



**I, Kitea Tipuna, Tumu Whakarae Chief Executive, hereby give notice that  
an Ordinary Meeting of Council will be held on:**

**Date:** Tuesday, 24 September 2024  
**Time:** 1:30pm  
**Location:** Council Chamber, Wairoa District Council,  
Coronation Square, Wairoa

# **AGENDA**

## **Ordinary Council Meeting**

### **24 September 2024**

**MEMBERSHIP:** His Worship the Mayor Craig Little, Cr Denise Eaglesome-Karekare, Cr Jeremy Harker, Cr Melissa Kaimoana, Cr Chaans Tumataroa-Clarke, Cr Benita Cairns, Cr Roslyn Thomas

The agenda and associated papers are also available on our website: [www.wairoadc.govt.nz](http://www.wairoadc.govt.nz)

For further information please contact us 06 838 7309 or by email [info@wairoadc.govt.nz](mailto:info@wairoadc.govt.nz)



**Order Of Business**

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10.1	Referral of Quote for House Rebuild - Cyclone Gabrielle .....	45



- 1 KARAKIA**
- 2 APOLOGIES FOR ABSENCE**
- 3 DECLARATIONS OF CONFLICT OF INTEREST**
- 4 CHAIRPERSON'S ANNOUNCEMENTS**
- 5 LATE ITEMS OF URGENT BUSINESS**
- 6 PUBLIC PARTICIPATION**

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed. As per Standing Order 15.1 requests to speak must be made to the Chief Executive Officer at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

**7 MINUTES OF THE PREVIOUS MEETING**

Ordinary Meeting - 27 August 2024

**MINUTES OF WAIROA DISTRICT COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA  
ON TUESDAY, 27 AUGUST 2024 AT 1:30PM**

**PRESENT:** His Worship the Mayor Craig Little (via zoom), Cr Denise Eaglesome-Karekare, Cr Jeremy Harker, Cr Melissa Kaimoana, Cr Chaans Tumataroa-Clarke, Cr Benita Cairns, Cr Roslyn Thomas

**IN ATTENDANCE:** **Kitea Tipuna** (Tumu Whakarae | Chief Executive), **Gary Borg** (Pouwhakarae – Pūtea/Tautāwhi Rangapū | Group Manager Finance and Corporate Support), **Hinetaakoha Viriaere** (Pouwhakarae Whakamahere me te Waeture | Group Manager Planning & Regulatory), **Michael Hardie** (Pouwhakarae – Hua Pūmau | Group Manager Assets and Infrastructure), **Juanita Savage** (Pouwhakarae Rātonga Hapori me te Whakawhanake | Group Manager Community Services and Development), **Frances Manase** (Kaiurungi Mana Ārahi | Governance Officer), **Henare Mita** (Māori Standing Committee) **Theresa Thornton** (Māori Standing Committee) (via zoom), **Kate Standring** (Executive Principal | Office of the Mayor/Office of the Chief Executive)

**1 KARAKIA**

The opening karakia was given by the Chief Executive, Kitea Tipuna.

**2 APOLOGIES FOR ABSENCE**

Nil.

**3 DECLARATIONS OF CONFLICT OF INTEREST**

To be declared as the agenda progresses.

**4 CHAIRPERSON'S ANNOUNCEMENTS**

The Chair, Cr Eaglesome-Karekare provided a verbal update on the Super Local Conference.

**5 LATE ITEMS OF URGENT BUSINESS**

**LATE ITEM**

**RESOLUTION 2024/71**

Moved: Cr Melissa Kaimoana

Seconded: Cr Jeremy Harker

That the reports 8.1 Microsoft Cloud, Software and Services Agreement (MCSSA) and 10.1 Local Waters Done Well (Update from the RRA) as well as the public excluded verbal updates in relation to the Climate Change and North Clyde Rebuild be received as a late items.

**CARRIED**

**6 PUBLIC PARTICIPATION**

Nil.

**7 MINUTES OF THE PREVIOUS MEETING****RESOLUTION 2024/72**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Jeremy Harker

That the minutes [and confidential minutes] of the Ordinary Meeting held on 30 July 2024 with ammendments, the Extraordinary Meeting held on 1 August 2024 and the Extraordinary Meeting held on 8 August 2024 be confirmed.

**CARRIED**

- Mr Nathan Heath from Hawkes Bay Regional Council noted that from the previous minutes on 30 July 2024 that the \$40,000 septic tank cleaning fund from the Red Cross has gone into the silt and debris fund however, this has been returned to Red Cross.

**8 GENERAL ITEMS****8.1 MICROSOFT CLOUD, SOFTWARE AND SERVICES AGREEMENT (MCSSA)****RESOLUTION 2024/73**

Moved: Cr Chaans Tumataroa-Clarke

Seconded: Cr Roslyn Thomas

The Kaiwhakahaere Ratonga | Pārongo Information Services Manager RECOMMENDS that Council Approves funding of the 2024 (3 Year) Microsoft Cloud, Software and Services Agreement (MCSSA)

Totalling: \$271,492.56 excl. with a maximum \$300,000.00 allowing for annual licensing true ups

**CARRIED**

**9 RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS**

Nil.

**10 PUBLIC EXCLUDED ITEMS****RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2024/74**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Benita Cairns

That the public be excluded from the following parts of the proceedings of this meeting at 1:59pm.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<b>10.1 - Te Reinga Bridge Rebuild Update</b>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>10.2 - Landfill capacity update</b>	<p>s7(2)(c)(i) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7



	activities	
<b>10.1 - LOCAL WATERS DONE WELL (UPDATE FROM THE RRA)</b>	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>CARRIED</b>		

<b>RESOLUTION 2024/75</b> Moved: Cr Denise Eaglesome-Karekare Seconded: Cr Jeremy Harker That Council moves out of Closed Council into Open Council at 3:25pm.	<b>CARRIED</b>
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The closing karakia was given by the Chief Executive, Kitea Tipuna closing the meeting at 3:26pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 24 September 2024.

### Council (Ordinary and Extraordinary) - Actions Sheet

<u>MEETING THE ACTION WAS RAISED IN</u>	<u>ACTION</u>	<u>OFFICER RESPONSIBLE</u>	<u>COMMENTS</u>	<u>STATUS</u>	<u>PUBLIC EXCLUDED</u>
12/03/2024	Update on the QRS internship advertising/applications	Kitea Tipuna		In progress	No
30/07/2024	ByLaw review: Provide a review projection highlighting tracked changes	Hine Viriaere and Michael West			No

.....  
**CHAIRPERSON**

## 8 GENERAL ITEMS

### 8.1 INSURANCE FOR UNDERGROUND INFRASTRUCTURE FOR THE YEAR ENDING 31 OCTOBER 2025

**Author:** Gary Borg, Pouwhakarae – Pūtea / Tautāwhi Rangapū Group Manager Finance and Corporate Support

**Authoriser:** Kitea Tipuna, Tumu Whakarae Chief Executive

**Appendices:** 1. Renewal Letter from LAPP [↓](#)

#### 1. PURPOSE

- 1.1 The purpose of this report is to seek Council's approval to continue with its membership of the Local Authority Protection Programme (LAPP) for the year ending 31 October 2025.

#### RECOMMENDATION

The Group Manager Finance and Corporate Support RECOMMENDS that Council approves expenditure of \$138,195.74 for LAPP membership for the year ended 31 October 2025.

#### EXECUTIVE SUMMARY

#### 2. BACKGROUND

- 2.1 This matter is referred to Council because the financial commitment proposed exceeds officer delegation.
- 2.2 Council participates in insurance renewal negotiations with the Hawke's Bay 5 Councils Shared Services Group via collective tender with MWLASS and BOPLASS.
- 2.3 Council is currently a member of the Local Authority Protection Programme (LAPP), which covers 40% of the value of Council's underground infrastructure for damage caused by a natural disaster, while the remaining 60% would theoretically be covered by a claim for essential infrastructure through the National Emergency Management Agency (NEMA).
- 2.4 A member must give 2 months' notice to leave the programme. A letter from LAPP outlining the details of the renewal is attached as **Appendix 1**.
- 2.5 Council is still going through a claim relating to Cyclone Gabrielle through which a modest recovery is anticipated.

#### 3. OPTIONS

- 3.1 Continue with LAPP membership as quoted.
- 3.2 Cancel membership and 'self-insure'.
- 3.3 Seek alternative insurance provider.
- 3.4 Change the level of asset coverage.

- 3.5 Under option 1 Council would effectively be buying \$40 million of protection at \$0.003 for every \$1 of asset value.
- 3.6 Under option 3.2 Council would avoid \$138,195.74 of expense but significantly increase its exposure to unaffordable asset reinstatement costs. At some levels this could be attractive. Although there is no question that Cyclone Gabrielle was a catastrophic event for the district and the region, the impact on the water network assets was moderate. The total cost of restoration may be little more than \$0.5 million and with the parameters described in 2.3 and 2.5 the amount recovered could be just \$100,000, less than the annual contribution. Council could access sufficient debt capacity to be able to borrow to reinstate the equivalent portion of its entire pipe network but the cost of servicing such debt would likely be prohibitive.
- 3.7 Due to its bulk buying arrangements described in 2.2, it is unlikely that Council would be able to secure a competitive price, if any, if it pursued option 3.3. This would only be attractive if Wairoa had an unusual risk profile that could provide some offsets to the market. The impacts of Cyclone Gabrielle indicate this is not the case.
- 3.8 Option 3.4 is viable, but a review was undertaken from an asset management perspective in 2021 and the recommendations from that were enacted. Any further reductions in scope would be arbitrary and would increase the risk profile per 3.6.
- 3.9 The preferred option is *3.1 Continue with LAPP membership as quoted*, this contributes to the following community outcomes:

Cultural wellbeing	Economic wellbeing	Social Wellbeing	Environmental Wellbeing
Valued and cherished community.	Strong and prosperous economy.	Safe, supported and well-led community.	Protected and healthy environment

#### 4. CORPORATE CONSIDERATIONS

##### What is the change?

- 4.1 This is a business-as-usual decision.

##### Compliance with legislation and Council Policy

- 4.2 Insurance expense is allowed for in the Long-term Plan 2024-27, there is sufficient budget available for this expense.
- 4.3 Placing insurance is consistent with Council's Risk Management Policy

##### What are the key benefits?

- 4.4 The cover provides Council with financial protection against unforeseen adverse events

##### What is the cost?

- 4.5 The total cost for this commitment is \$138,195.74. This amount represents a 24% increase in the cost for the year ending 31 October 2025, the components of this are market price escalations, increase in capital underwriting sought and an increase in asset valuations.

**What is the saving?**

4.6 Not applicable

**Service delivery review**

4.7 Not applicable

**Māori Standing Committee**

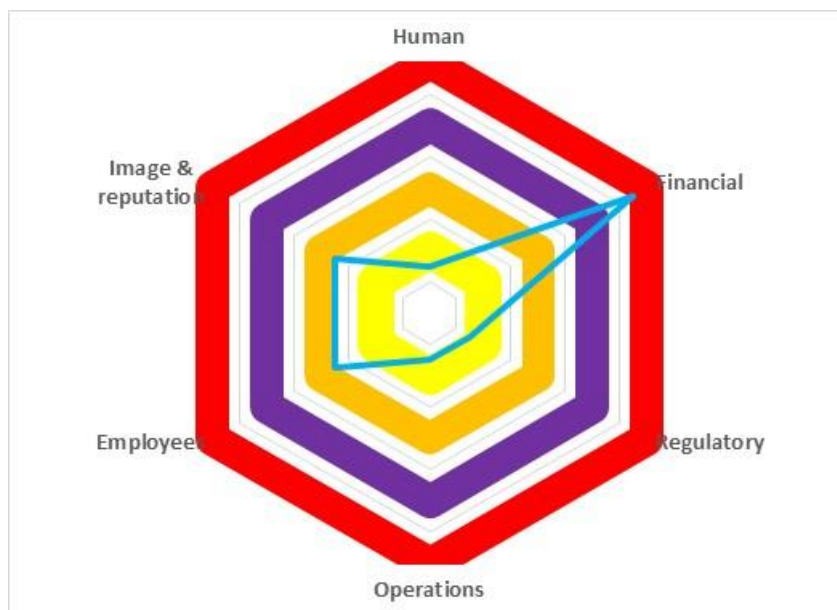
4.8 This kaupapa has no particular cultural implications.

**5. SIGNIFICANCE**

5.1 As part of normal operations this matter is assessed as being of low significance.

**6. RISK MANAGEMENT**

6.1 In accordance with the Council's Risk Management Policy the inherent risks associated with this matter are:

**Who has been consulted?**

As an operational matter no consultation is necessary.

**References (to or from other Committees)**

This matter is generally considered at least annually by Council.

**Confirmation of statutory compliance**

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Wairoa District Council  
Gary Borg  
PO Box 54  
Wairoa 4160



7 August 2024

Dear Gary

**Your Member Contribution for Yearly Renewal of Cover Commencing 1 November 2024**

The next LAPP annual renewal date is 1 November 2024. As LAPP has a two-month withdrawal notice requirement this would mean if you were intending to withdraw from the Fund from this next annual renewal date you would have to provide LAPP with your written notice of withdrawal before 1 September 2024.

As such we are advising you now of your Council's LAPP membership contribution for the 2024-25 year which is providing cover for the period 1 November 2024 up to and including 31 October 2025.

At the pre-renewal presentations held on 24<sup>th</sup> and 26<sup>th</sup> June 2024 we shared the findings of the completed loss modelling analysis that LAPP commissioned Aon Global Risk Consulting (New Zealand) to undertake on its behalf. This showed that LAPP needs to increase its Probable Maximum Loss (PML) cover limit from the existing \$170 million to \$400 million. As we advised at these presentations, that is the new level of cover that LAPP will be applying for.

To smooth the implementation of the required increase in member's contributions to accommodate for this increase in cover we will, as requested by LAPP's members, increase LAPP's new increased cover limits in a two-step process over the next two renewal dates 1 November 2024 and 1 November 2025.

The PML cover limit LAPP will be applying to secure for the next renewal period commencing 1 November 2024 will increase from the existing \$170 million to \$300 million, and then increase from \$300 million to \$400 million for the subsequent renewal period commencing 1 November 2025.

On the understanding LAPP has secured this increased PML cover limit level of \$300M for the next renewal period commencing from 1 November 2024, LAPP will have cover for two events of up to an amount of \$300 million for each event. If LAPP was to suffer two events that triggered a re-insurance claim in this renewal period LAPP would proactively seek to buy additional re-insurance cover.

At the recent pre-renewal presentations, we advised that the estimated increase in member contributions for each of the next two-year renewal dates to absorb this increase would not exceed 30%.

Your Council's LAPP membership contribution for this year's renewal period commencing 1 November 2024 is \$138,195.73 plus GST. This compares to last year's annual contribution commencing 1 November 2023 of \$111,786.24 plus GST.



Your recently declared asset valuation which is being used for this renewal period from 1 November 2024 to 31 October 2025 is \$100,465,034.10. This compares to a value of \$93,455,845.67 for the previous period from 1 November 2023 to 31 October 2024.

The new contribution reflects the change in your declared asset valuation, plus a 15% increase in contribution rate. This is made up by an 8% increase in the base-rate to accommodate the increased level of LAPP's new PML cover limit, and a 7% general market increase in reinsurance cost as advised by our broker, Aon New Zealand. The estimated increase for the following renewal period commencing 1 November 2025 for the base-rate in contribution and general market increase is not expected to exceed this year's 15% increase.

Your Council's claim threshold for this period of cover is \$250,000.00 and claim deductible is \$100,000.00. The claim threshold is the amount of damage which must be reached before a member can make a claim, and the deductible is the amount the member pays towards the claim for their 40% share once the threshold has been reached.

We will be issuing you with two invoices for this renewal period, each representing 50% of your annual contribution. The first invoice will be issued before the end of September 2024 with payment being required by 20 October 2024. Your second invoice will be issued before the end of March 2025.

If you have any questions arising from this letter, please let me know.

Your sincerely



Ian Brown  
Civic Financial Services  
LAPP Administration Manager  
Email: [ian.brown@civicfs.co.nz](mailto:ian.brown@civicfs.co.nz) DDI: (04) 978 1263

**8.2 WAIROA RECOVERY UPDATE SEPTEMBER 2024**

**Author:** Steve Baker, Tautoko Whakaora - Recovery Support

**Authoriser:** Gary Borg, Pouwhakarae - Putea Tautawhi Rangapu | Group Manager Finance and Corporate Support

**Appendices:** Nil

**1. PURPOSE**

- 1.1 To update Council on the progress of the Cyclone Gabrielle recovery program to [14 September 2024](#).

**RECOMMENDATION**

The Tautoko Whakaora - Recovery Support RECOMMENDS that Council receive the report.

**2. BACKGROUND**

- 2.1 At 0515 Hrs Tuesday 14 February 2023, Hawke's Bay region declared a State of Local Emergency due to the flooding effect of Cyclone Gabrielle. At 0843 Hrs, the Minister for Emergency Management declared a State of National Emergency to assist in the response. The declaration applied to Northland, Auckland, Tairāwhiti, Bay of Plenty, Tararua District, Waikato, and Hawke's Bay.
- 2.2 Cyclone Gabrielle resulted in extensive flooding across the north and east of the North Island. Major flooding occurred in the Wairoa District as the Wairoa River and numerous tributaries overtopped their banks, causing flooding into residential areas, and cut off rural communities. There was extensive surface water flooding across the district in all catchments.



- 2.3 The impact of Cyclone Gabrielle to whānau, where, whenua, and our pātaka has been destructive and devastating. The consequences are felt by everyone and every

community in our rohe. No one is unaffected. We expect, based on other New Zealand flood events, that the social and economic consequences will worsen in the upcoming months and years.

- 2.4 The key area of impact in the Wairoa District was in the north of Wairoa with the river breaching its banks on the north-western side of the town and flooding the rural areas of Waihirere and Ruataniwha, and urban area of North Clyde. There were however floods in Awamate - on the other side of the river, Frasertown, Whakakī, Nuhaka and Mahia, where damage to homes was more limited.
- 2.5 There was also significant damage to the landscape, rural properties, and the primary sector, including horticulture, cropping, dairy, sheep and beef, and forestry. Many farms have limited access to and within their properties due to farm tracks being cut off or washed out. Water damage, erosion and silt deposition have damaged fences, access tracks, water infrastructure, destroyed crops (particularly maize and squash) and silage/hay loss and caused damage to ancillary farm buildings and dairy sheds. There has been significant pasture loss.

#### **KEY MESSAGES – 14 SEPTEMBER 2024**

##### **North Island Weather Event funding administered by MPI**

- 2.6 At its February 2024 meeting Council requested the Recovery Team additional information on placarded homes.

##### Status of Stickered homes

Category	Peak March 2023	Rain Event 23 Nov 2023	As at 10 Sept 2024	Movement from June Update
Green			133	4
White	198		136	(4)
Yellow	146	16	86	-
Red	2	2	3	-

Explanation of the different Placard types can be found at:

<https://www.building.govt.nz/assets/Uploads/managing-buildings/post-emergency-building-assessment/rapid-building-assessment-placards-and-forms-quick-guide.pdf>

- 2.7 Information obtained from our Kaimanaaki by visiting impacted properties, and discussions with other agencies operating in this space is that there are.

Yellow placarded houses rebuild listed by lead Agency managing rebuild.	Number	Comment
Recovery Team	23	
TToTW	20	
Church of Latter-Day Saints	4	
Non-Contactable	7	
Ownership Challenges	11	Trusts/absent homeowners/deceased



		estates
Jehovah Witness (JHW)	1	
Awaiting Final Inspection	80	Generally, require minimal assistance
<b>Sub total</b>	<b>146</b>	
Fully Insured	65	
With insurance challenges	18	Insurance challenges include underinsured and bank mortgage capture of insurance monies
<b>Total</b>	<b>229</b>	

- 2.8 In May 2024 a project manager was appointed to the rebuild programme to provide additional impetus and a strategic overview. It is anticipated that, with the support of elected members, a defined schedule of works will facilitate securing additional external funding to complete the programme. An initial discovery exercise culminated in the presentation of a 'Way Forward' Proposal, containing the following phases:

June – August 2024	Phase 1 - Establishment Development of project team and support structure.
July – September 2024	Phase 2 - Allocation and assessment. Communicate with rebuild providers allocate housing. Note a prioritisation model has been in use for some time to assist in determining priority of rebuilds.
August 2024 – June 2025	Phase 3 – Rebuild Implementation, monitoring, and closure. Allocate tasks and all trades; Track progress; Close off sites.

Over the August period, the remaining yellow placarded houses have been re-assessed with the rebuild programme prioritised to ensure uninsured houses not within the Tatou Tatou or LDS programs are assessed.

This work is underway with three high priority properties progressing rebuild proposals and the remaining nine properties being assessed on a case by case basis according to need and available budget.

#### **North Island Weather Event funding administered by MPI**

- 2.9 It has been a dynamic process with deliverables changing after considering community feedback. There has also been the need to try and fund greater levels of historical response expenditure that were unable to be funded through other avenues.

#### Isolated Community fund:

- \$ 7,000 initial recovery plan

- \$ 87,000 in funding Welfare claims not covered by NEMA.
- \$ 14,000 MPI project back-office costs including administration and support.
- \$ 45,000 for Recovery Plan reset.

With the repurposing of the planned mobile hubs to communities there is a \$95,000 surplus in this fund.

#### Community Hubs Project:

The locations for the remaining EPOD's have been finalised with the communities where they will be positioned. With all EPOD's scheduled for delivery by the end of the month.

Hub	20ft EPOD	10ft EPOD	Fit-out	Status
Te Reinga /Marumaru	✓		Red Standard	Construction
Mangapoike Road Tukemokihi Station	✓		Red Standard	Construction
Putere (wider community)	✓		Adjusted for additional radios.	Construction
Willowflat Road (Upper)		✓	Red Standard	Construction
Willowflat Road (Lower)		✓	Red Standard	Construction
Kotemāori	✓		Red Standard	Located at Airport
Glenbrook Road		✓	Red Standard	Located at Airport
Papnui Station		✓	Red Standard	Located at Airport

- Water tank has been installed at Putere.
- First Aid training for 100 whanau has been budgeted for, but yet to be delivered.
- We currently forecast a surplus of funds of approximately \$43,000 that will need to be assigned or returned. Discussions have commenced on this matter. Funds cannot be held over for replenishment of EPOD's

#### **Silt and Debris Fund**

- 2.10 Initial conversations have been held with HBRC representatives regarding the potential to utilise a section of this fund to assist Council in creating a new landfill cell. The feedback received to date is encouraging. However, it will not be able to fully fund such a project. Recovery is in the process of writing a paper to HBRC outlining the rationale behind the request and how it complies with the Silt & Debris Agreement.

There is also a plan to remediate the landfill silt site. We are seeking assistance to get this priced up for us.

Once again time is of the essence. There is only 120 days until the fund is currently due to be closed. Political lobbying will be required if we wish to see the fund extended beyond the end of December 2024 or repurposed.











### Flood Mitigation















- 2.11 Flood Mitigation. Senior Project Manager Steve Fabish has been appointed as well as Crown Manager Lawrence Yule. Work is progressing on fine tuning the options.














### DIA Funding











- 2.12 We have approached DIA to outline the need for further funding in 2024/25. The application was submitted on the 30th of May. We await the response which was expected mid-September 2024.
- 2.13 The Recovery Plan consists of several, independent or at times interlinked, work-packages many of which are underway concurrently. Section 3 of this report provides a high-level 'Dashboard' overview of each of these work-packages to the 14<sup>th</sup> of September 2024 as well as a forecast out to June 2025. There is also a narrative for each highlighting milestones to date, as well as an explanation of where we are heading in the future. It is hoped that elected members will be able to use this report as a resource when talking to members of the community.





















## 3. DASHBOARD











Work-Package	Lead	Work-Package Status				
		Scope	Resources	Schedule	Cost	Confidence
<b>The EOC (emergency Operations Centre).</b>	Local Controller					
		To 14 Sept 2024	Forecast spend to 30 June 2025			
	Expense	\$247,000	-			
	External Funding	Council Funded	-			
	Milestones to 14 September 2024					
	Some \$247,000 in costs remain with Council. Of this \$61,000 was to external suppliers with the remaining \$186,000 being staff wages and salaries.					
<b>NEMA – Welfare</b>	Local Controller					
		To 14 Sept 2024	Forecast spend to 30 June 2025			
	Expense	\$481,000	-			
	External Funding	\$480,000	-			
	Milestones to 14 September 2024					
	\$480,000 in funding has been received from NEMA and other agencies such as NZ Police FENS etc against expenditure of \$480,000.					
	\$1,000 in expenditure did not qualify for external funding.					

Work-Package	Lead		Work-Package Status				
			Scope	Resources	Schedule	Cost	Confidence
			Where possible costs have been submitted for third party funding. The above position reflects the status at the conclusion of that process.				
			Future Milestones				
			Fund is now closed				
Recovery office	Wairoa Manager	Recovery					
			To 14 Sept 2024		Forecast spend to 30 June 2025		
	Expense	\$23,000	\$12,000				
	External Funding	\$25,000	\$12,000				
	Milestones to 14 September 2024						
	Funding of \$25,000 has been obtained to date. Where possible costs have been reassigned to externally funded work packages such as the Recovery Hub and the DIA funding for works identified by the recovery Manager to successfully engage with the impacted communities.						
	Future Milestones						
	Community Compass Licence at \$1,000 per month.						
	Additional funding has been applied for from HBRC for 2024/25						
	Recovery Hub	Wairoa Manager	Recovery				
To 14 Sept 2024				Forecast spend to 30 June 2025			
Expense		\$238,000	\$29,000				
External Funding		\$250,000	TBD				
Milestones to 14 September 2024							
Funding has been obtained from DIA for \$250,000. This is used to fund Recovery staff employed by Council. Prior to receiving this funding, The Recovery Manager salary sits under the DIA funding it covers any salary since the appointment and is also forecast in the Recovery Office budgets.							
No Council funding has been required for this Work Package it is entirely funded by the DIA.							
The surplus under this fund offsets the deficit under the Community Hui Fund below.							
We have approached DIA to outline the need for further funding in 2024/25. The application was submitted on the 30 <sup>th</sup> of May. It is envisaged that the resourcing of the recovery office will be scaled back for 2024/25.							
Future Milestones							
Forecasts expenditure include Pataka lease to September 2024 and consultancy support.							
We await the response from DIA expected in mid-August.							
Community Communication, Engagement and Hui	Wairoa Manager	Recovery					
			To 14 Sept 2024		Forecast spend to 30 June 2025		
	Expense	\$567,000	257,000				
	External Funding	\$450,000	TBD				
	Milestones to 14 September 2024						
Funding received from DIA \$450,000 so programme can be resourced. Recovery Manager meets regularly with Mary Wilson from DIA to ensure that all funding used from this fund is allocated as per the requirements of DIA.							

Work-Package	Lead	Work-Package Status						
		Scope	Resources	Schedule	Cost	Confidence		
		<p>No Council funding has been required for this Work Package it is entirely funded by the DIA.</p> <p>The deficit under this fund is offset by the surplus under the Recovery Hub Fund above. Where Possible costs have be transferred to the MPI fund.</p> <p>We have approached DIA to outline the need for further funding in 2024/25. The application was submitted on the 30<sup>th</sup> of May.</p> <p>Future Milestones</p> <p>Forecast is based on Payroll and Communications @ 28k per month.</p> <p>We await the response from DIA expected in mid-September.</p>						
Mayors Fund	Wairoa Manager	Recovery						
			To 14 Sept 2024	Forecast spend to 30 June 2025				
	Expense	\$1.10m	\$0.45m					
	External Funding	\$1.55m						
	Milestones to 14 September 2024							
	<p>Some \$1.10m has been distributed to date with a further \$0.45m on hand to distribute. Small donations continue to come in spasmodically.</p> <p>\$500,000 of funding has been repurposed to the rebuild and has been isolated.</p> <p>An additional 78,000 was received from First Light.</p> <p>Future Milestones</p> <p>Distribute the remaining balance of the Mayoral Fund in 2024/25</p>							
	Red Cross-Liveable Homes	Wairoa Manager	Recovery					
				To 14 Sept 2024	Forecast spend to 30 June 2025			
		Expense	\$0.66m	\$0.45m				
		External Funding	\$1.1m	-				
Milestones to 14 September 2024								
<p>There are still unknowns, and now we have people in the team who are trying to fill in the gaps as quickly as we can. We are working across the community agencies to help us do this.</p> <p>There are also a number who are underinsured, and others who are uninsured due to the cost of insurance.</p> <p>To add to the complexity there are a few different players operating in this space, not necessarily observing the same protocols.</p> <p>\$40k in septic tank costs have been relocated from this fund to the Silt and Debris fund following a meeting with HBRC in July. This frees up this amount for other purposes.</p> <p>Future Milestones</p> <p>This work is underway with three high priority properties progressing rebuild proposals and the remaining nine properties being assessed on a case by case basis according to need and available budget.</p>								
MPI – Isolated Communities		Wairoa Manager	Recovery					
				To 14 Sept 2024	Forecast spend to 30 June 2025			
			Expense	\$147,000	\$93,000			

Work-Package	Lead	Work-Package Status				
		Scope	Resources	Schedule	Cost	Confidence
	External Funding	\$250,000	-			
	<p>Milestones to 14 September 2024</p> <p>The Isolated Community fund has been fully consumed. It includes:</p> <ul style="list-style-type: none"> <li>\$ 7,000 initial recovery plan</li> <li>\$ 87,000 in funding Welfare claims not covered by NEMA.</li> <li>\$ 14,000 MPI project back-office costs including administration and support.</li> <li>\$ 96,000 for 2 10ft mobile EPODS (not the contents)</li> <li>\$ 45,000 for Recovery Plan reset.</li> </ul> <p>Future Milestones</p> <p>With the repurposing of the mobile EPOD's some \$93,000 of this fund has been freed up.</p> <p>Based on actual expenditure the variation provides for expenditure to be transferred between the two NIWE funds based on objectives.</p>					
MPI - Community Hub Resilience	Wairoa Recovery Manager					
		To 14 Sept 2024	Forecast spend to 30 June 2025			
	Expense	\$613,000	\$187,000			
	External Funding	\$800,000	-			
	<p>Milestones to 14 September 2024</p> <p>One community has secured its own funding this impacts funding from DIA as the grant is limited to \$100,000 per hub.</p> <p>3 EPOD's delivered to date with the remaining 4 scheduled for the end of September. Water Tank for Putere has been installed.</p> <p>Future Milestones</p> <p>We are having a reset in the Community Hubs Project to ensure maximum delivery from this fund and eliminate potential duplication with other providers in the district. Once completed final orders will be placed.</p> <p>Provision has also been made under this grant for:</p> <p>First aid training of Whanau \$34,000</p> <p>There is \$52,000 available under this fund.</p>					
Temporary Accommodation Solutions (TAS) MBIE	WDC Building Control, Enabled Wairoa, TToTW					
		To 14 Sept 2024	Forecast spend to 30 June 2025			
	Expense	\$176,000	-			
	External Funding	\$174,000	-			
	<p>Milestones to 14 September 2024</p> <p>TAS placement of units has slowed down considerably as demand has decreased. TToTW POD placements have remained steady and is progressing well.</p> <p>Future Milestones</p> <p>Based on reduced requests our part in this service is reducing also</p> <p>Staff are investigating the which expenditure has not been reimbursed by MBIE and a claim will be submitted.</p>					

Work-Package	Lead	Work-Package Status				
		Scope	Resources	Schedule	Cost	Confidence
Land Categorisation	Mayor & CE					
	Milestones to 14 September 2024					
	Land Classification project is linked to the outcome of the flood protection project.					
Flood Mitigation	Mayor & CE					
	Milestones to 14 September 2024					
	Treasury has confirmed that \$70m has been ring-fenced for Wairoa flood mitigation.					
	Options have been presented in Wairoa.					
	<a href="#">Flood Mitigation. Senior Project Manager Steve Fabish has been appointed as well as Crown Manager Lawrence Yule. Work is progressing on fine tuning the options.</a>					
	Future Milestones					
	Significant inherent programme management risks and exposure to cost overruns. Income and Expenditure is not being processed through Council but HBRC. The implications for properties that would be adversely affected by the solutions considered ‘practicable’ are causing significant concerns.					
NEMA - Solid Waste Management Fund	WDC GM Assets & Infrastructure					
		To 14 Sept 2024	Forecast spend to 30 June 2025			
	Expense	\$1.24m	-			
	External Funding	\$1.48m	-			
	Milestones to 23 July 2024					
	Councils Claims have been accepted. This work package is now closed. The difference between Income and expenditure of \$240,000 represents ratepayer funding percentage of the Landfill Activity not covered by fees and charges (Refer Councils RFP) and applied to this work-package. NEMA has agreed to reimburse that amount.					
	This fund is now closed.					
HBRC - Extreme Weather Event Recovery Activity (Silt)	WDC GM Assets & Infrastructure					
		To 14 Sept 2024	Forecast spend to 31 December 2024			
	Expense	\$5.18m	\$1.6m			
	External Funding	\$7m	Unknown			
	Milestones to 23 July 2024					
	A total of \$9.4M has been secured and is ringfenced for this work. \$7m has been paid and we have good reporting lines and tracking data for silt. High confidence that \$9.4M will be fully utilised. No overruns envisaged at this stage however potential asbestos issues and associated costs remain a risk to budget.					
	Silt cleared from storage areas such as the Railway yard.					
<a href="#">\$40k of Septic tank cleaning costs have been accepted under this fund and therefore transferred out of the Red Cross work-package freeing up \$40k under that fund.</a>						
Future Milestones						
Debris from stripping houses expected to increase over coming months. Potential asbestos issues and associated costs remain a risk to budget.						
<a href="#">Initial conversations have been held with HBRC representatives regarding the potential to utilise a</a>						

Work-Package	Lead	Work-Package Status				
		Scope	Resources	Schedule	Cost	Confidence
		<p>section of this fund to assist Council in creating a new landfill cell. The feedback received to date is encouraging. However, it will not be able to fully fund such a project. Recovery is in the process of writing a paper to HBRC outlining the rationale behind the request and how it complies with the Silt &amp; Debris Agreement.</p> <p>There is also a plan to remediate the landfill silt site. We are seeking assistance to get this priced up for us.</p> <p>Once again time is of the essence. There is less than 100 days until the fund is currently due to be closed. Political lobbying will be required if we wish to see the fund extended beyond the end of December 2024 or repurposed.</p>				
Infrastructure – Roading	WDC GM Assets & Infrastructure					
		To 14 Sept 2024	Forecast spend to 30 June 2025			
	Expense	\$47.4m	Unknown			
	External Funding	\$41.4m <sup>+</sup>	Unknown			
	Milestones to 23 July 2024					
	<p>The initial \$16m response funding has been used well to get access back in most locations, and to help with cashflow, a cost-scope adjustment request has been made and Council were successful in securing \$31m extra at 100% FAR. Funding for final reinstatement is being discussed with Waka Kotahi, likely to require Council share. Crown funding allocated for Te Reinga Bridge repair \$14m. if the cost of repair exceeds \$14m then the difference will be at Councils expense. Continual rain events are hampering progress.</p> <p>Council has received funding of \$200,000 towards the Te Reinga Bridge Project Management</p> <p>Future Milestones</p> <p>There is a drive to get this work complete before as soon as possible, as the way forward beyond this date is uncertain.</p>					
Infrastructure – 3 waters	WDC GM Assets & Infrastructure					
		To 14 Sept 2024	Forecast spend to 30 June 2025			
	Expense	\$1.05m	Depends on Pond Survey			
	External Funding	\$0.5m	Subject to insurance approval			
	Milestones to 23 July 2024					
	<p>NEMA have finalised the threshold for Wairoa District Council \$324,995 for 60/40 government funding threshold, based on WDC confirmation of the capital value of the rating units at \$4,333,259,830.</p> <p>Damage has been incurred on both above ground assets, which are insured through AON, and below ground assets which are insured through LAPP.</p> <p>AON has made an initial payment of \$500,000. Final claims for LAPP and AON are being worked through with loss adjustors.</p> <p>The main action point from the December quarterly Report to NEMA was in relation to the progress on the Wairoa wastewater pond desludging.</p> <p>June 2024 quarterly Report to NEMA has been submitted.</p> <p>Future Milestones</p> <p>Parklink have been engaged to carry out sludge surveys on the Wairoa and Māhia ponds to determine quantum of silt ingress and have provided their initial report.</p> <p>The Governments 60/40 infrastructure assistance programme relates only to underground infrastructure such as water and wastewater pipes. As such, any removal of silt in the Wastewater ponds falls under Councils material damage insurance policy managed through AON. There will be an</p>					



Work-Package	Lead	Work-Package Status				
		Scope	Resources	Schedule	Cost	Confidence
		element of betterment of any desludging which Council will need to fund.				
		Staff are working with Assessors to lodge claims by the end of September 2024.				

## Key

	Green	Amber	Red
<b>Scope</b>	Current approved in-scope items can be delivered in full	Minor changes to core specification of quality of capability that will be delivered	Major changes to core specification of quality or capability that will be delivered
<b>Costs</b>	Variance between Total Approved Spend and Total Forecast Spend for the approved phase/s within +/- 5% of approved spend up to a value of \$50k	Variance between Total Approved Spend and Total Forecast Spend for the approved phase/s within +/- 10% of approved spend up to a value of \$100k	Variance between Total Approved Spend and Total Forecast Spend for the approved phase/s is greater than +/- 10% of approved spend or greater in value of \$100k
<b>Schedule</b>	Major milestones remain on track to meet the approved timelines	Major milestones are at risk however mitigating activities are in place in an effort to meet the approved dates	There is certainty that Major milestones have missed or will miss the approved dates
<b>Resourcing</b>	Workpackage resourced adequately and project team is performing to a high standard	Workpackage resourcing will cause a slip to schedule or cost or variance in scope if not	Workpackage resourcing is causing variance to schedule, cost or scope
<b>Confidence</b>	The overall confidence that the workpackage will deliver on its aims and objectives within scope, on cost, and on schedule	There are concerns that the workpackage may not deliver on its aims and objectives within scope, on cost, and on schedule. There are mitigation strategies in place to bring the workpackage back to "green"	There are significant issues in one or more of areas of scope, cost, or scheduling. The Workpackage is unlikely to achieve its objectives. There are mitigation strategies in place will not bring the workpackage back to "green"

**8.3 ANNUAL DOG CONTROL POLICY AND PRACTICES REPORT**

**Author:** Hinetaakoha Viriaere, Pouwhakarae - Whakamahere me te Waeture | Group Manager Planning and Regulatory

**Authoriser:** Kitea Tipuna, Tumu Whakarae Chief Executive

**Appendices:** 1. Annual Dog Control Policy and Practices Report 2023/2024 [↓](#)

- 1.1 To adopt the reports on Council's Dog Control Policy and Practices for the period 1 July 2023 to 30 June 2024 as required by section 10A of the Dog Control Act 1996 (DCA).

**RECOMMENDATION**

The Pouwhakarae - Whakamahere me te Waeture | Group Manager Planning and Regulatory RECOMMENDS that Council pursuant to section 10A of the Dog Control Act 1996, Council adopts the Annual Report on Dog Control Policy and Practices 2023 to 2024.

**BACKGROUND**

- 1.2 The reason the report has come before the Council is due to the requirement of Section 10A of the Dog Control Act 1996 to prepare a report on Dog Control Policy and Practices annually for each year ending 30 June. Following adoption, Council must give public notice that the report has been adopted, notify the Secretary of Local Government, and make the report publicly available online.

**2. REPORT**

- 2.1 The Annual Reports on Dog Control Policies and Practices 2023/2024 (Appendix 1) and has been prepared in accordance with Section 10A of the Dog Control Act 1996. The Report provides information on:
- The number of registered dogs,
  - Probationary and disqualified owners,
  - Dogs classified as dangerous or menacing,
  - Infringement notices,
  - Complaints received, and
  - Prosecutions taken in or by the territorial authority.

**3. OPTIONS**

- 3.1 The options identified are:
- a. Council adopts the Annual Report on Dog Control Policy and Practices 2023/2024.
  - b. Not to receive the reports.
- 3.2 Option a – Pursuant to section 10A of the Dog Control Act 1996, Council adopts the Annual Report on Dog Control Policy and Practices 2023 to 2024.
- 3.2.1. There is a legislative requirement for Council to adopt an Annual Report on Dog Control Policy and Practices for each year ending 30 June and to make the report

publicly available. The reports are submitted for adoption in accordance with those legislative requirements.

3.2.2. If adopted the Annual Dog Control Policy and Practices Report 2023/2024 will be publicly notified in the Council website, and will be made publicly available on Council's website, and

3.2.3. That the Secretary for Local Government is advised that the Annual Dog Control Policy and Practices Report for 2023/2024 have been published in accordance with Section 10A of the Dog Control Act 1996, and Section 5(1) of the Local Government Act 2002.

3.3 Option b - To not receive the report.

3.3.1. Not accepting the reports will cause Council to not comply to its statutory requirements.

3.4 The preferred option is (a) Council adopts the Annual Report on Dog Control Policy and Practices 2023/2024, this contributes to the following community outcomes:

Cultural wellbeing	Economic wellbeing	Social Wellbeing	Environmental Wellbeing
Valued and cherished community.	Strong and prosperous economy.	Safe, supported and well-led community.	Protected and healthy environment

#### 4. CORPORATE CONSIDERATIONS

##### Compliance with legislation and Council Policy

4.1 Section 10A of the Dog Control Act 1996 requires a report on Dog Control Policy and Practices annually for each year ending 30 June.

4.2 Under the Dog Control Policy, Statement 19 sets that Council must do these reports as per the Dog Control Act.

##### What are the key benefits?

4.3 Compliance with Councils reporting requirements under Section 10A of the Dog Control Act 1996 and Statement 19 of the Dog Control Policy.

##### Māori Standing Committee

4.4 This matter has not been referred to the Māori Standing Committee.

#### 5. SIGNIFICANCE

5.1 The adoption of the attached Annual Report is an administrative function required of Council under the Dog Control Act 1996 and is therefore of low significance.

5.2 Public consultation is not required. It is a legislative requirement under the Dog Control Act 1996 that following adoption the Annual Report must be notified and made publicly available online.

**6. RISK MANAGEMENT**

6.1 In accordance with the Council's Risk Management Policy the inherent risks associated with this matter are: Low

Human	Financial	Regulatory
L	L	M
Operations	Employees	Image & Reputation
L	L	M

**Confirmation of statutory compliance**

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

# DOG CONTROL POLICY & PRACTICES REPORT

01 JULY 2023-  
30 JUNE 2024



**WAIROA**  
DISTRICT COUNCIL

<b>Stored:</b>	Hyperlink
<b>Approved by:</b>	Council (tbc)
<b>Department:</b>	Regulatory
<b>Author:</b>	Compliance and Licensing Manager
<b>Date Approved:</b>	
<b>Related policies:</b>	Dog Control Policy Dog Control Bylaw
<b>Related forms:</b>	

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PURPOSE

To give visibility over Council’s Dog Control Policy and Practices for the period 1 July 2023 to 30 June 2024 as required by section 10A of the Dog Control Act 1996 (DCA).

- Section 10A of the DCA requires territorial authorities to publicly report each financial year on:
- the administration of their dog control policy and their dog control practices (Section 10A(1)); and
  - a variety of dog control related statistics (Section 10A(2)).

OVERVIEW

Council is responsible for the enforcement of regulations relating to the keeping, welfare and control of dogs within the Wairoa District. Council is required under the DCA to make provision for the control of dogs and the damage they can cause. Impounding of dogs is an activity required by the provisions of the DCA and associated Wairoa District Council Public Safety Bylaw, Dog Control Bylaw and Dog Control Policy.

The Council has a responsibility to respond to complaints relating to dogs. Council’s long-term focus for dog control activities is to ensure a safe living environment is maintained through the monitoring and enforcement of legislation, regulations and bylaws.

Council adopted the Dog Control Bylaw on 22 August 2017. The purpose of the bylaw is to enable the Council to set standards to be observed by dog owners and provide controls around the keeping of dogs in the Wairoa District to minimise danger, distress and nuisance caused by dogs. Council adopted its reviewed Dog Control Policy simultaneously on 22 August 2017. The policy provides a practical framework for the care and control of dogs throughout the district while minimizing any danger, distress and nuisance to the community generally.

Wairoa District has 1,312 dog owners and 2,978 registered dogs. 4 FTE Dog Control Officers are responsible for a small urban and large rural area covering 412,000 hectares with 896 kilometres of roadway.

DOG REGISTRATION

Dog control fees are set by resolution.

DESCRIPTION	FEE (GST incl)
Dog Registration	
Class D – Dogs classified Dangerous	\$275.00 (Paid by 1 August 2023)
Class D – Dogs classified Dangerous	\$350.00 (Paid after 1 August 2023)
Class M – Dogs classified Menacing	\$215.00 (Paid by 1 August 2023)
Class M – Dogs classified Menacing	\$245.00 (Paid after 1 August 2023)
Class S – being all other dogs	\$110.00 (Paid by 1 August 2023)
Class S – being all other dogs	\$140.00 (Paid after 1 August 2023)
Class W – Working dogs	\$65.00 (Paid by 1 August 2023)
Class W – Working dogs	\$95.00 (Paid after 1 August 2023)
Class SOP - Selected Dog Owners	\$90.00 (Paid by 1 August 2023)
Class SOP - Selected Dog Owners	\$140.00 (Paid after 1 August 2023)
Impounding Fees	
First Impounding	\$110.00
Second Impounding	\$175.00



Third and Subsequent Impounding	\$215.00
Dogs impounded after 5pm and before 7am	\$215.00
Daily Sustenance Charge	\$30.00
Replace Tag	\$15.00
Destruction/Euthanasia and Disposal	\$50.00
Application to keep more than two dogs	\$30.00
Application for a Selected Owner Policy	\$30.00
Dog Control Officers time where rechargeable	\$180.00 per hour
Motor Vehicle use	\$1.40 per km
<b>Infringement offences and fees (GST inclusive) per Schedule 1 of the Dog Control Act 1996</b>	
<i>Section</i>	<i>Brief description of offence</i>
<i>Infringement fee</i>	
18	Wilful obstruction of dog control officer or ranger
	\$750.00
19(2)	Failure or refusal to supply information or wilfully providing false particulars
	\$750.00
19A(2)	Failure to supply information or wilfully providing false particulars about dog
	\$750.00
20(5)	Failure to comply with any bylaw authorised by the section
	\$300.00
23A(2)	Failure to undertake dog owner education programme or dog obedience course (or both)
	\$300.00
24	Failure to comply with obligations of probationary owner
	\$750.00
28(5)	Failure to comply with effects of disqualification
	\$750.00
32(2)	Failure to comply with effects of classification of dog as dangerous dog
	\$300.00
32(4)	Fraudulent sale or transfer of dangerous dog
	\$500.00
33EC (1)	Failure to comply with effects of classification of dog as menacing dog
	\$300.00
33F(3)	Failure to advise person of muzzle and leashing requirements
	\$100.00
36A(6)	Failure to implant microchip transponder in dog
	\$300.00
41	False statement relating to dog registration
	\$750.00
41A	Falsely notifying death of dog
	\$750.00
42	Failure to register dog
	\$300.00
46(4)	Fraudulent procurement or attempt to procure replacement dog registration label or disc
	\$500.00

DESCRIPTION		FEE
48(3)	Failure to advise change of dog ownership	\$100.00
49(4)	Failure to advise change of address	\$100.00
51(1)	Removal, swapping, or counterfeiting of registration label or disc	\$500.00
52A	Failure to keep dog controlled or confined	\$200.00
53(1)	Failure to keep dog under control	\$200.00
54(2)	Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise	\$300.00
54A	Failure to carry leash in public	\$100.00
55(7)	Failure to comply with barking dog abatement notice	\$200.00
62(4)	Allowing dog known to be dangerous to be at large unmuzzled or unleashed	\$300.00
62(5)	Failure to advise of muzzle and leashing requirements	\$100.00
72(2)	Releasing dog from custody	\$750.00

## EDUCATION

The Council advertises distributes and encourages with educational brochures on a regular basis and the use of a rural farm database to educate people in the district. Including dog ownership registrations, safety around dogs and health and care for your animals.

Dog Attack booklets distributed to Health Board and Emergency Departments and other agencies around the community.

Dog Control Officers are available on request for speaking engagements and presentations.

### Animal Education and Control information and Application information

[www.wairoadc.govt.nz/services/animal-education/dog-owners](http://www.wairoadc.govt.nz/services/animal-education/dog-owners)

**Working Dog Booklet** – this booklet is designed for new shepherds and farm owners; it can be used any time of the year to update and add new employees to the farm.

[www.wairoadc.govt.nz/assets/Uploads/Working-dog-brochure.pdf](http://www.wairoadc.govt.nz/assets/Uploads/Working-dog-brochure.pdf)

**Dog Attack Information booklet** – this is to help provide information to those who have had unfortunate circumstances of a dog attack. The booklet is provided at emergency centres and other agencies. It is provided in a sealed envelope with a pen so they may take with them to complete and return to the Council or contact Animal Control.

Brochures are regularly on the Wairoa District Facebook advising owners of their obligations and responsibilities, also promoting times of holidays and seasons to remind owners to take care of their animals at these times.

## **DOG PROHIBITED, LEASH ONLY AND DOG EXERCISE AREAS**

Council has made provision for areas where dogs are prohibited, permitted on leashes or allowed freedom for exercise purposes.

### **Prohibited Areas:**

All dogs with the exception of Disability Assist Dogs are prohibited from the following areas:

- All school grounds throughout the district
- All pre-school/kindergarten/early childhood centre facilities throughout the district
- All playgrounds throughout the district
- All sports facilities throughout the district
- Wairoa District Council buildings
- Any other areas as that Council deems necessary, either permanently or temporarily, and which will be publicly notified and sign-posted accordingly.

### **On-Lead Areas**

Dogs shall only be allowed in the following areas while under continuous direct physical control by its owner or responsible person by way of an effective lead or being carried in a vehicle while tethered to the vehicle.

- Streets within any residential or commercial area and all public places within these; and,
- All public parks, car parks, public reserves and parts of parks and reserves under the control of Council which are neither prohibited areas, or off lead areas.

### **Off-Lead Exercise Areas**

The following areas are designated off-lead exercise areas:

- Private properties with suitable means of containment of the dogs;
- Old landfill site at Fraser Street;
- Whakamahia Road reserve from the end of the limestone walkway to the estuary excluding the DOC land that is fenced off; and,
- Pilot's Hill reserve.

Areas are regularly patrolled.

## STATISTICS

Category	For Period 01 July 2023- 30 June 2024
<b>1) Total # Registered Dogs</b>	<b>2978</b>
<b>2) Total # Probationary Owners</b>	<b>0</b>
<b>3) Total # Disqualified Owners</b>	<b>17</b>
<b>4) Total # Dangerous Dogs</b>	<b>2</b>
➤ <i>Dangerous by Owner Conviction Under s31(1)(a)</i>	0
➤ <i>Dangerous by Sworn Evidence s31(1)(b)</i>	1
➤ <i>Dangerous by Owner Admittance in Writing s31(1)(c)</i>	1
<b>5) Total # Menacing Dogs</b>	<b>30</b>
➤ <i>Menacing under s33A(1)(b)(i) - i.e. by Behaviour</i>	11
➤ <i>Menacing under s33A(1)(b)(ii)- by Breed Characteristics</i>	2
➤ <i>Menacing under s33C(1) by Schedule 4 Breed.</i>	17
<b>6) Total # Infringement Notices</b>	<b>209</b>
<b>7) Total # Complaints Received/Client Service Requests</b>	<b>438</b>
➤ <i>Barking</i>	57
➤ <i>Dangerous</i>	5
➤ <i>Impounding</i>	10
➤ <i>Lost &amp; Found</i>	131
➤ <i>Other</i>	39
➤ <i>Roaming</i>	146
➤ <i>Rushing</i>	6
➤ <i>Welfare</i>	20
➤ <i>Dog Attack - Animal</i>	22
➤ <i>Dog Attack - Person</i>	2
<b>9) Total # Prosecutions Taken</b>	<b>1</b>

## DESEXING PROGRAMME

The Fred Lewis Enterprise Foundation have provided the Council with Desexing Vouchers to prevent any roaming, nuisance and unwanted pregnancies and encourage neutering of dogs in the community.

This programme also provides free microchipping with the voucher.

Owners can contact Animal Control at the Council office or via email to see if they classify

✉ [compliance@wairoadc.govt.nz](mailto:compliance@wairoadc.govt.nz)

## RAISING A CONCERN

Animal Control can be contacted through the Council we provide (24/7) assistance

☎ +64 6 838 7309 or

General inquiries for Animal Control

✉ [compliance@wairoadc.govt.nz](mailto:compliance@wairoadc.govt.nz)

**8.4 CLIMATE ACTION JOINT COMMITTEE AMENDED TERMS OF REFERENCE**

**Author:** Frances Manase, Kaiurungi Mana Ārahi | Governance Officer

**Authoriser:** Juanita Savage, Pouwhakarae - Rātonga Hapori me te Whakawhanake | Group Manager Community Services & Development

**Appendices:** 1. Proposed amended 2024 Climate Action Joint Committee for member council adoption [↓](#)

**1. PURPOSE**

- 1.1 This report seeks the Wairoa District Council's (WDC) agreement to the amended Terms of Reference for the Climate Action Joint Committee (CAJC).
- 1.2 Staff recommend that the Council adopts the amended Terms of Reference for the remainder of this triennium as recommended by the CAJC.

**RECOMMENDATION**

That Wairoa District Council:

1. Receives and considers the *Climate Action Joint Committee amended Terms of Reference* report.
2. Adopts the amended 2024 Terms of Reference for the Climate Action Joint Committee attached as appendix 1.

**2. EXECUTIVE SUMMARY**

- 2.1 The previous Terms of Reference specified that the Chair of the Joint Committee would be the Chair of the Hawke's Bay Regional Council (HBRC). To action the Chair's wish to become HBRC's alternate, the Terms of Reference has been amended to enable another HBRC representative on the CAJC to be the Chair.
- 2.2 Several procedural and minor amendments to bring the Terms of Reference up to date to reflect current legislation have also been made.
- 2.3 The CAJC meeting on 26 August 2024 agreed to the discussed amendments and that the updated Terms of Reference be recommended to the member councils for adoption.

**3. BACKGROUND**

- 3.1 Under s30 of [Schedule 7](#) of the Local Government Act 2002 (LGA), the Council may appoint committees, sub-committees and other subordinate decision-making bodies that it considers appropriate, and joint committees with another local authority or other public bodies by agreement.
- 3.2 A new Climate Action Joint Committee administered by HBRC was established following a proposal from the first meeting of the Mayors and Chair after the 2022 local body elections.

- 3.3 The Terms of Reference was discussed and adopted by the first meeting of the Joint Committee on 22 May 2023, and subsequently adopted by each of the member councils later in 2023.

#### 4. DISCUSSION

- 4.1 Committees can review their Terms of Reference at any stage to ensure they are appropriate and fit for purpose for the context in which the committee is operating. Any changes must then be recommended for adoption by the member councils.
- 4.2 Given that there are less than 14 months between now and the election, staff considered that changes to the CAGC Terms of Reference should be limited, to avoid back and forth between member councils; more substantive changes can be considered in the new triennium.

#### 5. SUMMARY OF CHANGES TO TOR

- 5.1 Attached to this report is a tracked-change version of the Terms of Reference. The reasons for the changes are summarised in the table below.

Reference	Suggested change	Reason for change
Section 3 – Objectives		
3.5	Remove reference to legislation that has been repealed.	The Government repealed the Spatial Planning Act and the Natural and Built Environments Act in December 2023, making this objective no longer relevant.
Section 5 – Chairperson and Deputy Chairperson		
5.1	Allow the Chair of HBRC to nominate an HBRC JC member to be Chair	To provide flexibility in the ToR for leadership changes.
Section 6 – delegated authority		
Section 12 - Technical Advisory Group and reporting		
12.2	Remove references to specific job titles.	Provides for changes to role titles and descriptions over time without the ToR becoming out of date. For example, the Climate Action Ambassador role (HBRC) has changed. The reference to dedicated climate roles at NCC and HDC has also been removed as there is currently no provision for a dedicated climate role at NCC.
12.3	Alternative wording proposed.	Streamline process for providing information to member councils.
Section 14 – List of member representation		
14.	Membership	Updated to reflect current membership
Appendix	Delete	Reflects information at a point in time and no longer relevant.

#### 6. SIGNIFICANCE AND ENGAGEMENT POLICY ASSESSMENT

- 6.1 The amendment of a committee's Terms of Reference is not considered significant under WDC's Significance and Engagement Policy.

**7. FINANCIAL AND RESOURCE IMPLICATIONS**

- 7.1 There are no financial or resourcing implications of the proposed changes to the Terms of Reference.

**8. CONSULTATION**

- 8.1 The proposed changes to the Terms of Reference were proposed by the cross-council Technical Advisory Group and agreed by the CAJC.

**9. DECISION MAKING CONSIDERATIONS**

- 9.1 Councils and committees are required to make every decision in accordance with the requirements of the Local Government Act 2002. Staff have assessed the requirements in relation to this item and have concluded:
- 9.2 The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
- 9.3 The use of the special consultative procedure is not prescribed by legislation.
- 9.4 The decision is not significant under the criteria contained in Wairoa District Council's adopted Significance and Engagement Policy.
- 9.5 There are no persons directly affected by this decision and the Joint Committee can exercise its discretion and make a decision without consulting with the community.

**Proposed**  
**Terms of Reference**  
**for the**  
**Climate Action Joint Committee**

*Adopted by resolution of:*

Hawke's Bay Regional Council, ~~26 July 2023~~ 25 September 2025

Hastings District Council, ~~20 July 2023~~ 2024

Napier City Council, ~~20 July 2023~~ 2024

Central Hawke's Bay District Council, ~~21 September 2023~~ 2024

Wairoa District Council, ~~18 July 2023~~ 2024

**1. Name and status of Joint Committee**

- 1.1. The Joint Committee shall be known as the Climate Action Joint Committee.
- 1.2. The Joint Committee is a joint committee under clause 30(1)(b) of Schedule 7 of the Local Government Act (the Act).

**2. Purpose**

- 2.1. Climate mitigation and adaptation is core business for councils. It spans multiple council workstreams such as urban planning, land-use and resource management, transport, flood protection, coastal hazards and emergency management. Without duplicating effort, the purpose of the Joint Committee is to support a coordinated and collaborative response to address the complex challenge of Climate-Resilient Development<sup>1</sup> for the communities of Hawke's Bay.
- 2.2. The focus of the Joint Committee' will be promoting action to mitigate climate change (emissions reductions and offsetting) and adapt to the changing regional climate.
- 2.3. The Joint Committee aims to support communities and industries to become resilient to the effects of climate change and to thrive within the means of our natural environment in a manner that aligns with central government policy on climate change<sup>2</sup>.

**3. Objectives**

- 3.1. Oversee and guide the development and implementation of a Regional Emissions Reduction Plan including recommending actions for partner councils to consider for inclusion in their Long Term Plans.
- 3.2. Oversee and guide the development and implementation of a spatial Regional Climate Risk Assessment to deliver on responsibilities under the National Adaptation Plan to:
  - 3.2.1. Reduce vulnerability to the impacts of climate change
  - 3.2.2. Enhance adaptive capacity and consider climate change in decisions at all levels
- 3.3. Strengthen resilience
- 3.4. Support compliance with the statutory requirement to "have regard to" the National Emissions Reduction Plan and the National Adaptation Plan in all RMA-related plans of partner councils<sup>3</sup>.

<sup>1</sup> Climate Resilient Development is a framework developed in the Intergovernmental Panel on Climate Change 6<sup>th</sup> report – Impacts, Adaptation and Vulnerability. It combines strategies to adapt to climate change with actions to reduce greenhouse gas emissions to support sustainable development for everyone ([FAQ 6: What is Climate Resilient Development? ipcc.ch](#))

<sup>2</sup> Including UNFCCC Paris Agreement on Climate Change.

<sup>3</sup> From 30 November 2022 it is a legal requirement for local government to 'have regard to' the national adaptation plan and the emissions reduction plan when preparing or changing regional policy statements, regional plans and district plans. (Guidance note [environment.govt.nz](#))



3.5. Inform planning to drive climate-resilient development in the right locations within the Future Development Strategy required under the National Policy Statement on Urban Development, ~~and the Regional Spatial Strategy and regional combined plan proposed under the Spatial Planning and Natural and Built Environments legislation.~~

3.6. Collaborate on the delivery of key services for infrastructure impacted by climate change on respective councils.

#### 4. Membership<sup>4</sup>

- 4.1. Up to two elected members from the Hawke's Bay Regional Council; being the Chair and one other elected member, and one alternate.
- 4.2. Up to two elected members from each Territorial Authority within the Hawke's Bay region; preferably the Mayor and one other elected member, and one alternate.
- 4.3. Each Post [Treaty] Settlement Governance Entity (PSGE) within the Hawke's Bay region is invited to appoint one member, and one alternate.
- 4.4. Up to two members and one alternate appointed to represent the Ngāti Kahungunu Taiwhenua and Board representatives on the HBRC Māori Committee<sup>5</sup>.
- 4.5. Under clause 30A(6) Schedule 7 of the Act, the power to discharge any member on the Joint Committee and appoint his or her replacement shall be exercisable only by the body that appointed the member.

#### 5. Chairperson and Deputy Chairperson

- 5.1. The Chairperson of the Joint Committee will be the Hawke's Bay Regional Council Chair or a HBRC Joint Committee member nominated by the Chair of the Hawke's Bay Regional Council.
- 5.2. At the first meeting of the Joint Committee the members shall elect a Deputy Chairperson.
- 5.3. The mandate of the Chairperson and Deputy Chairperson ends if that person, through resignation or otherwise, ceases to be a member of the Joint Committee.

#### 6. Delegated authority

The Joint Committee has delegated responsibilities for:

- 6.1. Guiding and monitoring climate mitigation and adaptation across the region with current and relevant technical inputs
- 6.2. Leading regional emissions reduction plans including recommending actions for consideration to partner councils to include in their long term plans
- 6.3. Leading spatial regional climate risk assessments to deliver on responsibilities under the National Adaptation Plan
- 6.4. Setting targets, including interim goals, towards achieving carbon neutrality by 2050
- 6.5. Monitoring regional greenhouse gas emissions (community carbon footprint) on a regular basis and reporting annually on implementation of regional emissions reduction plans
- 6.6. Considering and recommending key emissions reduction actions to each of the partner councils and industry for consideration
- 6.7. Advocating for and/or advancing the objectives of regional climate action by submitting on and participating in processes, at the Joint Committee's discretion, including but not limited to:

<sup>4</sup> Membership will be reviewed at the end of the three-year cycle.

<sup>5</sup> HBRC Māori Committee has 13 tangata whenua representatives, 3 from each of the Taiwhenua (and Wairoa Kahungunu Executive) within the Hawke's Bay regional boundary and 1 from the Ngāti Kahungunu Iwi Inc Board.

- 6.7.1. Council long term plans
  - 6.7.2. Council annual plans
  - 6.7.3. District and regional plan and policy changes
  - 6.7.4. Reserve management plans
  - 6.7.5. Asset management plans
  - 6.7.6. Notified resource consent applications
  - 6.7.7. Central Government policy and legislation
  - 6.7.8. Investigating and securing additional sources of funding to support regional decarbonisation, offsetting and protecting communities from the impact of climate change.
- 6.8. For the avoidance of doubt, the Joint Committee can only make recommendations to partner councils. Without legally binding subsequent council decisions, the partner councils agree to:
- 6.8.1. Have particular regard to the recommendations of the Joint Committee in developing policies, determining priorities, and allocating resource
  - 6.8.2. Progress, to the fullest possible extent, actions identified through joint planning and decision-making arrangements.

## **7. Powers not delegated**

The following powers are not delegated to the Joint Committee:

- 7.1. Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002.
- 7.2. Decisions relating to the allocation of funding for undertaking investigations, studies and/or projects in climate adaptation, offsetting or climate mitigation and matters relating to consenting.

## **8. Meetings**

- 8.1. The Hawke's Bay Regional Council standing orders will be used to conduct Joint Committee meetings as if the Joint Committee were a local authority and the principal administrative officer (Chief Executive) of the Hawke's Bay Regional Council or his or her nominated representative were its principal administrative officer.
- 8.2. The Joint Committee shall hold meetings at such frequency, times and place(s) as required for the performance of the functions, duties and powers delegated under this Terms of Reference, at least three times per year.
- 8.3. Notice of meetings will be given as far in advance a possible to all Joint Committee members, and in accordance with the provisions of the Local Government Official Information and Meetings Act 1987.
- 8.4. Meetings may provide for members' attendance by audio-visual link if required.
- 8.5. Members, or their confirmed alternates, will attend all Joint Committee meetings.
- 8.6. The quorum will consist of a majority of members.

## **9. Voting**

- 9.1. In accordance with clause 32(4) Schedule 7 of Act, at meetings of the Joint Committee each member has full authority to vote and make decisions within the delegations of the Terms of Reference on behalf of the body that appointed them without further recourse to the appointing body.
- 9.2. Where voting is required, each member has one vote.

- 9.3. Best endeavours will be made to achieve decisions on a consensus basis.
- 9.4. The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, may use a casting vote.

#### 10. Good faith

- 10.1. In the event of any circumstances arising that were unforeseen by the partner councils or their representatives at the time of adopting these Terms of Reference, the partner councils and their representatives hereby record their intention that they will negotiate in good faith to add to or vary these Terms of Reference so as to resolve the impact of those circumstances in the best interests collectively of the partner councils taking into account also the views of the Regional Planning Committee and Māori Committee appointed members in relation to those circumstances.

#### 11. Remuneration

- 11.1. Each partner council shall be responsible for remunerating its representatives on the Joint Committee and for the costs of those persons' participation in the Joint Committee.
- 11.2. Hawke's Bay Regional Council as the Administering Authority shall be responsible for remunerating the HBRC Māori Committee representatives and the PSGE representatives on the Joint Committee for travel and attendance as per its agreed meeting fees policy.

#### 12. Technical Advisory Group and Reporting

- 12.1. A technical advisory group (TAG) will service the Climate Action Joint Committee.
- 12.2. The TAG will comprise of staff members from the partner councils who are working in climate mitigation and adaptation and will involve subject matter experts as required to ensure linkages with other workstreams, such as the work of the Regional Transport Committee and Napier-Hastings Future Development Strategy Joint Committee. The TAG will be led by the Hawke's Bay Regional Council, ~~Climate Action Ambassador along with the dedicated climate roles at Napier City Council and Hastings District Council.~~
- 12.3. Following each meeting of the Joint Committee, meeting minutes will be distributed for information to each partner council ~~TAG shall create a summary report of the business of the meeting which will be distributed, for information, to each partner council~~ for inclusion in the agenda for the next available council meeting. ~~Such reports will be in addition to any formal minutes prepared by the Administering Authority, which will be circulated to Joint Committee members.~~

#### 13. Variations to the Terms of Reference

- 13.1. Any member may propose a variation, deletion or addition to the Terms of Reference by putting the wording of the proposed variation, deletion or addition to a meeting of the Joint Committee for recommending to the partner councils if agreed.
- 13.2. Amendments to the Terms of Reference must be agreed by all partner councils before taking effect.

#### 14. Recommended for Adoption

- 14.1. The Climate Action Joint Committee, made up of the following members, confirms this Terms of Reference as adopted by the five partner councils.

**Hawke's Bay Regional Council** represented by:

Councillors ~~Hinewai Ormsby and~~ Xan Harding, and Di Roadley, ~~and Hinewai Ormsby~~ as alternate  
Councillor ~~Hinewai Ormsby~~ Xan Harding as Chairperson of the Climate Action Joint Committee

**Hastings District Council** represented by:

Mayor Sandra Hazlehurst and Councillors Hana Montaperto-Hendry, and Tania Kerr as alternate

**Napier City Council** represented by:

Councillors Annette Brosnan and Hayley Browne, and Juliet Grieg as alternate

**Central Hawke's Bay District Council** represented by:

Mayor Alex Walker and Councillors Tim Aitken and Jerry Greer as alternate

**Wairoa District Council** represented by:

Mayor Craig Little and Councillors Roslyn Thomas, and Denise Eaglesome-Karekare as alternate

**HBRC Māori Committee** represented by:

Paul Kelly and Roger Maaka, and Marei Apatu as alternate

**Post [Treaty] Settlement Entity appointees:**

Tamatea Pōkai Whenua – represented by Cordry Huata

Mana Ahuriri Trust – represented by Tania Eden

Maungaharuru-Tangitū Trust – represented by Robbie Paul

Ngati Pāhauwera Development Trust

Ngati Tuwharetoa Hapu Forum

Tātau Tātau o Te Wairoa – represented by Michelle McIlroy

Te Kopere o te Iwi Hineuru

Te Toi Kura o Waikaremoana

**9 RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS**

Nil

**10 PUBLIC EXCLUDED ITEMS****RESOLUTION TO EXCLUDE THE PUBLIC****RECOMMENDATION**

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>10.1 - Referral of Quote for House Rebuild - Cyclone Gabrielle</b>	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

