



**The Ordinary Meeting of the
Kawerau District Council will be held
on Tuesday, 13 December 2022
in the Council Chambers
commencing at 9.00am**

AGENDA

GUIDELINES FOR PUBLIC FORUM AT MEETINGS

1. A period of thirty minutes is set aside for a public forum at the start of each Ordinary Council or Standing Committee meeting, which is open to the public. This period may be extended on by a vote by members.
2. Speakers may address meetings on any subject. However, issues raised must not include those subject to legal consideration, or be issues, which are confidential, personal, or the subject of a formal hearing.
3. Each speaker during the public forum is permitted to speak for a maximum of three minutes. However, the Chairperson has the discretion to extend the speaking time.
4. Standing Orders are suspended for the duration of the public forum.
5. Council and Committees, at the conclusion of the public forum, may decide to take appropriate action on any of the issues raised.
6. With the permission of the Chairperson, members may ask questions of speakers during the period reserved for public forum. Questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.

**The Ordinary Meeting of the Kawerau District Council
will be held on Tuesday, 13 December 2022
in the Concert Chambers commencing at 9.00am**

A G E N D A

Apologies

Leave of Absence

Opening Prayer

Public Forum

Declarations of Conflict of Interest

1 CONFIRMATION OF COUNCIL MINUTES

1.1 Ordinary Council – 29 November 2022

Pgs. 1 - 5

Recommendation

That the minutes of the Ordinary Council Meeting held on 29 November 2022 be confirmed as a true and accurate record.

2 Action Schedule (101120)

Pgs. 7 - 11

Recommendation

That the updated Action Schedule of resolutions/actions requested by Council be received.

3 Her Worship the Mayor's Report (101400)

****To be sent out separately****

4 Waste Disposal Fees (Group Manager, Operations and Services) (406000)

Pgs. 13 - 15

Attached is a report on the Waste Disposal Fees.

Recommendations

1. *That the report "Waste Disposal Fees" be received.*
2. *That the Council increase the general refuse charge from \$260 to \$290 per tonne.*

3. That Council retain all other transfer station charges and fees until 30 June 2023.

5 Exclusion of the Public

Recommendation

That the public is excluded from the following part of the proceedings of this meeting, namely:

1. Minutes of the Confidential Council Meeting Held on 29 November 2022

The general subject of the matter to be considered while the public is excluded; the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Information & Meetings Act 1987 for the passing of this resolution is as follows:

General Subject of the matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
<i>1. Minutes of the Confidential Council Meeting Held on 29 November 2022</i>	<i>Maintain the effective conduct of public affairs through the free and frank expression of opinions.</i>	<i>That 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 exists. Section 48 (1) (a) (i)</i>

This resolution is made in reliance on Section 48(1) (a) of the Local Government Official Information & Meetings Act 1987 and the particular interest or interests protected by Section 7 (2) (b) (i) of that Act.

R B George
Chief Executive Officer

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**Minutes of the Ordinary Meeting of the Kawerau District Council
held on Tuesday 29 November 2022
in the Council Chamber commencing at 9.00am**

Present: Her Worship the Mayor F K N Tunui
Deputy Mayor A Rangihika
Councillor B J Julian
Councillor C J Ion
Councillor J Ross
Councillor S Kingi
Councillor R Brooking
Councillor R G K Savage

In Attendance: Chief Executive Officer (R George)
Group Manager, Operations and Services (H van der Merwe)
Group Manager, Regulatory and Planning (M Glaspey)
Group Manager, Finance & Corporate Services (P Christophers)
Economic and Development Manager (L Barton)
Communications Manager (T Humberstone)
Administration Officer (T Barnett)

Apologies

Resolved

Councillors Savage / Kingi

An apology from Councillor Godfery was received.

Leave of Absence

No leave of absence were received.

Opening Prayer

Pastor Kingi opened the meeting with a prayer.

Public Forum

Anne Kubler

Congratulated Her Worship the Mayor and Deputy Mayor Rangihika on their new positions within Council, and welcomed Councillor Ross and Councillor Brooking.

Brett Pacy

Would like more transparency on rates costs and more communication around the Bay of Plenty Regional Bay of Plenty Rates.

Thanked Council for the construction of the footpaths to date.

Would like to see the markets moved back from the circus paddock to Jellicoe Court to help with struggling businesses

Allan Clarke

CEO read out an email from Mr Clarke requesting Council withdraw from Local Government New Zealand.

Declarations of Conflict of Interest

No declarations of conflict of interest were received.

1 CONFIRMATION OF COUNCIL MINUTES

1.1 Ordinary Council – 27 September 2022

Resolved

Councillors Ion / Rangihika

That the minutes of the Ordinary Council Meeting held on 27 September 2022 be confirmed as a true and accurate record.

Councillors Ross and Brooking abstained from voting.

1.2 Ordinary Council – 25 October 2022

Resolved

Councillors Ross / Julian

That the minutes of the Ordinary Council Meeting held on 25 October 2022 be confirmed as a true and accurate record

1.2 Extraordinary Council – 15 November 2022

Resolved

Councillors Julian / Savage

That the minutes of the Extraordinary Council Meeting held on 15 November 2022 be confirmed as a true and accurate record.

2 RECEIPT OF COMMITTEE MINUTES

2.1 Regulatory and Services Committee – 15 November 2022

Resolved

Councillors Ion / Julian

That the Minutes of the Regulatory and Services Committee meeting held on 15 November 2022 be confirmed as a true and accurate record.

3 Action Schedule (101120)

Resolved

Councillors Rangihika / Savage

That the updated Action Schedule of resolutions/actions requested by Council is received.

4 Her Worship the Mayor's Report (101400)

Resolved

Her Worship the Mayor / Councillor Savage

That Her Worship the Mayor's report for the period Monday 10 October 2022 to Tuesday 22 November 2022 is received.

5 Annual Plan Performance for the Three Months Ended 30 September 2022 (Group Manager, Finance and Corporate Services) (110400)

Council discussed the report "Annual Plan Performance for the Three Months Ended 30 September 2022".

Resolved

Councillors Rangihika / Julian

That the report "Annual Plan Performance for the Three Months Ended 30 September 2022" is received.

6 Land Information NZ Treaty (LINZ Treaty) Property in Disposal (Group Manager, Regulatory and Planning) (501055)

Council discussed the report "Land Information NZ Treaty (LINZ Treaty) Property in Disposal".

Resolved

Her Worship the Mayor / Councillor Kingi

1. *That the report "Land Information NZ Treaty (LINZ Treaty) Property in Disposal" is received.*

2. *That Council resolves to advise WSP that Council has an interest in 55a Fenton Mill Road and 22a Marshall Street, Kawerau and confirm with Ngati Tuwharetoa Settlement Trust that these properties had initially been offered to them.*

7 Exclusion of the Public

Resolved

Councillors Julian / Ion

That the public is excluded from the following part of the proceedings of this meeting, namely:

1. *Confirmation of Minutes of the Ordinary Council Meeting (Confidential) – 27 September 2022*
2. *Confirmation of Minutes of the Ordinary Council Meeting (Confidential) – 4 October 2022*
3. *Confirmation of Minutes of the Ordinary Council Meeting (Confidential) – 15 November 2022*
4. *Zone 2 Reticulation Replacement Tender*
5. *Town Centre Sewer Line Replacement*

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Information & Meetings Act 1987 for the passing of this resolution is as follows:

General Subject of the matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
1. <i>Confirmation of Minutes of the Ordinary Council Meeting (Confidential) – 27 September 2022.</i> 2. <i>Confirmation of Minutes of the Ordinary Council Meeting (Confidential) – 4 October 2022.</i> 3. <i>Confirmation of Minutes of the Ordinary Council Meeting (Confidential) – 15 November 2022.</i> 4. <i>Zone 2 Reticulation Replacement Tender.</i>	<i>Maintain the effective conduct of public affairs through the free and frank expression of opinions.</i>	<i>That 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 exists.</i> <i>Section 48 (1) (a) (i)</i>

5. Town Centre Sewer Line Replacement.		
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This resolution is made in reliance on Section 48(1) (a) of the Local Government Official Information & Meetings Act 1987 and the particular interest or interests protected by Section 7 (2) (b) (i) of that Act.

Meeting closed 10.42am

F K N Tunui

Mayor

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Action Schedule

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Completion Date
A&R 04.02.20	Council's Risk Maturity - Improvement Programme Arrange KPMG to review Council's Risk Management Maturity profile once the tasks in progress / underway are completed.	GM F&CS	In Progress	Council has completed all areas recommended for improvement and will be engaging a consultant to further assess Council's risk maturity. Staff are currently investigating different providers of this service.	December 2022
Council 26.05.20	Results of 2020 NRB Survey (Community Satisfaction Survey) Elected Members agreed to review the way in which Council engages community satisfaction.	C&EM	Pending	Work is being progressed with potential providers for the triennial survey. Timing of the survey has been assessed and C&EM requests to move the survey from January (the traditional timing for the survey) to March/April with the results available by the end of May/June 2023. Opportunity to assess and dovetail the monthly customer satisfaction survey with this new provider (if appropriate). Further information will be brought to a workshop - early 2023.	February 2023
Council 28.06.22	His Worship the Mayor's Report The cemetery records to be moved from the toilet block area to another area of the cemetery.	GM O&S	In Progress	A solution has been developed. It is being costed and will be presented in a workshop in February 2023	February 2023

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Completion Date
Council 28.06.22	Iwi consultation for the Spatial Plan	GM R&P	In Progress	The Whakatane/Kawerau Spatial Plan is being developed in partnership with central government and Iwi from both Whakatane and Kawerau. Tuwharetoa has been invited to join, the settlement trust have declined as they do not believe they speak for all their people. Te Haukākawa Boycie Te Rire has agreed to sit at the Governance level (once established), and he will have a think on who may be the appropriate person to sit at the leadership level.	Ongoing
R&S 16.08.22	Monthly Report - Finance and Corporate Services Report on Waste Management fees to be presented to Council. Dates for next Creative New Zealand Grants Scheme meeting to be confirmed.	GM O&S GM F&CS	Completed In Progress	Presented to Council on 13 December. The first meeting of the CNZ committee is Friday 9 December and subsequent meetings for the year will be determined at this meeting.	December 2022 December 2022
R&S 16.08.22	Monthly Report - Operations and Services Opus report to be made available to the Disability Group.	GM O&S	In Progress	Staff are evaluating and will provide a report to the Disability Group.	February 2023
R&S 16.08.22	Funding applications – Christmas in the Park (CITP) 2022 The Committee requested that a letter of acknowledgement be sent to Chris Powley.	ECDM	Pending	A letter will be arranged once event has been delivered, now that Chris Powley has confirmed his attendance Funding update: All funding applications completed and approved	December / January Complete

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Completion Date
R&S 13.09.22	Monthly Report - Operations and Services Staff to present a report for CCTV footage to Council at the 20 September 2022 Workshop with the urgency for New Zealand Police to attend.	GM F&CS	In Progress	A workshop was held on Tuesday 20 th September with Police attending. A further workshop will be held following meetings with stakeholders and adding additional cameras requested.	Complete February 2023
R&S 13.09.22	Monthly Report - Economic and Community Development Staff to: 1. provide Council with a date when the Bert Hamilton Hall repairs will commence. 2. communicate to regular hirers of the Bert Hamilton Hall about the maintenance on the Hall. 3. organise a letter of gratitude to be sent to the guest speakers of the Kawerau Young Achievers Awards.	ECDM	In Progress	1. Engineering report received and plans underway to complete roof repairs – completion of work unlikely until early 2023 – acoustic upgrades will commence once roof repairs are completed 2. A letter was sent to regular users and initial comms placed in latest newsletter explaining next course of action. 3. Letter completed, scheduled to be circulated by end of September.	February / March 2023 Completed Completed
R&S 15.11.22	Monthly Report - Regulatory and Planning Services Staff to invite Commissioner Russell Orr and Inspector Jan Pryor to speak at the next Regulatory and Services Committee Meeting about unannounced inspections and the timing of visits. Staff to contact MSD directly regarding alternative housing for homelessness with the introduction of the new Self-Contained Motor Vehicles Legislation Bill.	GM R&P	In Progress	A time is being arranged with Whakatane Licensing Inspector and Commissioner for early next year. Engaging with local MSD Office regarding alternative housing options for homelessness.	February 2023 February 2023

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Completion Date
R&S 15.11.22	<p>Monthly Report – Economic and Community Development</p> <p>Staff to provide Council with confirmation for the total amount for the MYD Youth Development funding.</p>	ECDM	In Progress	<p>An email was sent to the regional MYD Advisor requesting a breakdown of the entire pool of funds allocation across multiple funding pools. <u>No response to date.</u></p> <p>MYD has advised:</p> <p>\$21.8 million, over 2.5 years, is available to distribute through this request for Proposal (RFP) to successful respondents for youth development programmes delivered between January 2023 and June 2025. Below is a breakdown of the funding streams:</p> <ul style="list-style-type: none"> Youth Development Opportunities (\$21.8 million across 2.5 years) [Youth Development] Full-Time Equivalent Youth Worker/Practitioner Pilot (\$2.5 million across 2.5 years) Youth Enterprise Opportunities (\$4.0 million across 2.5 years) Youth Development Grant Fund (\$0.5 million per fiscal year) 	Funding decision indicated mid to end November

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OC: Ordinary Council EC: Extraordinary Council A&R: Audit & Risk Committee R&S: Regulatory & Services Committee
GMF&CS: Group Manager, Finance & Corporate Services GMO&S: Group Manager, Operations & Services
GMR&P: Group Manager, Regulatory & Planning C&EM: Communication & Engagement Manager
ECDM: Economic & Community Development Manager

Completed Items

Meeting Date	Action	Comments
Council 26.07.22	Action Schedule Investigate the holes at the entrance to the driveway on Islington Street that leads to the carpark at the back of the shops.	Staff are following up and will provide an update to Elected Members. The holes are part of the water reticulation program and will be repaired in November 2022.

Meeting: Council

Meeting Date: 13 December 2022

Subject: Waste Disposal Fees

File No.: 406000

1 Background

Kawerau District Council combines all kerbside collected and transfer station delivered general waste at the transfer station, loads it onto back-filled transport trucks and transports it to final disposal sites (Tirohia).

The total cost for disposing of general refuse consists of the operation of the transfer station as well as the management of the solid waste service (overheads), transport to Tirohia (transport) and landfill fees that includes levies (disposal costs).

Overheads (\$90 per tonne) have increased in line with Council general rates increases and transport is currently at a very low rate due to back-fill opportunities (\$50 vs \$70 or more per tonne). Disposal costs however have gone up significantly during the past 5 years and the Ministry for the Environment levy has also increased.

The below Table lists the costs in \$ per tonne.

	2019	2020	2021	2022
Overheads	75	80	85	90
Transport	50	50	50	50
Levy	10	10	20	30
Disposal	67	87	100	110
Total	202	227	255	280
Council charge	200	220	240	260

Historically Council has slightly under recovered costs, however in recent years the gap has widened due to higher levy fees not accounted for.

This under recovery has been compounded by recent increase in general refuse delivered to the transfer station from out-of-district commercial service providers as shown in the figure on the next page. Year on year, an additional 50 tonnes of refuse was received in June and July and an additional 100 tonnes in August, September and October. Indications are that this trend will continue in the coming months due to issues at other transfer stations.

The waste levy is set to increase to \$50 and \$60 on 1 July 2023 and 2024 respectively and Council under recovery will increase.

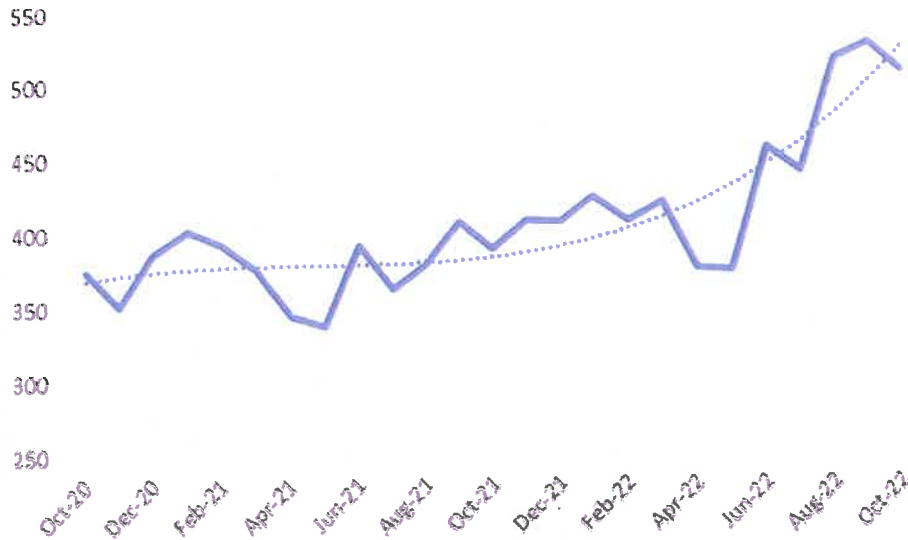


Figure 1. Tons of refuse disposed per month

The general refuse charges set by other Councils in the regions are listed below:

	Charge per tonne
Rotorua	\$230
Kawerau	\$260
Opotiki	\$280
Whakatane	\$296

Rotorua still operates its own landfill and does not have the transport costs the other Councils have. Opotiki only accepts loads up to 2 m³ (\$87/m³) which is approximately 600 kg and commercial operators need to transport directly to Tirohia. Whakatane charges significantly higher than Kawerau.

Considering the costs and the increased out-of-district deliveries, it is recommended to increase Councils general refuse charge per tonne to a level similar to Whakatane District Council.

The transfer station charges at the Kawerau transfer station will be reviewed in the next annual plan and be applied from 1 July 2023 onwards. Raising the other transfer station fees (charge per vehicle or bag etc.) is therefore not recommended at this point in time.

2 Policy and Plan Considerations

Increasing the general refuse charge is not contrary to any of Council's Policies and Plans.

3 Legal Considerations

There are no Legal Considerations with increasing the general refuse charge.

4 Significance and Engagement

Increasing the general refuse charge is not significant and no community engagement is required.

5 Financial Considerations

Council may suffer some financial loss if the deliveries of out-of-district general waste continues to increase.

6 RECOMMENDATIONS

1. That the report "Waste Disposal Fees" be received.
2. That Council increase the general refuse charge from \$260 to \$290 per tonne.
3. That Council retain all other transfer station charges and fees until 30 June 2023.



Hanno van der Merwe, MSc(Eng), PhD

Manager, Operations and Services

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