportunity to influence central government decisions on how we manage waste and litter in our district and our related responsibilities.

8. Next Steps – E whai ake nei

Following agreement to submit the proposed response it will be approved by Council and signed by the Mayor, then submitted before the deadline of 1st June 2025.

Central government have advised there will be further consultations on these changes at a later date when it goes to a select committee.

Attached to this Report:

8.5.1 Appendix A - Whakatāne District Council submission on the proposed on the amendments to the Waste and Litter Acts

- Appendix A – Whakatāne District Council submission on the proposed amendments to the Waste and Litter Acts.

8.5.1 Appendix A - Whakatāne District Council submission on the proposed on the amendments to the Waste and Litter Acts

8.5.1 Appendix A - Whakatāne District Council submission on the proposed on the amendments to the Waste and Litter Acts(Cont.)

APPENDIX A

30 May 2025

Ministry for the Environment
8 Willis Street
PO Box 10362, Wellington 6143
By email: wasteamendment@mfe.govt.nz



Tēnā koutou,

SUBMISSION OF WHAKATĀNE DISTRICT COUNCIL ON THE PROPOSED AMENDMENTS TO THE WASTE MINIMISATION AND LITTER ACTS

Whakatāne District Council appreciates the opportunity to provide feedback on the proposed amendments to the Waste Minimisation and Litter Acts. We acknowledge the work that has gone into developing these proposals and the intent to remove inefficiencies and clarify roles and responsibilities for central government, local government and the waste sector.

We support the introduction of an Extended Producer Responsibility (EPR) framework as this will result in producers taking more responsibility for their products at their 'end of life' and reduce the abhorrent practice of programmed obsolescence. However, we do not agree that determining the products of interest should be changed from a statutory to non-statutory process as we believe this would result in no need for industry to take action and establish EPR schemes.

We support the proposed changes for the allocation of a waste levy to territorial authorities and most of the proposed changes on what TAs can spend the levy on. However, we do not agree that the levy should be spent on 'activities that reduce environmental harm or increase environmental benefits', as the term is too broad. We believe that the 'Waste' levy should only be spent on 'Waste related activities' and this may be a more appropriate term to use.

We welcome the clarification of roles and responsibilities for all parties involved in managing waste and the proposed compliance, monitoring and enforcement (CME) framework. However we have made some suggestion in our submission on how this could be improved further.

Lastly, we believe that the ministry needs to take this opportunity to tackle the issue of waste stream contamination especially in kerbside bins. This is one of the main challenges that all TAs experience in implementing effective waste minimisation. These amendments are an opportunity to address this issue and we have made some suggestion in our submission on how this could be achieved.

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8.5.1 Appendix A - Whakatāne District Council submission on the proposed on the amendments to the Waste and Litter Acts(Cont.)

Please find attached our comments to the consultation questions.

Nāku noa, nā

Dr. Victor Luca
Mayor
KOROMATUA

Infrastructure and Planning Committee - AGENDA

8.5.1 Appendix A - Whakatāne District Council submission on the proposed on the amendments to the Waste and Litter Acts(Cont.)**We are interested in your views on an EPR framework.**

1. Do you support the proposal for a modern EPR framework?

Yes

2. Do you support discontinuing the government accreditation of voluntary product stewardship schemes? **Yes**

Please share any further thoughts or ideas on these proposals

We do not agree that the process of declaring priority products should move from a statutory to a non-statutory process. This change would make these declarations a voluntary process and as such there is no incentive for producers to make such declarations. Furthermore, without statutory declarations of priority products there will be a reduction in the establishment of EPR schemes (and could well halt any new schemes). We support the need for a statutory declaration process to make the industry take action and responsibility.

The proposals include: "Appoint a PRO on advice from the Secretary for the Environment". We believe that the Waste Advisory Board (WAB) should also be involved in this decision-making process. The breadth of knowledge and experience within the WAB would be valuable for making these decisions.

The proposals include: "Establish an appropriate compliance monitoring and enforcement framework" for EPR. However, it is not clear from the information provided who will action this framework and we seek further clarity on this.

We strongly support central government using EPR scheme specific requirements such as labelling as outlined in Part 2 of the WMA. These are the tools that will educate and aid the users of the products to play their part in such schemes.

We are interested in your views on the following proposed changes to the waste disposal levy.*Distribution of levy funds*

3. Do you support changing the distribution of levy funds to territorial authorities from a population-based calculation to a combination of a base flat rate (20 per cent) and a population-based calculation (80 per cent)? **Yes**

Please share any further thoughts or ideas on this proposal.

Smaller councils often struggle to implement effective waste minimisation methodologies due to a lack of funding. This change will address this issue.

Scope of use of levy funds

4. Please indicate your support for changes that would permit territorial authorities to use the levy for:
 - a. activities that promote or achieve waste minimisation, in accordance with and as set out in the territorial authorities' Waste Management and Minimisation Plan.

Infrastructure and Planning Committee - AGENDA

8.5.1 Appendix A - Whakatāne District Council submission on the proposed on the amendments to the Waste and Litter Acts(Cont.)**Yes**

- b. costs associated with managing emergency waste.

Yes

- c. activities that provide for the remediation of contaminated sites and vulnerable landfills.

Unsure

We agree with the use of the levy for the remediation of contaminated sites and vulnerable landfills but only where the territorial authority (TA) is the responsible party for remediation of such sites; or where all measures to force the responsible party to take action have failed.

We believe that central government should continue to maintain the Contaminated Sites and Vulnerable Landfills fund (CSVLF). From our experience dealing with closed landfills that require remediation, action is often required urgently. Unfortunately, the timeframe in applying to the CSVLF is too lengthy for taking urgent action. However, we believe where the CSVLF can be used (usually for larger projects with longer timeframes), it should take priority over a TA using their own levy funding.

- d. compliance, monitoring and enforcement of mismanaged waste. **Yes**

- e. activities that reduce environmental harm or increase environmental benefits. **No**

Please share any further thoughts or ideas on this proposal.

The term “activities that reduce environmental harm or increase environmental benefits” for the use of the levy is very broad and could result in the levy being spent on an endless list of uses. For example, using an e-bike or landscaping can reduce environmental harm or have environmental benefits and we would not consider these appropriate use of the waste levy.

We appreciate that the proposals include a ‘decision making framework’ for use of the levy but we believe that the use of the “Waste” levy should be ringfenced to “Waste Related Activities” and suggest this wording replaces “activities that reduce environmental harm or increase environmental benefits”. This would still give TAs some flexibility on the use of the levy such as spending on recycling kerbside services, which would also reduce rates and the financial burden on ratepayers.

5. Please share any suggestions for criteria that could form a decision-making framework for possible spending of the waste levy on environmental benefits and/or reduction of environmental harm.

As advised above we do not believe the framework should include spending on “environmental benefits and/or reduction of environmental harm”, however it could include “Waste related activities”.

While we do not oppose such a framework, it should not be too dictatorial or restrictive. Individual TAs have specific communities with specific characteristics and needs. Individual TAs therefore need to maintain a certain level of decision making on the spend of their levy to meet these needs.

Infrastructure and Planning Committee - AGENDA

8.5.1 Appendix A - Whakatāne District Council submission on the proposed on the amendments to the Waste and Litter Acts(Cont.)*Further levy effectiveness considerations*

6. Do you support removal of the current blanket exclusion from the levy for waste-to-energy facilities?

Yes

7. Do you agree that the Minister's considerations for a review of the effectiveness of the waste levy should mirror the scope of the purpose of the WMA and the parameters for levy spend (once these are decided)?

Yes

8. Do you support changing the timeframe for review of the effectiveness of the waste levy from every three years to at least every five years? **Yes**

Please share any further thoughts or ideas on these proposals

Use of waivers

9. Do you support replacing the current levy-waiver requirement of 'exceptional circumstances', instead enabling the Secretary to waive the requirement for an operator to pay any amount of levy in specified circumstances? **Yes**

10. Do you support limiting the waiver requirement to emergency event situations for which a state of national or local emergency has been declared under the Civil Defence Emergency Management Act 2002 and biosecurity responses have been undertaken under Part 7 of the Biosecurity Act 1993?

No

11. Do you agree the waiver requirement for waste from the remediation of a contaminated site should specify any eligibility criteria that an application must meet? If so, please share any suggestions for eligibility criteria.

Yes

Please share any further thoughts or ideas on these proposals.

In relation to the remediation of contaminated land, such a waiver should apply to sites where they cannot be remediated in-situ or where remediation requires some material to be removed and landfilled elsewhere.

While we appreciate that the proposals include the ability of the WAB to provide advice to the secretary 'at their discretion' we believe their advice should be sought directly when considering any levy waiver.

We do not support limiting the waiver requirement to emergency event situations for which a state of national or local emergency has been declared under the Civil Defence Emergency Management Act 2002 and biosecurity responses have been undertaken under Part 7 of the Biosecurity Act 1993. Not all events that create 'emergency waste' are declared under these Acts.

Infrastructure and Planning Committee - AGENDA

8.5.1 Appendix A - Whakatāne District Council submission on the proposed on the amendments to the Waste and Litter Acts(Cont.)*Conditions and exemptions*

12. Do you support requiring a Minister to consider specific criteria before recommending levy exemption regulations are made (instead of the current requirement that the Minister is satisfied 'exceptional circumstances' exist)? **Yes**
13. Do you support applying a timeframe of a maximum of five years before levy exemptions via regulations must be reviewed or allowed to expire? **Yes**
14. Do you agree that the Minister should be able to impose conditions on levy exemptions? **Yes**

Please share any further thoughts or ideas on these proposals.

While we appreciate that the proposals include the ability of the WAB to provide advice to the secretary 'at their discretion' we believe their advice should be sought directly when considering any levy exemptions.

Reuse of material at disposal facilities

15. Do we need to clarify in legislation when the levy should be imposed on waste disposed of at a disposal facility, so that waste reuse on site is operationally necessary and reasonable? **Yes**

Please share any further thoughts or ideas on this proposal.

Stockpiling controls

16. Do you support improvements to stockpiling controls by introducing tools such as:
- a. an approval system with limits and conditions. **Yes**
 - b. changes to the stockpile calculation process to track the throughput of materials. **Yes**
 - c. a stockpile volume threshold limit. **Yes**
 - d. improved data collection, record-keeping and reporting provisions, to increase transparency and traceability of material entering and leaving a site. **Yes**
 - e. defining/amending the terms 'diverted material', 'accumulation' and 'stockpiling' in the legislation? **Yes**

Please share any further thoughts or ideas on these proposals.

We believe that stockpiling limits could be related to the size of the landfill or tonnages disposed of at the same facility, i.e. the larger the facility the higher the stockpiling limit.

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8.5.1 Appendix A - Whakatāne District Council submission on the proposed on the amendments to the Waste and Litter Acts(Cont.)

However, it is possible that stockpiles may not be used for a considerable length of time until an opportunity arises and this needs to be considered when imposing limits on times and amounts. For example, we accept concrete at our resource recovery centre which is crushed. However, it may be up to six months or more before we have a project on which that product can be used. In the meantime, it is stockpiled, and it would be a waste of resources to have to landfill it in the meantime.

We are interested in your views on clarifying the role of central government and territorial authorities in the waste legislation

17. Do you support the proposed changes to the roles and responsibilities for:

- a. the Ministry for the Environment. **Yes**
- b. the New Zealand Customs Service. **Yes**
- c. territorial authorities? **Yes**

18. Do you support a change in the Secretary for the Environment's ability to retain levy payments to a territorial authority, from mandatory to discretionary? **Yes**

19. Do you support enabling the Waste Advisory Board to provide advice at its discretion? **Yes**

Please share any further thoughts or ideas on these proposals.

Where responsibilities for central government include setting directions for services such as delivery of household waste and recycling services as outlined in the proposals, funding should be available to territorial authorities through the central government portion of the levy, to aid delivery of such directions. This would reduce the impact on ratepayers.

If an amendment is made to section 48 of the WMA to enable the Minister to direct TAs to do a particular activity through their WMMPs, this should not be done without prior consultation with all TAs involved.

We are interested in your views on modernising the existing compliance regime

20. Do you agree the regulator should have greater powers to receive data, including the ability to share with other regulators and the Ministry? **Yes**

21. Do you support the proposed tiered approach to the compliance tools and sanctions? **Yes**

Please share any further thoughts or ideas on these proposals.

We support the tiered approach to compliance and enforcement but believe this should include the ability to 'move up' the tiers where a lower tier is not effective or there is repeat offending.

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8.5.1 Appendix A - Whakatāne District Council submission on the proposed on the amendments to the Waste and Litter Acts(Cont.)**We are interested in your views on changes to the Litter Act***Scope of the legislation*

22. Do you support integrating littering and other types of mismanaged waste into the same regulatory framework for waste management and minimisation?

Yes

23. Do you support enabling regulations for the collection of data on littering and dumping?

Yes

24. Do you support expanding the purpose of the WMA to include littering and other mismanaged waste in the new waste legislation? **Yes**

Please share any further thoughts or ideas on these proposals.

We believe that the use of the word 'potential' in "escaped waste or waste that has the potential to escape..." in the proposals for compliance of mismanaged waste, could be difficult to enforce. It may be more appropriate for any such wording in the regulations to include "in the view of the enforcement officer" or similar.

We believe that the list of the types of waste that can be taken into account for penalty provisions should also include contaminated kerbside collections. Further comments on this are included at the end of our submission.

Roles and responsibilities

25. Regarding public authorities, do you support:

a. limiting the definition of 'public authority' as proposed.

Yes

b. enabling public authorities (amended as proposed) to warrant Litter Control Officers or appoint Litter Wardens, to manage and enforce littering and other mismanaged waste offences? **Yes**

26. Do you support removing the assignment of a statutory role for the promotion of litter control to any specific agency or organisation? **Yes**

27. Do you support public authorities having a discretion whether they provide waste receptacles in public places but an obligation to empty those receptacles if they provide them?

Yes

28. Do you support removing the requirement for the Medical Officer of Health to be satisfied that litter receptacles are emptied promptly, efficiently and at regular and prescribed intervals

Yes

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8.5.1 Appendix A - Whakatāne District Council submission on the proposed on the amendments to the Waste and Litter Acts(Cont.)

29. Do you agree that a local or public authority should:

- a. retain the ability to make grants to any organisation for the abatement or prevention of litter.

Yes

- b. be able to spend such sums of money as it thinks fit on any scheme or campaign for the abatement or prevention of litter.

Yes

- c. retain the ability to make bylaws to help reduce littering and dumping, if they are not inconsistent with the provisions of the new legislation.

Yes

- d. retain the ability to deter, prevent, require timely clean-up and enforce waste escaping/being carried on to public or private land? **Yes**

30. Do you support enabling all types of Litter Control Officers to apply different tiers of compliance tools, where they are authorised to act? **Yes**

31. Do you agree that, in enforcing offences, Litter Control Officers should be able to:

- a. use vehicle registration and ownership details.

Yes

- b. use appropriate evidence-gathering, search and surveillance powers for vehicles that are implicated in serious dumping offences? **Yes**

Please share any further thoughts or ideas on these proposals

We believe a more appropriate term could be "Waste Officers" rather than "Litter Officers". A Waste Officer could be allowed to carry out all the responsibilities of a Litter Officer but also deal CME relating to kerbside contamination. Another option could be the establishment of 'Waste Officers' who can then be appointed as Litter Control Officers if need be.

In implementing effective deterrents to managing waste, proposed amendments should include providing CME for contaminated kerbside wastes.

Where vehicle registrations and ownership are used for enforcing litter compliance, the legislation should allow for Litter Officers to take enforcement action against the owner of the vehicle regardless of who was driving at the time of the offence.

Please see our comments following Question 37, as we use the Health Act to deal with mismanaged waste on private land, this act should also be included in Table 6: "Persons who can be appointed as Litter Control Officers and proposed changes" and Environmental Health Officers should also have the ability to be appointed as Litter Officers.

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8.5.1 Appendix A - Whakatāne District Council submission on the proposed on the amendments to the Waste and Litter Acts(Cont.)*Compliance monitoring and enforcement framework*

32. Do you support the proposed amendments to the *compliance monitoring and enforcement* framework for littering and other mismanaged waste offences?

Yes

33. Do you support lowering the threshold for evidence of a mismanaged waste offence, to allow for effective *compliance monitoring and enforcement* by Litter Control Officers?

Yes

34. Do you agree that public authorities should be able to be compensated by the offender if the mismanaged waste offence has caused significant environmental harm?

Yes

Please share any further thoughts or ideas on these proposals

We support the tiered approach to compliance and enforcement but believe this should include the legislated ability to 'move up' the tiers where a lower tier is not effective or there is repeat offending.

We support the proposal where public authorities should be compensated by the offender if the waste causes environmental harm, but this should be for any level of harm and not limited to 'significant' as the wording is difficult to define and justify. We also believe that public authorities should be compensated by the offender if costs have been incurred from dealing with the waste (whether it causes environmental harm or not).

We also believe that public authorities should have the ability to both infringe an offender and seek financial compensation for the same offence.

We suggest the establishment of 'Waste Officers' to replace 'Litter Officers' or the prior having the ability to be appointed as the latter. The establishment of 'Waste Officers' would align with the reasoning of encompassing both acts into one while allowing for CME of problems associated with waste contamination.

Cost recovery for removal of waste and correction of damage

35. Do you agree that public authorities, regulators, or occupiers of private land where a littering offence is committed, should be able to recover reasonable costs associated with the removal of the litter/waste and/or the environmental harm caused from the offender? If not, please explain why and provide any suggested alternatives for covering these costs. **Yes**

Please share any further thoughts or ideas on these proposals.

Feedback requested from Litter Control Officers

36. If you are a Litter Control Officer who has used the existing section 9(2)–(4) of the Litter Act (to

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8.5.1 Appendix A - Whakatāne District Council submission on the proposed on the amendments to the Waste and Litter Acts(Cont.)

require an occupier of land or premises to take all reasonable steps to prevent litter being carried or escaping onto the public place), please answer the following.

- a. Are the current provisions efficient or effective for addressing this type of mismanaged waste issue in your area?

Unsure

- b. If not, please provide more information about the limitations of the provisions.

N/A

37. Please provide your feedback on the draft infringement levels for the proposed mismanaged waste compliance framework.

We agree with the draft infringement levels but further information is required on the related monetary levels before we can comment fully.

Please share any further thoughts or ideas on this proposal.

We have Litter Officers, however when there is mismanaged waste on private property that needs removal we enforce Section 23 of the Health Act. This is done by our Environmental Health Officers.

If you have any further comments or thoughts on the proposed amendments that have not been captured in the previous questions, please share them here.

One of the main challenges TAs experience in implementing effective waste minimisation and services is dealing with contamination of waste streams. We feel that this issue should be addressed in the proposed amendments as it does not appear to have been given the consideration it deserves. These amendments are an opportunity to address this issue, improve waste minimisation nationally and create legislation and related CME to address the ongoing problem.

This could be done by the following:

- 1) Making contamination of waste streams (including specifying kerbside services) an offence under the Waste Legislation.*
- 2) Providing TAs with CME tools under the new legislation to deal with waste contamination issues.*
- 3) The establishment of 'Waste Officers' to replace 'Litter Officers' or the prior having the ability to be appointed as the latter. The establishment of 'Waste Officers' would align with the reasoning of encompassing both acts into one.*
- 4) The draft infringement levels for the proposed mismanaged waste compliance framework should also be used for CME of contaminated waste.*
- 5) Include contaminated waste streams in the types of litter and waste that can incur penalty provisions.*

We strongly encourage central government to take this opportunity to address waste contamination.

One of the main problems territorial authorities have in enforcing regulations against offenders for mismanaged waste (fly tipping etc), is that of 'proof'. Unless a local authority has evidence of the responsible person actually committing an offence, i.e. photo or video, they are unable to take action and this would apply to the amendments proposed. Any amendments should consider how we can make enforcement more effective. As with our answer to question 24 above, wording should be included in the

8.5.1 Appendix A - Whakatāne District Council submission on the proposed on the amendments to the Waste and Litter Acts(Cont.)

legislation that allows officers to take action more effectively. This could be the use of “Beyond a reasonable doubt” or similar wording.

We also believe that the compliance framework could include alternative options to financial infringement such as community service. However, we do acknowledge this would probably require court involvement.

8.6 Dangerous, Affected and Insanitary Buildings Policy Review**8.6 Dangerous, Affected and Insanitary Buildings Policy Review**To: **Infrastructure and Planning Committee**Date: **Thursday, 29 May 2025**Author: **H Madden / Strategic Policy Analyst**Authoriser: **L Woolsey / General Manager Strategy and Growth**Reference: **A2890794****1. Reason for the report - *Te Take mō tēnei rīpoata***

The purpose of this report is for the Infrastructure and Planning Committee to approve the draft Dangerous, Affected and Insanitary Buildings Policy and Statement of Proposal for public consultation.

2. Recommendation/s - *Tohutohu akiaki*

1. THAT the Infrastructure and Planning Committee **receives** the Dangerous, Affected and Insanitary Buildings Policy Review report; and
2. THAT the Infrastructure and Planning Committee **approve** the draft Dangerous, Affected and Insanitary Buildings Policy as attached in Appendix 1, for public consultation using the Special Consultative Procedure in accordance with the requirements of the Building Act 2004 and Local Government Act 2002; and
3. THAT the Infrastructure and Planning Committee **approve** the Statement of Proposal as attached in Appendix 2.

3. Background - *He tirohanga whakamuri*

Under section 131 of the Building Act 2004 (the Act), all territorial authorities must adopt a Dangerous, Affected and Insanitary Buildings Policy.

The purpose of the policy is to ensure that buildings can be used safely and without risk to health, and that when dangerous, affected, or insanitary buildings are identified, the associated risks are reduced or eliminated within an acceptable timeframe.

Council adopted its current policy in 2019. The policy must be reviewed every five years and amended using the Special Consultative Procedure. The policy does not cease to have effect if it is due for review or under review.

In July 2024, the Ministry of Business, Innovation and Employment (MBIE) carried out a performance monitoring assessment of Whakatāne District Council's Dangerous, Affected and Insanitary Buildings policy. As a result, MBIE strongly recommended that the Council review its policy to ensure alignment with best practice, as outlined in their online guidance. A copy of the report is attached as Appendix 3.

8.6 Dangerous, Affected and Insanitary Buildings Policy Review(Cont.)**4. Discussion – *Kōrerorero*****4.1. Updates to current policy**

Staff have reviewed the policy following MBIE's recommendations and changes to the policy are summarised below:

- The policy better aligns with current legislative requirements.
- Improves transparency and consistency on the process we use to identify buildings and the actions we will take to remedy any concerns.
- Inclusion of a review section (section 8).
- Addition of a version history table on the front of the policy to detail dates when originally created, reviewed or amended.
- Refining policy language for clarity and consistency and removal of duplicated content.

A tracked changes version of the policy is attached as Appendix 1. Although the amendments are not significant, the Building Act 2004 requires Council to follow the Special Consultative Procedure under the Local Government Act 2002 when making any changes.

4.2. Public consultation using the Special Consultative Procedure

The Special Consultative Procedure refers to the formal process local government goes through when making certain decisions, including relating to some policies. It includes the different stages referred to below:

- Preparation of a Statement of Proposal
- Public consultation including consideration of written and oral submission
- Deliberation in an open meeting of the Council.

It is proposed that this policy will go out for consultation in July 2025, with deliberations and adoption planned for August 2025.

5. Options Analysis - *Ngā Kōwhiringa***5.1. Option 1: Draft Dangerous, Affected and Insanitary Buildings Policy is approved for consultation – preferred option.**

This option involves Council consulting on the draft Dangerous, Affected and Insanitary Buildings policy using the Special Consultative Procedure. This option is recommended as it aligns with MBIE's recommendations and meets our legislative requirements.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Aligns with recommendations received from MBIE • Aligns with current legislative requirements • Enhances transparency and consistency • Enhances transparency and consistency 	<ul style="list-style-type: none"> • No disadvantages identified

8.6 Dangerous, Affected and Insanitary Buildings Policy Review(Cont.)**5.2. Option 2: Retain the current Dangerous, Affected and Insanitary Buildings Policy with no amendments**

This option would not require the Special Consultative Procedure. This option is not recommended.

Advantages	Disadvantages
<ul style="list-style-type: none"> Current policy remains in place 	<ul style="list-style-type: none"> Does not align with MBIE's recommendations and may result in Council receiving a corrective action. Policy is less transparent and consistent and does not align with legislation. Policy would become overdue for review.

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

Although the review of the Council's draft Dangerous, Affected and Insanitary Buildings Policy is not considered significant, the Building Act 2004 requires that Council follows the Special Consultative Procedure as defined under the Local Government Act 2002.

6.3. Proposed public consultation on the draft policy

Key stakeholders and the general public will have the opportunity to provide feedback on the draft Dangerous, Affected and Insanitary Buildings policy through a formal submission process. A Statement of Proposal has been developed to support consultation and is attached to this report as Appendix 2 for approval.

If Council agrees to adopt the draft Policy and Statement of Proposal for public consultation, the consultation period will run for four weeks. The proposed consultation dates are 30 June 2025 to 30 July 2025. Submitters will be offered an opportunity to be heard, followed by Council deliberations.

A robust engagement plan and communication plan is being developed. Along with the Statement of Proposal and FAQs, this will include an outline of engagement activities, such as targeted emails, radio advertising, social media, Kōrero Mai website posts, Beacon advertising and community newsletters.

8.6.1 Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy**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

The Building Act 2004 requires that Council follow the Special Consultative Procedure as defined under the Local Government Act 2002 when reviewing Council's Dangerous, Affected and Insanitary Buildings Policy.

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 climate change implications arising from this policy review.

7.5. Risks

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

8. Next Steps – *E whai ake nei*

Consultation on the policy is proposed to take place from Monday 30 June 2025 to Wednesday 30 July 2025.

Following the close of the submissions period, hearings and deliberations will take place shortly after, it is proposed that this occurs at the Council Meeting, Thursday 14 August 2025.

The draft policy will be amended to reflect the decisions made at the hearings and deliberations meeting, before going to full Council meeting for adoption.

Attached to this Report:

- Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy.
- Appendix 2 - Statement of Proposal.
- Appendix 3 - Ministry of Business, Innovation and Employment Report.

8.6.1 Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy

8.6.1 Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy(Cont.)

Dangerous, Affected and Insanitary Buildings Policy

Commencement:	<u>X 2025</u>
Amendments:	
Next review date:	<u>X 2030</u>
Review frequency:	<u>5 year intervals</u>
Relevant Legislation:	<u>Section 131 of the Building Act 2004 and the Local Government Act 2002.</u>

whakatane.govt.nz

8.6.1 Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy(Cont.)

Draft Dangerous, Affected and Insanitary Buildings Policy 2019/2025

INTRODUCTION – *Kupu Arataki*

The purpose of this policy is to identify and manage dangerous, affected and insanitary buildings in the Whakatāne District, in order to reduce the risk of injury, death, ill health or damage that may occur as a result of dangerous and/or insanitary buildings.

Under section 131 of the Building Act 2004 (the Act), all territorial authorities are required (Council's) to adopt a policy on dangerous and insanitary buildings. Council adopted such an Earthquake Prone, Dangerous and Insanitary Buildings Policy in 2012. In 2013, the Act was amended to require councils to also consider 'affected buildings' in their policies. buildings and insanitary buildings. The Building Amendment Act 2013 added section 132A

In 2016, a further amendment was made to the Act, which required local bodies to remove all reference to 'earthquake prone' in their policies. The purpose of this change was to provide a nationally consistent approach to managing the risks posed by earthquake prone buildings, rather than local councils having to develop their own systems for identifying and managing these risks. The approach for identifying and managing potentially earthquake prone buildings is now governed by the provisions of the Building Act. the Council's policy to consider affected buildings.

Section 132(4) of the Act requires our policy to be reviewed at intervals of not more than five years. This policy replaces Council's Earthquake Prone, the "Dangerous, Affected and Insanitary Buildings Policy 2016-2019".

The policy sets out:

- The approach that Council will take in performing its functions under the Act in relation to dangerous, affected and insanitary buildings;
- Council's priorities in performing these functions; and
- How the policy will apply to heritage buildings.

1.0 OBJECTIVES – *Ngā whaiinga*

- (1) The overall objective of this policy is to ensure that people who use buildings can do so safely and without endangering their health.
- (2) This policy fulfils Council's responsibilities under section 131 of the Act, with respect to dangerous, affected and insanitary buildings. Council's responsibility is to ensure that when dangerous, affected or insanitary buildings are found, the danger risk is appropriately reduced or removed within an acceptable timeframe.

8.6.1 Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy(Cont.)**3.0 DEFINITIONS – *Ngā Tikanga o ngā kupu***

Affected building is defined as any building that is adjacent to, adjoining, or nearby-

- a) a dangerous building as defined in section 121 of the Act; or
- b) a dangerous dam within the meaning of section 153 of the Act.

Dangerous building is defined under Section 121 of the Act as:

“(1) A building is dangerous for the purposes of the Act if, -

- (a) in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause –
 - (i) injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or
 - (ii) damage to other property; or
- (b) in the event of a fire, injury or death to any persons in the building or to persons on other property is likely because of fire hazard or the occupancy of the building.”

“(2) For the purpose of determining whether a building is dangerous in terms of subsection (1)(b), a territorial authority –

- (a) may seek advice from members of the Fire and Emergency New Zealand (FENZ) who have been notified to the territorial authority by the Fire and Emergency National Commander as being competent to give advice; and
- (b) if the advice is sought, must have due regard to the advice.”

Heritage building is defined as any building identified as a Significant Cultural Heritage building in the District Plan or registered by Heritage New Zealand Pouhere Taonga in its Register of Historic Places.

Insanitary building is defined under Section 123 of the Act as:

“A building is insanitary for the purpose of this Act if the building –

- (a) is offensive or likely to be injurious to health because –
 - (i) of how it is situated or constructed; or
 - (ii) it is in a state of disrepair; or
- (b) has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or

8.6.1 Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy(Cont.)



- (c) does not have a supply of potable water that is adequate for its intended use; or
- (d) does not have sanitary facilities that are adequate for its intended use."

8.6.1 Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy(Cont.)**4.0 POLICY ~~APPROACH~~ *Te Kaupapa here***

(1) This policy ~~aims to define:~~

- ~~a. The approach that Council will take in performing its functions under the Act in relation to dangerous, affected and insanitary buildings~~
- ~~b. Council's priorities in performing these functions; and~~
- ~~a. How the policy will apply to heritage buildings~~ *Ensure that people who use buildings do so safely and without endangering their health; and*
- ~~b. Provide a clear framework on how Council will manage unsatisfactory building conditions.~~

~~(2) Whakatāne District Council will maintain a reactive approach to the management of dangerous, affected and insanitary buildings. Council will rely on external sources such as building occupants, neighbours, fire and emergency, the police and other agencies to inform them of dangerous, affected and insanitary buildings.~~

~~(3) In setting this policy, the Council has endeavoured to strike a balance between the risks proposed by dangerous, affected and insanitary buildings and the broader social and economic issues affecting the communities in the Whakatāne District.~~

~~c. _____~~

~~(4)~~ (2) Heritage buildings will be assessed in the same way as other potentially dangerous, affected or insanitary buildings. Discussions will be held with owners and if appropriate, Heritage New Zealand Pouhere Taonga to identify a mutually acceptable way forward. As per s125 (2) (f) of the Act a copy of any notice issued under s124 of the Act will be sent to Heritage New Zealand Pouhere Taonga where a heritage building has been identified as ~~a~~ dangerous, affected or insanitary building.

(3) Council will apply a risk-based and proportional approach when determining enforcement actions for dangerous, affected, and insanitary buildings. Each case will be assessed based on the level of risk to occupants, the broader community impact, and the obligations under the Building Act 2004. Where possible, Council will work collaboratively with building owners to achieve compliance before escalating enforcement actions.

4.1 Council's priorities under the Building Act

(1) Priority will be given to buildings requiring work to be carried out urgently¹ to address the dangerous, affected and/or insanitary conditions.

¹ The Building Act (2004) Clause 41(1)(c) defines this as for the purpose of saving or protecting life or health or preventing serious damage to property.

8.6.1 Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy(Cont.)

(2) Where the Council needs to prioritise work on buildings, the following issues will be taken into account:

- a. Potential risk to human life and adjoining property;
- b. The importance of the building to the community ~~eg~~ e.g. hospital, school, building of cultural significance or heritage value
- c. The frequency and level of use, and number of people using the building;
- d. The location of the building in relation to key infrastructure components;
- e. The size of the building ~~and~~
- f. The age of the building and its expected life.

5.0 DANGEROUS OR AFFECTED BUILDINGS

5.1 Identifying Dangerous or Affected Buildings

The Whakatāne District Council will approach the management of dangerous and insanitary buildings primarily through responding to complaints and information from parties such as building occupants, neighbours, emergency services, and other agencies.

The Council does not consider it necessary to take a more proactive approach to identifying dangerous and affected buildings in the district.

This does not preclude this policy being enforced as a result of information from qualified staff discovered during the normal course of their duties.

Once a building has been brought to Council's attention, ~~Council~~ it will:

~~inspect and aim to~~ assess the reported dangerous or affected building within 48 hours, where practicable. If access is delayed due to site conditions or other factors, the Council will prioritise its inspections based on public safety risk, in accordance with section 121(1) of the Act. This assessment will:

~~a.1. Include an inspection of the~~ condition of the building in accordance with section 121(1) of the Act;

~~b.2. Identify any buildings that are~~ if the building is considered dangerous, or affected

8.6.1 Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy(Cont.)

~~e.3. Consider if any of the powers provided in the Act should be invoked;~~

~~d. Inform the owner and occupier of the building to take action to reduce or remove the danger as required by sections 124 and 125 of the Act; and~~

~~e. Liaise with FENZ, when Council deems it appropriate, as outlined in section 121 (2) of the Act.~~

5.2 Taking Action on Dangerous or Affected Buildings

(1) Once a building has been deemed found to be dangerous or affected, in accordance with s124 Council will:

a. Inform the owner and s125 occupier of the building.

(1)b. Provide instruction or actions that need to be taken to reduce or remove the danger as required by sections 124 and 125 of the Act the Council;

a) Will advise and May liaise with the owner(s) of the building;

b) May FENZ and request a written report on the building from FENZ;

c. If as outlined in section 121(2) of the building is found to be dangerous or affected, Act.

(2) In implementing section 5.2(1), the Council will:

a. Attach written notice to the building requiring work to be carried out on the building, within a time stated in the notice being not less than 10 days, to reduce or remove the danger;

b. Give copies of the notice to the building owner, occupier, and every person who has an interest in the land, or is claiming an interest in the land, ~~as well as. This will also include~~ Heritage New Zealand Pouhere Taonga, if the building is a heritage building;

c. Contact the owner at the expiry of the time period set down in the notice in order to gain access to the building to ascertain whether the notice has been complied with;

d. Where the danger is the result of non-consented building work, the owner will formally be requested to provide an explanation as to how the work occurred, who carried it out, and under whose instructions; and

e. Pursue enforcement action under the Act if the requirements of the notice are not met within a reasonable period of time, typically 10 days for

8.6.1 Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy(Cont.)

dangerous buildings and 30 days for affected buildings, as well as any other non-compliance matters.

(3) If the building is considered to be immediately dangerous or affected, the Council will:

- a. Cause any action to be taken to remove that danger ~~(this. This~~ may include prohibiting ~~persons~~people using or occupying the building ~~and/or~~ demolition of all or part of the building~~);~~ and
- b. Take action to recover costs from the owner(s) if the Council ~~must undertake~~ works/undertakes work to remove the danger.
- c. The owner(s) will also be informed that the amount recoverable by the Whakatane District Council will become a charge on the land upon which the building is situated.

(4) Where a building is assessed as requiring work to be carried out urgently² to address the dangerous and/or affected conditions, the Council may not require that a building consent be obtained for any of the immediately necessary building work. However, prior to any remedial action being taken, Council will require from the owners, ~~and discuss with them,~~ a written scope of the work. The owner must, as soon as practicable after completion of the building work, apply for a Certificate of Acceptance.

~~(4)(5)~~ Council will consider issuing a notice under Section 124 of the Building Act 2002 where a building or buildings are found to be dangerous or affected.

~~(5)(6)~~ Building owners may appeal the Council's decision by lodging an application for a determination with the Chief Executive Officer of the Ministry of Business, Innovation and Employment in accordance with Section 177(3)(f) of the Building Act 2004.

5.3 Recording of Dangerous or Affected Buildings

(1) Where a building is ~~identified as~~found to be dangerous or affected, a notice will be placed on the building file for the property where the building is situated. This notice will remain on the file, along with any other information showing the danger has been remedied. In addition, this same information will be placed on any LIM produced for the property.

(2) In granting access to information concerning dangerous or affected buildings, the Council will conform to the requirements of the Local Government Official Information and Meeting Act 1987 and the Local Government Act 2002.

(3) Where remedial work on a dangerous or affected building constitutes an alteration under Section 112, a change of use under Section 115, or is part of a subdivision affecting a

² The Act, section 41(1)(c)(i) defines this as for the purpose of saving or protecting life or health or preventing serious damage to property.

8.6.1 Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy(Cont.)

Draft Dangerous, Affected and Insanitary Buildings Policy 2019/2025

building under Section 116A, the Council will ensure compliance with relevant provisions of the Building Act 2004. Additional consents or assessments may be required to align with these statutory requirements

6.0 ~~INSANITARY BUILDINGS~~ INSANITARY BUILDINGS

6.1 Identifying Insanitary Buildings

The Whakatāne District Council will approach the management of insanitary buildings primarily through responding to complaints and information from parties such as building occupants, neighbours, emergency services, and other agencies.

The Council does not consider it necessary to take a more proactive approach to identifying insanitary buildings in the district.

This does not preclude this policy being enforced as a result of information from qualified staff discovered during the normal course of their duties.

Once a building has been brought to ~~the~~ Council's ~~notice, the~~ attention, Council will:

~~a. Respond aim to and investigate all insanitary building complaints received;~~

~~inspect and~~ assess the condition of the building within 48 hours, where practicable, in accordance with section 121(1) of the Act. This assessment will:

~~b.1. Include and inspection of the condition of the building~~ in accordance with section 123 of the Act;

~~c.2. Identify from these investigations any buildings that may be if the building is~~ considered to be insanitary;

~~d. Inform the owner(s) of the building to take action to prevent the building from remaining insanitary; and~~

~~e. Liaise with the Bay of Plenty District Health Board when required to assess whether the occupants may be neglected or infirm.~~

3. Consider if any powers provided under the Act should be invoked.

6.2 Taking Action on Insanitary Buildings

~~(1) The Council will advise and liaise with the owner(s) of the buildings identified as being insanitary.~~

~~(2)(1) Where the~~ Once a building ~~is~~ has been found to be insanitary, Council will:

8.6.1 Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy(Cont.)

- a. Inform the owner and occupier of the building to take action to prevent the building from remaining insanitary;
- b. Liaise with the Medical Officer of Health when required to assess whether the occupants may be neglected infirm

(2) In implementing section 6.2(1), the Council will:

- a. Attach a written notice to the building requiring work to be carried out on the building, with a time stated on the notice that is not less than 10 working days, to prevent the building from remaining insanitary;
 - b. Give copies of the notice to the building owner(s), occupier, and every person who has an interest in the land; or is claiming an interest in the land, as well as. This will also include Heritage New Zealand Pouhere Taonga, if the building is a heritage building;
 - ~~c. Where the insanitary conditions are the result of non-consented work, formally request the owner(s) to provide an explanation as to how the work occurred and who carried it out;~~
 - ~~d. c.~~ Contact the owner(s) at the expiry of the time period set down in the notice in order to gain access to the building to ascertain whether the notice has been complied with; and
 - ~~e. d.~~ Determine if enforcement action should be pursued under the Act if the requirements of the notice are not met within a reasonable period of time.
- (3) If it is considered that immediate action is required to fix insanitary conditions the Council will:
- a. Cause any action to be taken to fix those insanitary conditions;
 - b. Take action to recover costs from the owner(s) if the Council must undertake works to remove the insanitary conditions; and
 - c. The owner(s) will also be informed that the amount recoverable by the Council will become a charge on the land on which the building is situated.
 - d. Where a building is assessed as requiring work to be carried out urgently³ to address insanitary conditions, the Council may not require that a building consent be obtained for any of the immediately necessary building work. However, prior to any remedial action being taken, Council will require from owners, and discuss with them, a written

³ The Act, section 41(1)(c)(i) defines this as for the purpose of saving or protecting life or health or preventing serious damage to property.

8.6.1 Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy(Cont.)

Draft Dangerous, Affected and Insanitary Buildings Policy ~~2019~~2025

scope of the work. The owner must, as soon as practicable after completion of the building work, apply for a Certificate of Acceptance.

- (4) Building owners may appeal the Council's decision by lodging an application for a determination with the Chief Executive Officer of Ministry of Business Innovation and Employment (MBIE) in accordance with Section -177 (3)(f)- of the Building Act 2004.

6.3 Recording of Insanitary Buildings

- (1) Any buildings identified as being insanitary will have a requisition placed on the property file for the property on which the building is situated. A record of the requisition will remain for five years after the insanitary condition has been abated.
- (2) In granting access to information concerning insanitary buildings, the Council will conform to the requirements of the Local Government Official Information and Meeting Act 1987 and the Local Government Act 2002.
- (3) All identified insanitary buildings will have a requisition placed on the property file and remain for five years after the issue is resolved. This information will be disclosed in Land Information Memoranda (LIM) reports and, where applicable, in Project Information Memoranda (PIM) when it affects proposed building work
- (4) All identified insanitary buildings will be recorded in Council's Dangerous, Affected and Insanitary buildings register

7.0 Interaction with other Council policies

- (1). Council acknowledges that enforcement actions, including issuing Section 124 notices and requiring evacuations, may have short-term social and economic impacts, particularly where residential displacement occurs. In cases where emergency housing is needed, Council will liaise with social service agencies to minimize hardship while ensuring public safety
- (2). The economic impact of enforcing remedial actions for dangerous, affected, and insanitary buildings will be considered, particularly in cases involving small businesses or heritage buildings. Where feasible, Council will work with building owners to develop phased compliance plans that align with financial feasibility while ensuring statutory obligations are met

8.0 REVIEW – Te Arotake

~~The Council will complete a review of the policy at intervals of no more than five years, as required by the Building Act 2004. In accordance with sections 132(1), (2) and (4) of the Building Act 2004 this policy will be reviewed at intervals of not more than five years and any amendment or replacement of the policy must be in accordance with section 83 of the Local Government Act 2002.~~

8.6.1 Appendix 1 - Draft Dangerous, Affected and Insanitary Buildings Policy(Cont.)



(2)

8.6.2 Appendix 2 - Statement of Proposal.

8.6.2 Appendix 2 - Statement of Proposal.

8.6.2 Appendix 2 - Statement of Proposal.(Cont.)

Draft Dangerous, Affected and Insanitary Buildings Policy 2025

Kōrero mai. Let's talk.

Draft Dangerous, Affected and Insanitary Buildings Policy 2025 (Statement of Proposal)

Background

Council is reviewing its Dangerous, Affected and Insanitary Buildings Policy 2025 which outlines how we manage buildings that are considered dangerous, affected or insanitary.

These are buildings that may pose a risk to people's health or safety or could damage neighbouring properties. The policy outlines the steps Council takes when these risks are identified.

Council has updated its Dangerous, Affected and Insanitary Buildings Policy, as required under the Building Act 2004, and we're now seeking your feedback.

This Statement of Proposal has been prepared in line with section 83 of the Local Government Act 2002 and relates to section 132 of the Building Act 2004.

Summary of key changes

The draft Policy includes the following proposed updates:

1. Stronger alignment with current legislative requirements.
2. Greater transparency and consistency in how we identify buildings and the actions Council may take.
3. Restructured layout to better reflect Council's strategic direction.
4. New review section (Section 8) added to clarify when and how the policy will be reviewed.
5. Version history table added to the front of the Policy, showing key dates for creation, reviews, and amendments.

Purpose of the Policy

The Dangerous, Affected and Insanitary Buildings Policy aims to:

1. **Minimise risks** to people and property from buildings that are dangerous, affected, or insanitary;
2. **Support better building practices** through improved oversight of design, construction, and use; and
3. **Provide a clear framework** for how Council will identify and manage buildings that pose a risk to health or safety.

Why are we consulting?

The consultation process helps ensure policies are open, transparent, and understood by those who may be affected by them. It will assist Council in developing a policy that balances the risks posed by dangerous, affected and insanitary buildings with other factors relevant to the Whakatāne District –

8.6.2 Appendix 2 - Statement of Proposal.(Cont.)

including the broader economic implications of implementing the Policy. This policy requires public consultation using the Special Consultative Procedure in accordance with the requirements of the Building Act 2004 and Local Government Act 2002.

What do we want to know?

Feedback: Your thoughts on the draft policy.

Suggested Changes: Any modifications you believe should be made to the policy, along with your reasons.

Hearing Participation: Whether you wish to speak at a hearing.

How can I have my say on this policy?

The Council has not yet made a final decision about the Policy and welcomes your feedback. Any person or organisation is welcome to make a submission on the Draft Dangerous, Affected and Insanitary Buildings Policy 2025. The Council will take all submissions into account when it decides on the final content of the policy.

Submissions close at 5pm on 30 July 2025.

8.6.3 Appendix 3 - Ministry of Business, Innovation and Employment Report

8.6.3 Appendix 3 - Ministry of Business, Innovation and Employment Report

8.6.3 Appendix 3 - Ministry of Business, Innovation and Employment Report(Cont.)

Findings and outcomes

Dangerous, affected, or insanitary buildings

1. Tools to perform the function

1A. Policies and procedures	
<p>Findings</p> <p>WDC have a documented policy for dangerous, affected, and insanitary (DAI) buildings [<i>Dangerous, Affected and Insanitary buildings Policy 2019</i>]. This document clearly outlines the Council's guiding principles and approach to identifying, assessing and evaluating DAI and heritage classified buildings, and sets out Council's priorities in performing these functions as required by s131(2). The policy document covers relevant topics, is well-considered and reflects an appropriate DAI buildings policy. However, there is room for improvement. (see the 'Outcome' section below).</p> <p>Additionally, WDC do not have a procedural document for functions related to DAI buildings.</p>	
<p>Outcome: Strong Recommendation (SR-D-1A)</p> <p>We recommend WDC review its policy to ensure all of the following items are included to align with best practice as provided for in MBIE's online guidance:</p> <ul style="list-style-type: none"> • stating if the Council have a 'proactive' or 'passive' approach to identifying DAI buildings • guiding principles or processes the Council will follow to ensure that it pursues the most fitting response in any particular situation • enforcement action related to DAI buildings and s124 notices • a statement covering the recording of the status of DAI buildings via a register and whether this information will be disclosed in any land information memorandum or, where it affects any proposed building work, whether the information should be disclosed in a project information memorandum • the implications for other Council policies. For example, Council's housing policy which may consider the case where the cost of short-term disruption arising from the evacuation of a building may be greater than the long-term danger • the economic impact of the DAI buildings policy. For example, the costs of any action required to reduce or remove dangerous or insanitary conditions in affected buildings in the broader social and economic context of the community • stating the interaction between DAI buildings and other provisions of the Act (ie s112-116A) • confirmation that the policy is reviewed at intervals of not more than five years, as required by s132(4) and that, if amended, a copy is provided to MBIE as specified by s132(3) • the special consultative procedure in s83 of the Local Government Act 2002 when amending or replacing the DAI buildings policy • a version history to detail dates when originally created, reviewed or amended. <p>We also recommend WDC ensure its documents include all applicable objectives and procedures (where appropriate) for the following:</p> <ul style="list-style-type: none"> • how a DAI building complaint or notification is received and actioned, including timeframes for the TA to address a complaint • identification and assessment of insanitary and affected buildings 	