

# Ōtorohanga District Council

Notice is hereby given that an ordinary meeting of the Ōtorohanga District Council will be held in Waikōwhitiwhiti (Council Chambers), Ōtorohanga District Council, 17 Maniapoto Street, Ōtorohanga on Tuesday, 24 September 2024 commencing at 10.00am.

Tanya Winter, Chief Executive

18 September 2024



## OPEN TO THE PUBLIC AGENDA

### Ōtorohanga District Council membership

Chairperson	His Worship the Mayor, Max Baxter
Deputy Chairperson and Kāwhia Tihiroa Councillor	Deputy Mayor, Annette Williams
Kāwhia Tihiroa Councillor	Kit Jeffries
Kio Kio Korakonui Councillor	Rodney Dow
Ōtorohanga Councillor	Katrina Christison
Ōtorohanga Councillor	Steve Hughes
Rangiātea Councillor	Jaimee Tamaki
Rangiātea Councillor	Roy Willison
Waipā Councillor	Roy Johnson
Wharepūhunga Councillor	Cathy Prendergast

All attendees at this meeting are advised that the meeting will be electronically recorded (audio and video) for the purpose of webcasting to the ŌDC's YouTube channel. Every care will be taken to maintain individuals' privacy however attendees are advised they may be recorded as part of the general meeting proceedings.

## For use in both opening and closing meetings

A Member will provide the words of their preference or may choose to use the following:

Mā te whakapono	<i>By believing and trusting</i>
Mā te tūmanako	<i>By having faith and hope</i>
Mā te titiro	<i>By looking and searching</i>
Mā te whakarongo	<i>By listening and hearing</i>
Mā te mahi tahi	<i>By working and striving together</i>
Mā te aroha	<i>By all being done with compassion</i>
Ka taea e tātou	<i>We will succeed</i>

## For use in blessing food

A Member will provide the words of their preference or may choose to use the following:

Nau mai e ngā hua o te wao	<i>I welcome the gifts of food from the forest</i>
O te ngakinga	<i>From the cultivated gardens</i>
O te wai tai	<i>From the sea</i>
O te wai māori	<i>From the fresh waters</i>
Hei oranga mō tātou	<i>For the goodness of us all</i>
Tūturu whakamaua	<i>Let this be my commitment to all!</i>
Kia tina! Tina! Hui e! Tāiki e!	<i>Drawn together and affirmed!</i>

<b>Opening formalities</b>	<b>Ngā tikanga mihimihi</b>	
Commencement of meeting	Te tīmatanga o te hui	5
Opening prayer/reflection/words of wisdom	Karakia/huitao/whakataukī	5
Apologies	Ngā hōnea	5
Public forum	Hui tūmatanui	5
Late items	Ngā take tōmuri	6
Declaration of conflict of interest	Te whakapuakanga pānga taharua	6
Confirmation of minutes (27 August 2024)	Te whakaū i ngā meneti	6
Receipt of Minutes (ŌCB 2 September 2024)	Te rironga o ngā meneti	22
His Worship the Mayor’s verbal report	Te pūrongo ā-waha a te kahika	30

<b>Decision reports</b>	<b>Ngā pūrongo whakatau</b>	
Item 169 Adoption of the Ōtorohanga District Council Local Alcohol Policy 2024		31
Item 170 Trading and Events in Public Places Policy		77
Item 171 Approve the road name ‘Prescott Rise’ for a private accessway		127
Item 172 Application for Temporary Road Closure – Kāwhia Rowing Regatta Club 115 <sup>th</sup> Annual New Year’s Regatta		133

<b>Information only reports</b>	<b>Ngā pūrongo mōhiohio anake</b>	
Item 173 Regional Infrastructure Technical Specification Version 2 Consultation		137
Item 174 Capital Projects Report for the month ending 30 August 2024		140
Item 175 Finance Report to 31 August 2024		144

<b>Public excluded</b>	<b>Take matatapu</b>	
Item 176	Resolution to exclude the public for Item PE16	151

<b>Information only reports</b>	<b>Ngā pūrongo mōhiohio anake</b>	
Item 177	Ōtorohanga Support House Whare Āwhina Annual Report for 1 July 2023 – 30 June 2024	154
Item 178	Elevate end of year report for 2023/24	162

<b>Other business</b>	<b>Ētahi atu take</b>	
Councillor updates	Ngā kōrero hou a ngā Kaikaunihera	185
Resolution Register	Rēhita tatūnga	185

<b>Closing formalities</b>	<b>Ngā tikanga whakakapi</b>	
Closing prayer/reflection/words of wisdom	Karakia/huritao/whakataukī	188
Meeting closure	Katinga o te hui	188

<b>Workshops</b>	<b>Hui awheawhe</b>	
1	Review of Kerbside Services Report	
2	NZTA final funding decision	
3	Monthly discussion with the Chief Executive	

This Open Agenda was prepared by Manager Governance, Kaia King and approved for distribution by Chief Executive, Tanya Winter on 18 September 2024.

## Commencement of meeting

## Te tīmatanga o te hui

The Chairperson will confirm the livestream to YouTube is active then declare the meeting open.

## Opening prayer/reflection/words of wisdom

## Karakia/huitao/whakataukī

The Chairperson will invite a member to provide opening words and/or prayer/karakia.

## Apologies

## Ngā hōnea

A Member who does not have leave of absence may tender an apology should they be absent from all or part of a meeting. The meeting may accept or decline any apologies. For clarification, the acceptance of a Member's apology constitutes a grant of 'leave of absence' for that specific meeting(s).

### Staff recommendation

That Ōtorohanga District Council receive and accept the apology from Councillor Dow for non-attendance.

## Public forum

## Hui tūmatanui

Public forums are designed to enable members of the public to bring matters, not necessarily on the meeting's agenda, to the attention of Council. Requests to attend the public forum must be made to on the form available on Council's website: [otodc.govt.nz/about-council/meetings/speak-at-public-forum](https://otodc.govt.nz/about-council/meetings/speak-at-public-forum). Alternatively, please call 07 873 4000.

Speakers can speak for up to five (5) minutes. No more than two speakers can speak on behalf of an organisation during a public forum. At the conclusion of the presentation, elected members may ask questions of speakers. Questions are to be confined to obtaining information or clarification on matters raised by a speaker. Following the public forum, no debated or decisions will be made during the meeting on issues raised in the forum unless related to items already on the agenda.

Requests were received from:

- Elizabeth Cowan (Ōtorohanga Museum update)
- Rebecca Ngapo (Ōtorohanga Museum Creative Hub)

## Late items

## Ngā take tōmuri

Items not on the agenda for the meeting require a resolution under section 46A of the Local Government Official Information and Meetings Act 1987 stating the reasons why the item was not on the agenda and why it cannot be dealt with at a subsequent meeting on the basis of a full agenda item. It is important to note that late items can only be dealt with when special circumstances exist and not as a means of avoiding or frustrating the requirements in the Act relating to notice, agendas, agenda format and content.

Should a late item be raised, the following recommendation is made: *That Ōtorohanga District Council accept the late item .... due to .... to be heard ....*

## Declaration of conflict of interest

## Te whakapuakanga pānga taharua

Members are reminded to stand aside from decision making when a conflict arises between their role as an elected member and any private or external interest they may have.

A conflict can exist where:

- The interest or relationship means you are biased; and/or
- Someone looking in from the outside could have reasonable grounds to think you might be biased.

Should any conflicts be declared, the following recommendation is made: *That Ōtorohanga District Council receive the declaration of a conflict of interest from .... for item ... and direct the conflict to be recorded in Ōtorohanga District Council's Conflicts of Interest Register.*

## Confirmation of minutes

## Te whakaū i ngā meneti

The unconfirmed Minutes of the previous meeting is attached on the following page.

### Staff recommendation

That Ōtorohanga District Council confirm as a true and correct record of the meeting, the open Minutes of the meeting held on 27 August 2024 (document number 780055).

# Ōtorohanga District Council

Open Minutes of an ordinary meeting of the Ōtorohanga District Council held in the Waikōwhitiwhiti (Council Chambers), Ōtorohanga District Council, 17 Maniapoto Street, Ōtorohanga on Tuesday, 27 August 2024 commencing at 10.00am.

Tanya Winter, Chief Executive

16 September 2024



## OPEN MINUTES

### Ōtorohanga District Council membership

Chairperson	His Worship the Mayor, Max Baxter	Attended
Deputy Chairperson	Deputy Mayor, Annette Williams	Attended
Kāwhia Tihiroa Councillor	Kit Jeffries	Attended
Kio Kio Korakonui Councillor	Rodney Dow	Attended
Ōtorohanga Councillor	Katrina Christison	Attended
Ōtorohanga Councillor	Steve Hughes	Attended
Rangiātea Councillor	Jaimee Tamaki	Attended
Rangiātea Councillor	Roy Willison	Attended for part of the meeting
Waipā Councillor	Roy Johnson	Attended
Wharepūhanga Councillor	Cathy Prendergast	Attended

<b>Opening formalities</b>		<b>Page</b>
Commencement of meeting	Te tīmatanga o te hui	4
Opening prayer/reflection/words of wisdom	Karakia/huitao/whakataukī	4
Apologies	Ngā hōnea	4
Public forum	Hui tūmatanui	4
Late items	Ngā take tōmuri	4
Declaration of conflict of interest	Te whakapuakanga pānga taharua	4
Confirmation of minutes	Te whakaū i ngā meneti	4
Receipt of Minutes	Te rironga o ngā meneti	5
His Worship the Mayor's verbal report	Te pūrongo ā-waha a te kahika	5

<b>Decision reports</b>	<b>Ngā pūrongo whakatau</b>	<b>Page</b>
Item 158	Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024	5
Item 159	Waikato Water Done Well - Proposal for Regional Council Controlled Organisation (CCO) for the Delivery of Water Services	6
Item 160	Local Alcohol Policy – Date of hearings and deliberations	7
Item 161	Concept Plans – Prioritisation of projects	8
Item 162	Approval of the Traffic Bylaw (Freedom Camping) amendments	9
Item 163	Consideration of the Hamilton Waikato Tourism service proposal for 2024/25	9

<b>Information only reports</b>	<b>Ngā pūrongo mōhiohio anake</b>	<b>Page</b>
Item 164	Hamilton & Waikato Tourism Annual Report - 1 July 2023 - 30 June 2024	10
Item 165	Better Off Fund update – August 2024	10
Item 166	Sport Waikato Annual Report for 1 July 2023- 30 June 2024	10
Item 167	Roading Activity quarterly update – August 2024	11



<b>Workshops</b>	<b>Hui awheawhe</b>	<b>Status</b>
1	Regional Climate Change Roadmap presented by Waikato Regional Council	Open

<b>Information only reports</b>	<b>Ngā pūrongo mōhiohio anake</b>	<b>Page</b>
Item 168	Finance Report to 31 July 2024	12

<b>Other business</b>	<b>Ētahi atu take</b>	<b>Page</b>
Councillor updates	Ngā kōrero hou a ngā Kaikaunihera	13
Resolution Register		14

<b>Public excluded</b>	<b>Take matatapu</b>	<b>Page</b>
No reports.		

<b>Closing formalities</b>		<b>Page</b>
Closing prayer/reflection/words of wisdom	Karakia/huritao/whakataukī	14
Meeting closure	Katinga o te hui	14

<b>Workshops</b>	<b>Hui awheawhe</b>	<b>Status</b>
2	Development/Financial Contributions Policy review	Open
3	Anchor organisations (Te Punga o Te Hapori)	Open
4	Growth planning	Public excluded
5	Monthly discussion with the Chief Executive.	Public excluded

These unconfirmed Open Minutes was prepared by Manager Governance, Kaia King and approved for distribution by Chief Executive, Tanya Winter on 16 September 2024.

## Commencement of meeting

## Te tīmatanga o te hui

His Worship the Mayor declared the meeting open at 10.01am.

## Opening prayer/reflection/words of wisdom

## Karakia/huitao/whakataukī

Councillor Cathy Prendergast provided the opening prayer in English then led the Members in reciting the Māori version. Councillor Jaimee Tamaki provided the following whakataukī: *If you give a man a fish, he will eat for one day. If you teach a man to fish, he will eat for a lifetime*". She drew linkages between the saying and the importance of gaining and sharing knowledge.

## Apologies

## Ngā hōnea

Councillor Roy Willison joined part of the meeting via Zoom due to ill health.

## Public forum

## Hui tūmatanui

No requests to be heard had been received.

## Late items

## Ngā take tōmuri

There were no late items.

## Declaration of conflict of interest

## Te whakapuakanga pānga taharua

No conflicts were declared.

## Confirmation of minutes

## Te whakaū i ngā meneti

Resolved C251: That Ōtorohanga District Council confirm as a true and correct record of the meeting, the open Minutes of the meeting held on 23 July 2024 (document number 774093).

Councillor Johnson | Councillor Tamaki

## Receipt of Minutes

## Te rironga o ngā meneti

Resolved C252: That Ōtorohanga District Council receive the unconfirmed Minutes of the meeting of:

- a. the Ōtorohanga Community Board 5 July 2024 (document number 775429); and,
- b. the Kāwhia Community Board - 1 July 2024 (document number 775349).

Councillor Hughes | Councillor Jeffries

## His Worship the Mayor's verbal report

## Te pūrongo ā-waha a te kahika

His Worship the Mayor spoke on the Mayors Taskforce for Jobs, Kīngi Tūheitia's koroneihana, and the Local Government New Zealand conference.

Resolved C253: That Ōtorohanga District Council receive the verbal update from His Worship the Mayor, Max Baxter.

His Worship the Mayor | Councillor Dow

## Decision reports

## Ngā pūrongo whakatau

### Item 158 - Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024

ŌDC's Graham Bunn spoke to the staff report and in particular, the two decisions that could be made.

Councillor Jeffries queried the impact on the 2027 Representation Review if ŌDC resolved to move to a rural/urban ward split rather than the existing representation arrangements. In particular, he queried the impact of an ŌDC resolution to undertake a poll at the 2025 local government election resulting in a 'yes' outcome. Mr Bunn advised that a yes outcome would retain Māori Wards for the 2027 Representation Review. If Council revised their representation arrangements by reducing the number of Councillors, then this could potentially reduce the number of Māori Ward Councillors to one.

Resolved C254: That the Ōtorohanga District Council:

- a. Affirms the resolution to establish an Ōtorohanga District Māori ward (Rangiātea ward) by Ōtorohanga District Council on 20 April 2021.
- b. Requests the Electoral Officer hold a poll alongside the 2025 Election on whether the Ōtorohanga District should have a Māori ward.

His Worship the Mayor | Councillor Prendergast

His Worship the Mayor adjourned the meeting for a short break at 10.20am and recommenced at 10.32am.

## **Item 159 - Waikato Water Done Well - Proposal for Regional Council Controlled Organisation (CCO) for the Delivery of Water Services**

ŌDC's Mark Lewis spoke to the staff report and noted the recommendation requested was to be a participating council for the Stage 1 project.

Councillor Roy Willison joined the meeting at 10.36am via Zoom.

His Worship the Mayor spoke on the non-binding Heads of Agreement and opportunity to pull out of the Agreement.

Councillor Jeffries spoke on the 'ring-fencing' of ŌDC specific costs and queried if that would mean operational expenses, capital expenses and debt. ŌDC's Tanya Winter responded there were two stages with the first stage designed to keep all costs etc. with the participating council.

Councillor Jeffries queried if the Heads of Agreement would also address matters such as staff retention. Ms Winter advised there would be a workstream dedicated to staff related matters.

Councillor Jeffries spoke on the community boards involvement. Ms Winter noted that under the Local Government Act, community boards could not own assets, but that the boards had been invited to the workshop held recently to ensure their involvement.

Ms Winter also spoke to the cost of entering into the Heads of Agreement noting there would be upfront costs, but the Chief Executive Group had not yet determined the allocation of costs. She noted there is approximately \$200,000 sitting in the reserve from the Department of Internal Affairs transition funding, or it could be loan funded and transferred to the new entity. She advised this would be presented for approval in due course.

Councillor Prendergast queried the Government standard and if there were timeframes to achieve that standard. Ms Winter noted the water services delivery plan needed to show how ŌDC water could be financially sustainable and how it would meet the regulatory standards.

Councillor Johnson spoke on local voices represented in critical decision-making and the need to ensure a local voice. He sought the Heads of Agreement to include a pathway for communication and local representation. Mr Lewis stated the Board of the new entity will be directly answerable to the participating councils. Ms Winter noted a link to the TasWater interview was provided to councillors prior to the meeting. The interview included community communication.

Councillor Dow commented on the affordability table and how ŌDC ranked. He noted the workforce availability was the only concern. He noted the savings may be gobbled up with admin and meetings. Ms Winter noted the last item on the staff recommendation was to investigate a stand-alone option and bring that information back to ŌDC to assist in the final decision.

Councillor Jeffries noted the Local Government New Zealand conference was centred on 'localism' and there was a need to ensure a local viewpoint.

Councillor Johnson queried the compliance issues, noting the process to amend the Arohena scheme to stock only had commenced. Mr Lewis noted the water compliance data was a snapshot in time and may not reflect the overall performance of those plants.

Resolved C255: That Ōtorohanga District Council:

- a. Receives the report titled 'Waikato Water Done Well – Proposal' from the Waikato Water Done Well Project Team (document number 776676) and the accompanying technical report (document number 776675).
- b. Agrees to the vision, outcomes and success measures for the Waikato being adopted in principle. These are set out in section 3 of the technical report.
- c. Agrees to being a participating council that will co-design an aggregated model for the delivery of water services staged by function and governed by a professional board from the outset. Stage 1 will be the establishment of an entity providing functional services to participating councils. The end point as Stage 2 (to deliver on the vision, outcomes and success measures) is an aggregated, fully regulated water services entity.
- d. Advises the Joint Chairs of the Waikato Joint Mayors and Chairs Forum of their decision.
- e. Instructs the Chief Executive to negotiate a proposed Heads of Agreement (HoA) to bring back for Council approval by the end of October 2024 (with the intention of the HoA being signed in November 2024). Noting that the HoA is a non-binding agreement between participating councils, entered into on a good faith basis to show a commitment to progress in the manner proposed and that the framework will inform the development of more formal documentation.
- f. Notes that, if Council does not confirm ŌDC as a participating council in the proposed aggregated model, it will exit the Waikato Water Done Well workstream but be kept informed of the work underway.
- g. Instructs the Chief Executive to investigate the stand alone option for Ōtorohanga District Council to continue to deliver water services and to provide the assessment prior to Council signing the HoA.

Councillor Jeffries | Councillor Prendergast

#### **Item 160 - Local Alcohol Policy – Date of hearings and deliberations**

This item was withdrawn at the request of the Chief Executive.

## **Item 161 - Concept Plans – Prioritisation of projects**

ŌDC's Ross McNeil spoke to the prioritisation and the opportunity to split the budget and allocating a higher proportion to 'shovel ready' projects.

Councillor Dow noted Prime Minister Luxon's speech about sticking to core infrastructure and reduce 'nice to have' projects. ŌDC's Tanya Winter spoke on the consultation process with the community. His Worship the Mayor commented on the actions taken by ŌDC and how they aligned with the four wellbeings. He noted the difference between big grandiose activities and keeping a community vibrant.

Councillor Christison queried the scope of the Huipūtea Reserve Development Plan and the cost to ratepayers. Mr McNeil stated there were two land uses currently which were inconsistent with the plan. Both owners agreed that the long term status in that area needed to change. How and when that happens and how it is funded is unclear at the moment. If ŌDC agree to the overall vision, there may be opportunities to seek external funding.

Councillor Dow noted the sewerage system would also need to be relocated due to the increase in people walking around the lake. Ms Winter clarified that it was a stormwater flood station.

Councillor Jeffries referred to the Kāwhia/Aotea/Ōpārau and Rural concept plans and the prioritisation. Mr McNeil referred to Appendix 4 noting the top two categories of the plans. It was his suggestion to go deeper into those projects due to the amount of additional scoping and planning required. He noted if the desire of ŌDC was to direct a higher proportion of funding to 'shovel ready' projects it would require a review of the Appendix Four projects.

Councillor Jeffries noted the 'low hanging fruit' was prioritised for the Ōtorohanga concept plan and queried if the two new plans had also had those types included.

Councillor Dow queried if the 'future of Ōtorohanga Pool' meant shutting it down or fixing it up. Ms Winter noted the facility was aging and condition assessments were included in the asset management plan. She noted the pool facility may need an injection of money to meet the needs of the community, and that this was raised through the consultation process. Mr McNeil noted the condition assessment was part of the scoping for the future use.

Resolved C256: That the Ōtorohanga District Council:

- a. Confirm the proposed Concept Plans Implementation Programme, noting Council's preference that 75% of the programme budget is directed to progressing 'shovel ready' projects.
- b. Confirm that the staff resourcing supporting the implementation of the Concept Plans continue until June 2027 and that the annual budget (up to \$75,000) for this resource be funded from the Concept Plans implementation budget as was confirmed in the 2024-34 Long-Term Plan.

Councillor Tamaki | Councillor Hughes

### **Item 162 - Approval of the Traffic Bylaw (Freedom Camping) amendments**

ŌDC's Andrew Loe, Policy Advisor noted there were a couple of plans not included in the staff report. He distributed hard copies of the plans then recapped the legislative changes made by central Government and the subsequent impact on the Bylaw. He noted a change for Tom French Reserve where a limit of two consecutive nights stay would be implemented.

His Worship the Mayor commented on people camping in their cars and sanitary issues. Mr Loe reiterated that the changes could only maintain the status quo that existed in the Bylaw currently. He noted to make changes to add restrictions would need to go through a full public consultation process.

Resolved C257: That the Ōtorohanga District Council confirm the amendments to the Traffic Bylaw 2025 to clarify rules controlling Freedom Camping using a motor vehicle.

His Worship the Mayor | Councillor Christison

### **Item 163 - Consideration of the Hamilton Waikato Tourism service proposal for 2024/25**

ŌDC's Nardia Gower noted the report highlights the reasons for ŌDC's decision to reduce funding during the Long Term Plan deliberations. She outlined the three options available.

His Worship the Mayor spoke on the possibility for a sub-regional opportunity with Waitomo District Council. Councillor Christison noted option 2 would align with comments made during the Rural concept plan process.

Resolved C258: That Ōtorohanga District Council declines the service proposal from Hamilton Waikato Tourism and retains the 24/25 budget of \$35,000 for the local delivery of tourism-related activities/services reporting on activities and outcomes to inform funding for 2025/26 and subsequent years.

Councillor Christison | Councillor Dow

**Item 164 Hamilton & Waikato Tourism (HWT) Annual Report - 1 July 2023 - 30 June 2024**

ŌDC's Nicky Deeley, Manager Community Development & Wellbeing took the report as read noting the letter was in response to ŌDC's decision in the Long Term Plan process to reduce the level of funding provided. She outlined the three options available in the staff report. In response to a query from Councillor Jeffries, Ms Deeley spoke on the Annual Report provided by HWT.

Resolved C259: That the Ōtorohanga District Council receive the report 'Hamilton & Waikato Tourism Annual Report - 1 July 2023 to 30 June 2024' (document number 776845) from Nicky Deeley, Manager Community Development and Wellbeing.

Councillor Williams | Councillor Jeffries

**Item 166 - Sport Waikato Annual Report for 1 July 2023- 30 June 2024**

ŌDC's Nicky Deeley, Manager Community Development & Wellbeing took the report as read.

Councillor Christison referred to the future planning timeframe used. Steve Dalgety from Sport Waikato spoke to the query, noting that they work with Active Exchange (AE). Councillor Prendergast spoke on the quality of the report. She queried how success is measured and how that dictates future direction. Mr Dalgety outlined the partnership with AE.

Robbie Matthews spoke on the rural community focus, e.g. rural halls. Locally, she highlighted the way ŌDC conducted the Long Term Plan process and the projects that Sport Waikato had the opportunity to be involved in.

Councillor Jeffries queried what was happening with Hauturu and Kāwhia schools and also queried how many Olympians came from the Waikato area. Sport Waikato's Robbie Matthews noted Sport Waikato were not involved in elite sports but were focussed on grass roots. She then spoke on the two schools.

Resolved C260: That the Ōtorohanga District Council receive the report 'Sport Waikato Annual Report for 1 July 2023- 30 June 2024' (document number 776828) from Nicky Deeley, Manager of Community Development and Wellbeing.

Councillor Jeffries | Councillor Prendergast

**Item 167 - Roading Activity quarterly update – August 2024**

ŌDC's Paul Strange, Manager Roading took the report as read. His Worship the Mayor queried the 2023 budget and year end actual and noted how aligned the two figures were. Councillor Christison commented



on the need for improvement of the road safety information on the ŌDC website. Mr Strange referred to page 3 and the funding for road safety education budget.

His Worship the Mayor noted the recent culvert upgrades had resolved the stormwater issues and referred to the good work on the Lethbridge Road bridge works. Councillor Christison queried the additional information that was requested by the Director for the final speed management plan lodged for approval. Mr Strange advised it related to the process around consultation for the areas around schools.

Councillor Jeffries queried if the Ngutunui Road signage had seen a reduction in accidents. Mr Strange advised there were not as many incidents reported since the installation. He noted NZ Police enforced the limits on one day and issued tickets. Councillor Dow queried vegetation control and Mr Strange advised it was important for service requests to be lodged for any areas that are of concern as maintenance was undertaken every year but not for every road. Councillor Prendergast noted the fast reaction by ŌDC to concerns at the Mangatutu Reserve.

Councillor Johnson queried Ngutunui Road and the failure of the resurfacing. Mr Strange advised the last seal coat was put on in 2021. The repair requires the pavement to be ripped up, metal added, and a new surface laid which should be completed by the end of 2024. Councillor Prendergast referred to page 177 and queried start and end of the area wide treatments. Mr Strange advised route position were used and sometimes aligned with rapid numbers but not always.

Resolved C261: That the Ōtorohanga District Council receive the report titled 'Roding Activity quarterly update – August 2024' (document number 775746) from Paul Strange, Manager Roding.

Councillor Tamaki | Councillor Johnson

#### **Item 165 - Better Off Fund update – August 2024**

ŌDC's Sashtree Montgomery took the report as read. She noted there was a short video to be displayed and introduced the two representatives from the College; Principal Lindsay Kurth and Board Co-Chairperson Kim Ingham.

Lindsay Kurth thanked ŌDC for the opportunity to speak and advised the BO funding has had huge benefits to staff and students. She spoke to some of the projects including the provision of laptops for every student in each classroom, twelve brand new ovens and a mobile barista machine as part of a now fully kitted out food room.

Ms Kurth noted the funding allowed for the introduction of a module for cars and motorbikes, increased pastoral care and wellbeing including a qualified counsellor onsite 2 days per week as part of a service agreement with Te Kuiti High School.

Ms Kurth noted the newly appointed Attendance Officer and additional learning support teachers in the learning hub for students that need additional support including 'highflyers'. In response to a query from Councillor Prendergast, Ms Kurth advised the enrolments had increased in 2024 and were 342.

Kim Ingham spoke on funding from a Board perspective. She noted the Hall upgrade and the recent school production where the sound engineer who assisted with the production stated the Hall sound was as good as any Hamilton school. She noted the Hall kitchen redevelopment allowed for a food programme to be run out of the kitchen. Ms Kurth noted this allowed senior students to sit a range of different achievement and unit standards e.g. create and sell sandwiches.

Councillor Willison left the meeting at 12.14pm.

Councillor Tamaki spoke on the importance of the funding and the benefits for local Māori students.

Resolved C262: That Ōtorohanga District Council receive the report titled 'Better Off Fund update – August 2024' (document number 776795) from Sashtree Montgomery, Community Programmes Coordinator.

Councillor Tamaki | Councillor Dow

His Worship the Mayor adjourned the meeting for the lunch break at 12.21pm. A workshop was held due to presenter availability prior to the recommencing the meeting. Councillor Roy Willison was not in attendance.

## Workshops

### Workshop 1: Waikato Region Climate Action Plan

Jennifer Nickel, Chairperson of the Waikato Regional Council's Climate Action Committee spoke to a PowerPoint presentation.

The meeting recommenced at 1.36pm. Councillor Roy Willison was not in attendance.

### Item 168 Finance Report to 31 July 2024

ŌDC's Brendan O'Callaghan, Manager Finance took the report as read noting the impact of the rates strike and payments timing. He also commented on the timing of NZTA payments and how that affected the budgets.

Councillor Hughes referred to the loans and queried if the rates came in on direct debit, would that reduce the need for short term loans. ŌDC's Graham Bunn noted a lot of the direct debit payments were small instalments over time rather than lump sum. Mr Bunn talked about upcoming improvements planned for the monthly report including debt forecasts.

Resolved C263: That the Ōtorohanga District Council receive the report titled 'Financial Report for the month ending 31 July 2024' (document number 776507) from Brendan O'Callaghan, Finance Manager.

His Worship the Mayor | Councillor Johnson

## **Councillor updates on meetings attended on behalf of Ōtorohanga District Council**

## **Ngā kōrero hou a ngā Kaikaunihera**

Councillor Prendergast joined the Zoom meeting on physical safety hosted by Local Government New Zealand and the webinar on Māori wards along with other members.

Councillor Prendergast attended the meeting of the North King Country Development Trust and the Local Water Done Well workshop.

His Worship the Mayor, Deputy Mayor Williams, Councillors Tamaki, Jeffries and Christison attended the Local Government New Zealand Conference along with the Chief Executive, Chief Advisor and community board members, Muller and Good. Councillor Tamaki also attended the Te Maruata Conference prior to the main Conference. Councillor Tamaki also attended the Koroneihana and a hui around a joint planting initiative with the Department of Conservation, mana whenua and schools at Te Kauri Lodge.

Councillor Johnson attended the Ōtorohanga Charitable Trust annual general meeting and spoke on his travels overseas and learnings for ŌDC. Councillor Christison attended meetings of the Ōtorohanga Community Board with Councillor Hughes, and Ōtorohanga District Development Board (Elevate).

Councillor Jeffries attended the Kāwhia Museum annual general meeting and a public meeting on the Kāwhia Kai Festival. He attended the meeting of the Kāwhia Community Board which farewelled staff member, Andrew Loe who was retiring. He attended the Ōtorohanga Housing Group meeting along with Councillor Christison. He participated in the community weeding and planting of Kaora Street, Kāwhia and the clean-up of Ōpārau Hall.

Deputy Mayor Williams spoke on the Local Government New Zealand Conference and one of the topics discussed, localism. Councillor Hughes acknowledged the support from elected members, staff and members of the public following his son's accident.

## Resolution Register

Resolved C264: That Ōtorohanga District Council confirm the removal of Resolutions C218, C219, C230, C243, C244, C245 and C246 from the Register.

His Worship the Mayor | Deputy Mayor Williams

### Public excluded

### Take matatapu

There are no reports.

### Closing prayer/reflection/words of wisdom

### Karakia/huritao/whakataukī

ŌDC's Tanya Winter led the assembled gathering in a recital of the karakia in Māori.

### Meeting closure

### Katinga o te hui

His Worship the Mayor declared the meeting closed at 2.13pm.

### Workshops

### Hui awheawhe

#### Workshop 2 – Development/financial contributions policy review

ŌDC's Ross McNeil spoke to a PowerPoint presentation.

#### Workshop 3 – Anchor organisations (Te Punga o Te Hapori)

ŌDC's Ross McNeil spoke to a PowerPoint presentation.

#### Briefing 1 – Growth planning (public excluded)

ŌDC's Tony Quickfall provided a verbal update.

**Discussion 1 – Monthly discussion with the Chief Executive (public excluded)**

## Receipt of Minutes

## Te rironga o ngā meneti

The unconfirmed Minutes of the meetings of the Ōtorohanga Community Board are attached on the following page. The meeting of the Kāwhia Community Board was cancelled.

### Staff recommendation

That Ōtorohanga District Council receive the unconfirmed Minutes of the meeting of the Ōtorohanga Community Board held on 2 September 2024 (document number 777335).

# Ōtorohanga Community Board

Minutes of an ordinary meeting of the Ōtorohanga Community Board held in Waikōwhitiwhiti (Council Chambers), Ōtorohanga District Council, 17 Maniapoto Street, Ōtorohanga on Monday, 2 September 2024 commencing at 4.30pm.

Tanya Winter, Chief Executive

17 September 2024



## Open Minutes

### Ōtorohanga Community Board membership

Chairperson	Katrina Christison	Attended
Deputy Chairperson	Peter Coventry	Attended
Ōtorohanga Councillor	Steve Hughes	Attended
Board Member	Kat Brown-Merrin	Apology
Board Member	Jo Butcher	Attended
Board Member	Tori Muller	Attended

### Senior Ōtorohanga District Council staff in attendance

Chief Executive	Tanya Winter	Apology
Group Manager Business Enablement	Graham Bunn	Apology
Group Manager Engineering & Assets	Mark Lewis	Attended
Group Manager Regulatory & Growth	Tony Quickfall	Apology
Group Manager Strategy & Community	Nardia Gower	Apology
Chief Advisor	Ross McNeil	Attended via Zoom

## Opening formalities

Commencement of meeting	Te tīmatanga o te hui	4
Opening prayer/reflection/words of wisdom	Karakia/huitao/whakataukī	4
Apologies	Ngā hōnea	4
Public forum	Hui tūmatanui	4
Late items	Ngā take tōmuri	4
Declaration of conflict of interest	Te whakapuakanga pānga taharua	4
Confirmation of minutes	Te whakaū i ngā meneti	4

## Decision reports

## Ngā pūrongo whakatau

Item 32	Recommendation to approve road name 'Prescott Rise'	5
---------	---	---

## Information only reports

## Ngā pūrongo mōhiohio anake

No reports.

## Public excluded

## Take matatapu

No reports.

## Other business

## Ētahi atu take

Board Member updates		5
Board projects		6
Community Board discretionary fund		6
Resolution Register		7



---

**Closing formalities**

Closing prayer/reflection/words of wisdom	Karakia/huritao/whakataukī	7
Meeting closure	Katinga o te hui	7

**Workshops/briefings**

Briefing 1: Trading in Public Places Policy – Submissions update	Open
Workshop 2: Anchor Organisations (Te Punga o te Hapori) (presentation)	Open
Workshop 1: Māori engagement framework	Cancelled

These Open Minutes were prepared by Manager Governance, Kaia King and approved for distribution by Group Manager Engineering & Assets, Mark Lewis on 17 September 2024.

**Commencement of meeting****Te tīmatanga o te hui**

Chairperson Christison declared the meeting open at 4.30pm.

**Opening prayer/reflection/words of wisdom****Karakia/huitao/whakataukī**

Councillor Hughes provided the following words of wisdom: *The reason people find it so hard to be happy is that they always see the past better than it was, the present worse than it is, and the future less resolved than it will be. ~ Marcel Pagnol*

**Apologies****Ngā hōnea**

Resolved O84: That Ōtorohanga Community Board receive and accept the apology from Board Member Kat Brown-Merrin for non-attendance.

Deputy Chairperson Coventry | Board Member Muller

**Public forum****Hui tūmatanui**

No requests to be heard had been received.

**Late items****Ngā take tōmuri**

There were no late items.

**Declaration of conflict of interest****Te whakapuakanga pānga taharua**

There were no conflicts declared.

**Confirmation of minutes****Te whakaū i ngā meneti**

Resolved O85: That Ōtorohanga Community Board confirm as a true and correct record of the meeting, the open Minutes of the meeting held on 5 August 2024 (document number 775429).

Councillor Hughes | Deputy Chairperson Coventry

---

## Decision reports

## Ngā pūrongo whakatau

### Item 32 - Recommendation to approve road name 'Prescott Rise'

ŌDC's Andrew Loe, Policy Advisor took the report as read. In response to a query from Councillor Hughes, Mr Loe confirmed the only cost to ŌDC was the signage noting the estimated cost was \$400 for both the sign and installation. ŌDC's Mark Lewis advised the sign would then go onto the maintenance schedule with all other signage.

Councillor Hughes then queried if there was a give-way or stop sign planned. Mr Lewis advised the designation of the road was unchanged, this was to give a name. Mr Loe advised the matters of road safety would have been assessed during the subdivision consent process. Chairperson Christison queried if Waka Kotahi (New Zealand Transport Agency) had the opportunity to provide input at that stage and Mr Loe confirmed it had.

Chairperson Christison queried why the developer's chosen name of Pat Prescott Rise was shortened to Prescott Rise. Mr Loe stated part of the Road Naming Policy to not have double names for a road.

Resolved O86: That Ōtorohanga Community Board recommend pursuant to Section 319(1)(j) of the Local Government Act 1974, that the access lots within the Broadview Estate subdivision on Main North Road, Ōtorohanga shown as Lots 18 19 LT 377702 on the attached Digital Title Plan (Appendix A) be named Prescott Rise subject to final approval by Ōtorohanga District Council.

Councillor Hughes | Board Member Butcher

## Information only reports

## Ngā pūrongo mōhiohio anake

There were no reports.

## Public excluded

## Take matatapu

There were no reports.

## Board Member updates

## Ngā kōrero hou a ngā Kaikaunihera

Deputy Chairperson Coventry spoke on the Ōtorohanga stopbank walkway maintenance and Board Member Butcher queried when the annual service for the whole track was due. She also noted a service request had been logged the previous week due to testing holes dug along the edge of the walkway had

not been filled in and were a trip hazard. ŌDC's Mark Lewis undertook to follow the comments up with staff.

Councillor Hughes spoke on the torrential downpour which resulted in the stormwater flooding onto Ōtorohanga's main street. Mr Lewis noted although this occurred at rare storm events, the flooding also reduced very quickly.

Board Member Butcher sought an update on the road surface repairs on Progress Drive. Mr Lewis advised the roading report presented to Ōtorohanga District Council the previous week had an update but in essence the re-surfacing was scheduled for the upcoming summer season.

Board Member Muller spoke on the LGNZ Community Board Conference she attended.

Chairperson Christison spoke on the LGNZ SuperLocal Conference. One of her key takeaways was the need to plan for 7 generations rather than 50 years. She noted a speaker had told a love story to generate community engagement for a planting project around a shoreline and the need to communicate effectively. She also spoke on the removal of the 'well-beings' by central Government from the Local Government Act but stated that if all elected members looked at everything with a holistic lens, community wellbeing would be achieved.

Chairperson Christison noted two decisions were made at the ŌDC meeting the previous week. She advised ŌDC had voted to retain the Rangiātea Māori ward and proceed to a binding poll at the 2025 local government election. She also spoke on the approval by ŌDC to proceed to the next stage of the Waikato Water Done Well project, being the development of a 'Heads of Agreement'. The HOA would provide more detail on the proposed aggregated model. Staff has also been tasked to provide as part of the October report, information on retention of the 'status quo', being water services delivered by ŌDC and not a joint water entity. She spoke briefly on the sapling planting day at Huiputea she had attended.

## **Board projects**

### **Project 2: Ōtorohanga hauora and connectivity trail**

Chairperson Christison spoke on recent meetings looking at the exercise equipment and locations.

### **Project 4: Ōtorohanga dog park**

Board Member Butcher advised the project was still delayed until the final Reserve Management Strategy was adopted.

## **Community Board discretionary fund**

No funds were allocated.

## Resolution Register

Resolved O87: That the Ōtorohanga Community Board approve the removal of Resolution O82 from the Register.

Board Member Butcher | Councillor Hughes

## Closing prayer/reflection/words of wisdom      Karakia/huritao/whakataukī

Deputy Chairperson Coventry provided a closing prayer.

## Meeting closure      Katinga o te hui

Chairperson Christison declared the meeting closed at 4.54pm.

## Workshops/briefings

Briefing 1: Trading in Public Places Policy – Submissions verbal update

Workshop 1: Anchor Organisations (Te Punga o te Hapori) (presentation)

Workshop 2: Māori engagement framework – **RESCHEDULED**

## His Worship the Mayor's verbal report

## Te pūrongo ā-waha a te kahika

His Worship will provide a verbal update at the meeting.

### Staff recommendation

That Ōtorohanga District Council receive the verbal update from His Worship the Mayor, Max Baxter.

## Decision reports

## Ngā pūrongo whakatau

**DISCLAIMER:** The reports attached to this Open Agenda set out recommendations and suggested resolutions only. Those recommendations and suggested resolutions DO NOT represent Ōtorohanga District Council policy until such time as they might be adopted by formal resolution. This Open Agenda may be subject to amendment either by the addition or withdrawal of items contained therein.

**Item 169** Adoption of the Ōtorohanga District Council Local Alcohol Policy 2024

**To** Ōtorohanga District Council

**From** Andrew Loe, Policy Advisor

**Type** **DECISION REPORT**

**Date** 24 September 2024



## 1. Purpose | Te kaupapa

1.1. To present the Ōtorohanga District Council Local Alcohol Policy (LAP) for approval so that it can be publicly notified and adopted in accordance with section 80 of the Sale and Supply of Alcohol Act 2012 (the Act).

## 2. Executive summary | Whakarāpopoto matua

2.1. The initial Ōtorohanga District Council LAP came into force on 17 May 2017. The Sale and Supply of Alcohol Act states that a policy must be reviewed every six years and can only be amended, replaced or revoked in accordance with the special consultative procedure under section 83 of the Local Government Act 2002.

2.2. A review of the LAP commenced in November 2023 and a draft policy was notified for public consultation from 24 July to 26 August 2024. One position statement and five submissions were received. A proposed policy and the submissions are presented for Council's consideration with a view towards finalising the Local Alcohol Policy 2024.

## 3. Staff recommendation | Tūtohutanga a ngā kaimahi

That the Ōtorohanga District Council –

- a. Receive and consider the submissions made on the draft Policy,
- b. Finalise the content of the Ōtorohanga District Council Local Alcohol Policy 2024 (document number 779776),
- c. Publicly notify the approved Policy for adoption 30 days later in accordance with section 80 of the Sale and Supply of Alcohol Act 2012 (the Act),
- d. Confirm the date on which the Policy is to come into force, *“the Ōtorohanga District Council Local Alcohol Policy 2024 will come into force on ..... 2024”*.

## 4. Context | Horopaki

4.1. The proposed Local Alcohol Policy (LAP) has been developed pursuant to section 75 of the Sale and Supply of Alcohol Act 2012, which empowers territorial authorities to develop Local Alcohol Policies relating to the sale, supply, or consumption of alcohol within their district. The proposed policy is attached to this report as Appendix 2.

4.2. Content of the Policy:

- a) It must be consistent with the Act and general law.
- b) It cannot authorise anything forbidden by the relevant district plan; however it can be more restrictive.
- c) It may include any or all of the following matters relating to licensing (and no others):
  1. Location of licensed premises by reference to broad areas.
  2. Location of licensed premises by reference to proximity to premises of a particular kind or kinds.
  3. Location of licensed premises by reference to proximity to facilities of a particular kind or kinds.
  4. Whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district concerned, or any stated part of the district.
  5. Maximum trading hours.
  6. The issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions.
  7. One-way door restrictions.

Note – these restrictions do not apply to special licences.

d) A local alcohol policy must not include policies on any matter not relating to licensing.

4.3. The Ōtorohanga District Council Provisional Local Alcohol Policy (PLAP) was adopted by Council on 18 February 2014. The PLAP was based on similar policies used by Waitomo District Council and Waipā District Council. The PLAP was subject to an appeals process which resulted in amendments to the Policy. The Alcohol Regulatory and Licensing Authority issued a final decision on the appeals in April 2017 and the Policy came into force in May 2017.

4.4. Section 97 of the Act states that the LAP must be reviewed every six years and can only be amended, replaced or revoked in accordance with the special consultative procedure under section 83 of Local Government Act 2002 (LGA).

4.5. The review of the LAP commenced in late 2023 involving discussions with Council on the duties and responsibilities of territorial authorities under the Sale and Supply of Alcohol Act 2012 and its role in the six yearly review of the Policy. Council provided direction to staff to continue with a policy review as they wished to retain the oversight measures that a Local Alcohol Policy provides.



- 4.6. During discussion it was stated that the current policy appeared to be serving its purpose and no concerns were raised about any ongoing issues or standout incidents relating to alcohol consumption that had occurred since 2017. This may be due in part to an alcohol ban that is placed over Kāwhia during the summer holidays and that the total number of licensed premises in the district has remained stable for more than a decade. Council agreed that an update and refresh of the current policy was an appropriate approach for this review.
- 4.7. Prior to producing a draft policy, a territorial authority must consult with Police, Licencing Inspectors and the Medical Officer of Health. Following on from that consultation, Health New Zealand provided a Position Statement on the content of the proposed Policy. The detail of their statement is consistent with the public health position on alcohol maintained by health authorities, that the level of access and availability of alcohol is proportionate to the amount of excessive or inappropriate consumption of alcohol resulting in harmful outcomes. The statement recommends changes to the Policy which can be assessed as part of the consultation process. A copy of the Position Statement is included with the other submissions in Appendix 1.
- 4.8. A draft policy was prepared for public consultation which contained no substantive amendments to the current Local Alcohol Policy. However, the following changes were made to update the format of the LAP;
- Sections covering Introduction, Overview and Objective incorporated into a separate Introduction section and a Purpose and Scope section.
  - Transcribe the Policy into the new Council policy template.
- 4.9. The draft LAP was open for public submissions from 24 July to 26 August 2024. Twenty-two key stakeholders were emailed copies of the draft policy, statement of proposal and submission forms. The five submissions received are attached in appendix 1.

## **5. Considerations | Ngā whai whakaarotanga**

### **Submissions received.**

- Alcohol Healthwatch – Submission received
- Clubs New Zealand – Submission received
- General Distributors Ltd – Submission received
- New Zealand Police – Submission received
- Ōtorohanga Club – Submission received
- Te Whatu Ora Health New Zealand – Position Statement

### **Submission points**

- 5.1. Proximity of new licenced premises to sensitive sites is raised in four submissions with three submitters making various suggestions to increase the area of separation between new premises and sensitive sites.

- 5.2. Support was received for expanding the list of sensitive sites to include the following; "directly bordering school, early childcare facility, place of worship, **marae, or health facilities**. Ref. 1(d), 2(d), 3(d)." A definition of health facilities will be required if this change is adopted.
- 5.3. The General Distributors Ltd submission requested that clause 2(d) for off-licences be deleted as the Act provides sufficient powers for Council to consider whether the amenity and good order of a locality is affected by a proposal to issue a new off-licence.
- 5.4. Reducing hours of opening was raised in three submissions with Police seeking Council to mirror the sweeping change introduced in Auckland where their LAP now restricts all off-licences to a 9pm closing time.
- 5.5. In considering these points, Council needs to be aware that there is a low likelihood of any new licenced premises opening in Ōtorohanga or Kāwhia, unlike areas where these policy changes are being promoted that have seen strong growth in the number of alcohol outlets.
- 5.6. There is a sound argument for decreasing opening hours. However, our Policy is currently in synch with Waitomo and Waipā, and if we reduce hours in isolation there is a risk of cross boundary travel if local outlets close earlier.

#### **Staff submission**

- 5.7. Working on this policy review provides exposure to numerous details that could improve the Policy, including these suggestions for inclusion in the Policy:
- a) Definition of Health Facilities – a location where health care is provided including hospitals, medical clinics, outpatient care, and alcohol and drug addiction clinics.
  - b) Figure One "Directly Borders" – the diagram in the draft Waipā District LAP is a better illustration of this rule and is recommended for inclusion.
  - c) Remote and Online sales with courier delivery is an increasingly common method of selling alcohol. Licence conditions need to be able to help safeguard against abuse. This clause is recommended for inclusion.
  - d) Discretionary conditions – remote sellers

The outside of the delivery package must contain the following words

#### ***Courier Warning***

***1. Contains Alcohol***

***2. Do not leave destination without proof of delivery***

#### **Impacts on Māori**

- 5.8. The Local Alcohol Policy is a regulatory tool to help manage the harm caused by excessive or inappropriate consumption of alcohol which affects all our community. Māori are overrepresented in alcohol harm statistics and leading health agencies recognise local alcohol policies as an important tool to help minimise these adverse effects.

### **Risk analysis**

5.9. Members of our community are constantly at risk from the effects of excessive or inappropriate consumption of alcohol, be that that through poor health outcomes, public disorder or safety on the roads. An operative Local Alcohol Policy is a regulatory tool available to councils to help manage those effects and support the decisions of the District Licencing Committee.

### **Policy and plans**

5.10. The Policy is not inconsistent with other Council policies and plans.

### **Legal**

5.11. The Sale and Supply of Alcohol Act 2012 authorises Council to adopt a Local Alcohol Policy. The Policy must be reviewed every six years, and this report is one of the final steps in the review of the initial Ōtorohanga District Council LAP adopted in 2017.

### **Financial**

5.12. The cost of undertaking this policy review will be absorbed into current operational budgets.

### **Public notification**

5.13. The LAP can only be adopted after the finalised LAP has been publically notified in accordance with Section 80 of the Act.

5.14. Public notice must be given of:

- a) the finalised Policy; and
- b) the date that it is adopted, which must be 30 days following public notification; and
- c) the date that it comes into force, which must at least three months following public notification if substantive changes (i.e. trading hours) are made to the current policy.

5.15. The proposed timeframes for the public notice, adoption, and policy being in force are set out below.

<b>Timeframes for adoption of LAP</b>	
<b>Council Meeting Finalise proposed LAP</b>	25 September 2024
<b>Public notification of finalised LAP</b>	25 October 2024
<b>LAP comes into force</b>	To be confirmed

## **6. Discussion | He kōrerorero**

6.1. There are two options available to Council for consideration.

### **Option 1: Finalise the Local Alcohol Policy 2024 (with amendments)**

6.2. Council approved public consultation on a draft Policy that did not contain any substantive change from the current Policy. Submissions have been received suggesting change to some elements of the

proposed Policy. Following deliberations on these submissions and possible amendments, Council can move to finalise the content of the Policy that will be in force for the next six years

**Option 2: Finalise the Local Alcohol Policy 2024 (no change to proposed policy)**

- 6.3. Finalise the proposed Policy notified for public consultation. This Policy is similar in content to the current Policy with the changes detailed in section 4.8 of the report.

**Recommended option and rationale**

- 6.4. Option 1 is the recommended option in the likelihood that Council will favour making some amendments to the proposed policy in light of submissions received. Either option will provide a Policy that retains the controls and limits contained in the current LAP.

---

**7. Appendices | Ngā apitihanga**

<b>Number</b>	<b>Title</b>	<b>Document number</b>
1	Submissions on draft Local Alcohol Policy	779775
2	Local Alcohol Policy 2024	773174

## ŌTOROHANGA DISTRICT COUNCIL LOCAL ALCOHOL POLICY REVIEW 2024 SUBMISSIONS RECEIVED

Submission 1	<a href="#">Alcohol Healthwatch (Presenting by Zoom)</a>
Submission 2	<a href="#">Clubs New Zealand</a>
Submission 3	<a href="#">General Distributors Limited (Presenting in person)</a>
Submission 4	<a href="#">New Zealand Police (Presenting in person)</a>
Submission 5	<a href="#">Ōtorohanga Club</a>
Submission 6	<a href="#">Te Whatu Ora (Health New Zealand)</a>



**Submission on the Ōtorohanga District Council  
Draft Local Alcohol Policy 2024  
26 August 2024**

Tēnā koutou

Thank you for the opportunity to provide feedback on the Council’s Draft Local Alcohol Policy 2024.

We would like the opportunity to speak (virtually) to our submission.

If you have any questions on the comments we have included in our submission, please contact:

Andrew Galloway  
Executive Director  
Alcohol Healthwatch  
P.O. Box 99407, Newmarket, Auckland 1149



**About Alcohol Healthwatch**

Alcohol Healthwatch is an independent national charity working to reduce alcohol-related harm and inequities. We are contracted by Health New Zealand-Te Whatu Ora to provide a range of regional and national health promotion services. These include: providing evidence-based information and advice on policy and planning matters; coordinating networks and projects to address alcohol-related harms, such as alcohol-related injury and fetal alcohol spectrum disorder; and coordinating or otherwise supporting community action projects.

**General Comments**

1. Alcohol Healthwatch commends the Ōtorohanga District Council on its commitment to reviewing the District’s Local Alcohol Policy (LAP).
2. We wish to acknowledge the efforts of Council members and staff generally in reviewing the LAP on behalf of their communities.

3. We strongly believe that a LAP is a package of measures which, when used comprehensively, can significantly minimise rates of hazardous drinking and subsequent alcohol-related harm. For this reason, we recommend that LAPs are considered not just as a collection of isolated elements but as a cohesive package to reduce alcohol-related harm, insofar as can be achieved with measures relating to licensing.
4. A LAP which has the effect of reducing the overall availability of alcohol has significant potential to further minimise alcohol-related harm and improve community well-being. Measures that reduce accessibility and availability of alcohol have particular benefits for those who experience significant inequities in harm (i.e. Māori and those socio-economically disadvantaged). To date, alcohol outlets in Aotearoa New Zealand have been inequitably distributed to the most deprived neighbourhoods and the unequal harms from this must be addressed.<sup>1</sup>
5. By incorporating evidence-based measures to address both the physical (location) and temporal (operating hours) availability of alcohol, a LAP can support other harm reduction interventions in the local area and assist in sending a strong signal to communities regarding the harms associated with alcohol use.
6. Alcohol Healthwatch supports provisions in the LAP that are aligned to the object of the Sale and Supply of Alcohol Act 2012, that reflect the needs of the community and are supported by evidence for reducing alcohol-related harm.
7. We are aware that the public, licensing bodies and regulatory agencies as well as licensees see the benefits of a LAP as it provides greater certainty and clarity and supports a consistent approach across the district and statutory agencies and between licensees.
8. We believe that the review of the LAP is timely, and provides an opportunity for the LAP to reflect:
  - The Supreme Court decision on the Auckland Council Provisional LAP,<sup>2</sup>
  - The Sale and Supply of Alcohol (Community Participation) Amendment Act 2023,<sup>3</sup>
  - The desirability of ensuring greater consistency and synergy with LAPs (and proposed LAPs) in the region and across Aotearoa New Zealand, and
  - The changing environment and emerging issues in the district/region since 2016.

## **Specific comments**

### ***Location of Premises***

9. **We support** the continuation of the presumption against licences being granted for new premises where they directly border or are within 40 metres from the boundary of sensitive site.<sup>4</sup> We note that other councils in the region have extended this distance further to up to 100 metres, and Councils outside the region having up to 150 metre distance requirement.<sup>5</sup> We also support extending the range of “sensitive sites” to include marae and health facilities (which will encompass drug and alcohol treatment centres).
10. **We recommend** that the policy on proximity to other premises include a specified distance/radius from other premises.<sup>6</sup> This would provide clarity and address the increasing harm in the district associated with the clustering of premises.
11. **We support** the retention of the policy on limiting new on and off licences to the Kāwhia and Ōtorohanga Licencing Precincts (unless otherwise authorised by resource consent), but also **recommend** a mandatory policy on the issuing of further licences with the presumption that no new licences will be issued in certain areas. Section 77(1)(d) of the Sale and Supply of Alcohol Act enables Councils to consider whether further licences (on, off and club licences) should be issued for licensed premises, or whether there should be a cap/maximum limit or sinking lid policy to halt or reduce the existing numbers of outlets, particularly in areas where licensed premises have reached saturation levels or are in areas of high socio-economic deprivation, where there is high number of children and young people, where there is high crime rate, or where there would generally be an impact on the amenity and good order of the area.<sup>7 8</sup>

### ***Maximum Trading Hours***

12. **We recommend** that the trading hours be reviewed, with on-licences to close earlier than 2am and off-licences to operating no later than 9pm. Reducing trading hours is a key strategy for reducing alcohol-related harms.<sup>9</sup> International and national studies have shown that hazardous drinking increases with longer hours and greater availability, and that extended trading hours at on-licence premises was typically followed by increases in the incidence of assault, unintentional injury or drink driving offences.<sup>10 11</sup>

### ***Discretionary Conditions***

13. **We support** the continued inclusion of discretionary conditions that address safety and management of the premises. In particular, we support the reference to Crime Prevention Through Environmental Design (CPTED) principles in the LAP as it provides



guidance for the District Licensing Committee on reducing external signage at bottle shops.<sup>12</sup> Not only does prolific advertising obscure the view into/out of the premises (a safety issue), but exposure to alcohol signs and marketing at licensed premises is a key source of alcohol advertising exposure to children<sup>13 14</sup> and other vulnerable people. The effect of alcohol marketing on youth alcohol initiation and heavy drinking is established as causal.<sup>15 16</sup> In New Zealand, there is evidence that alcohol advertising is prevalent in urban settings, with tamariki Māori and Pasifika children disproportionately exposed.<sup>17</sup> Research also shows that heavy or problem drinkers can be more responsive to alcohol advertising and imagery, placing them at risk of triggering alcohol use in relapse and maintaining alcohol dependence.<sup>18 19</sup> The pervasiveness of alcohol signs and advertising at liquor stores is also likely to have a negative impact on community well-being and can significantly lower the aesthetic value of an area, which in turn has flow-on effects for the community through reduced amenity values and community welfare.

14. **We recommend** additional discretionary conditions be included in the LAP that could prohibit single sales and the use of Buy Now, Pay Later (BNPL) payment schemes for the purchase of alcohol from off-licensed premises. The research shows that the use of BNPL services to purchase alcohol - at an apparent and often advertised low cost and no interest - increases its perceived affordability, which can lead to greater consumption and related harms.<sup>20</sup> This is compounded where both BNPL and (rapid) delivery of alcohol is offered. Young adults are particularly vulnerable as they among the heaviest drinkers<sup>21</sup>, they are currently the main consumers of BNPL and are also likely to use rapid delivery for their purchases (often without ID checks).
15. **We recommend** the LAP include provisions that protect children and youth in the district, by not allowing special licences to be granted for family-focussed events, namely those events where a significant proportion of attendees are aged under 18 years.

## **Conclusion**

16. Alcohol Healthwatch supports many of the provisions in the LAP, but recommends some additional protections to be put in place for the duration of the policy to address availability and associated alcohol-related harm.
17. Strengthened measures can be effective in meeting the object of the Sale and Supply of Alcohol Act 2012 and reduce the significant burden placed on communities from alcohol-related harm.

## References and Notes

- <sup>1</sup> New Zealand Law Commission. Alcohol in Our Lives: Curbing the Harm [Internet], New Zealand Law Commission, 2010. NZLC Report No.: 114. Available from: <https://www.lawcom.govt.nz/sites/default/files/projectAvailableFormats/NZLC%20R114.pdf>
- <sup>2</sup> Courts of New Zealand. Foodstuffs North Island Limited v Auckland Council, Woolworths New Zealand Limited and Alcohol Regulatory and Licensing Authority – SC 140/2021 [Internet]. Wellington (NZ): Supreme Court of New Zealand; 2023 [cited 2023, Sep 18]. Available from: <https://www.courtsofnz.govt.nz/cases/foodstuffs-north-island-limited-v-auckland-council-woolworths-new-zealand-limited-and-alcohol-regulatory-and-licensing-authority>. And see further Auckland Council. Local alcohol policy due to go before council. 15 August 2024. Available from: <https://ourauckland.aucklandcouncil.govt.nz/news/2024/08/local-alcohol-policy-due-to-go-before-council/>
- <sup>3</sup> Sale and Supply of Alcohol (Community Participation) Amendment Act 2023, No. 60. Available from: <https://www.legislation.govt.nz/act/public/2023/0060/latest/whole.html>.
- <sup>4</sup> We note the amendment to clause 3.4.1 and 3.4.2 in the in the current 2016 LAP with the addition of “direct” to read “no direct impact” in clauses 1(d) and 1(e) in the 2024 draft LAP.
- <sup>5</sup> For example, Hauraki District Council 50 metres, Rotorua District Council 200 metre radius, Waikato District Council 100 metres and Gisborne District Council 150 metres.
- <sup>6</sup> For example, see Waikato District’s LAP 2017:  
4.3.2. *No new on-licence for a new tavern, not being located in an area zoned under the Waikato District Plan to allow commercial activities, shall be located within five (5) kilometres of any existing tavern or hotel that holds an on-licence.*  
5.3.2 *No new off-licence in respect of a bottle store shall be issued for any premises located within one (1) kilometre of the legal site boundary of any existing bottle store, licensed supermarket or grocery store...*
- <sup>7</sup> We note the amendment to clause 3.5.1, 4.5.1 and 5.5.1 in the current 2016 LAP changing “does not limit” to “does not cap” in clause 1(e), 2(e) and 3(e) in the 2024 draft LAP.
- <sup>8</sup> Huckle T, Huakau J, Sweetsur P, Huisman O, Casswell S. Density of alcohol outlets and teenage drinking: living in an alcogenic environment is associated with higher consumption in a metropolitan setting. *Addiction*. 2008;103(10):1614-21. Available from: <https://doi.org/10.1111/j.1360-0443.2008.02318.x>
- <sup>9</sup> Hahn RA, Kuzara JL, Elder R, Brewer R, Chattopadhyay S, Fielding J, Naimi TS, Toomey T, Middleton JC, Lawrence B, Task Force on Community Preventive Services. Effectiveness of policies restricting hours of alcohol sales in preventing excessive alcohol consumption and related harms [Internet]. *American Journal of Preventive Medicine*. 2010;39(6):590-604. Available from: <https://doi.org/10.1016/j.amepre.2010.09.016>.
- <sup>10</sup> Nepal S, Kypri K, Tekelab T, Hodder RK, Attia J, Bagade T, Chikritzhs T, Miller P. Effects of extensions and restrictions in alcohol trading hours on the incidence of assault and unintentional injury: systematic review [Internet]. *Journal of studies on alcohol and drugs*. 2020;81(1):5-23. Available from: <https://doi.org/10.15288/jsad.2020.81.5>
- <sup>11</sup> Casswell S, Huckle T, Wall M, Yeh LC. International alcohol control study: pricing data and hours of purchase predict heavier drinking. *Alcoholism: Clinical and Experimental Research* [Internet]. 2014. 38(5):1425-31. Available from: <https://doi.org/10.1111/acer.12359>
- <sup>12</sup> Refer Auckland District Licensing Committee. Off-licence Premises External Advertising Practice Note. 21 July 2023. Available from: <https://www.aucklandcouncil.govt.nz/licences->

[regulations/business-licences/alcohol-licences-fines/docsdlcpracticenotes/dlc-practice-note-external-signage.pdf](#).

<sup>13</sup> Chambers T, Stanley J, Signal L, Pearson AL, Smith M, Barr M, Ni Mhurchu C. Quantifying the nature and extent of children's real-time exposure to alcohol marketing in their everyday lives using wearable cameras: Children's exposure via a range of media in a range of key places. *Alcohol and Alcoholism*. 2018; 53(5):626-33. Available from: <https://academic.oup.com/alcac/article/53/5/626/5056455>.

<sup>14</sup> Huckle T, Huakau J, Sweetsur P, Huisman O, Casswell S. Density of alcohol outlets and teenage drinking: living in an alcogenic environment is associated with higher consumption in a metropolitan setting. *Addiction*. 2008;103(10):1614-21. Available from: <https://doi.org/10.1111/j.1360-0443.2008.02318.x>

<sup>15</sup> Sargent JD, Babor TF. The relationship between exposure to alcohol marketing and underage drinking is causal. *Journal of Studies on Alcohol and Drugs, Supplement* [Internet]. 2020;19:113-24. Available from: <https://doi.org/10.15288/jsads.2020.s19.113>

<sup>16</sup> Swensen G. Public space and alcohol advertising: Exploratory study of the role of local government [Internet]. *International Journal of Alcohol and Drug Research*. 2016;5(3):117-23. Available from: <https://doi.org/10.7895/ijadr.v5i3.224>

<sup>17</sup> Pasch KE, Komro KA, Perry CL, Hearst MO, Farbaksh K. Outdoor alcohol advertising near schools: what does it advertise and how is it related to intentions and use of alcohol among young adolescents? [Internet]. *Journal of Studies on Alcohol and Drugs*. 2007;68(4):587-96. Available from: <https://doi.org/10.15288/jsad.2007.68.587>

<sup>18</sup> Babor TF, Robaina K, Noel JK, Ritson EB. Vulnerability to alcohol-related problems: a policy brief with implications for the regulation of alcohol marketing [Internet]. *Addiction*. 2017;112:94-101. Available from: <https://doi.org/10.1111/add.13626>

<sup>19</sup> Witteman J, Post H, Tarvainen M, de Bruijn A, Perna ED, Ramaekers JG, Wiers RW. Cue reactivity and its relation to craving and relapse in alcohol dependence: a combined laboratory and field study [Internet]. *Psychopharmacology*. 2015;232:3685-96. Available from: <https://doi.org/10.1007/s00213-015-4027-6>

<sup>20</sup> Burke S, Roseveare C. Alcohol-related harms now available on demand. Public Health Communication Centre (PHCC). 15 August 2024. Available from: <https://www.phcc.org.nz/briefing/alcohol-related-harms-now-available-demand>.

<sup>21</sup> Ministry of Health. Annual Update of Key Results 2020/21: New Zealand Health Survey. 2021; published online Dec 1. Available from: <https://minhealthnz.shinyapps.io/nz-health-survey-2020-21-annual-data-explorer>.

# Clubs New Zealand Submission – Ōtorohanga District Council Local Alcohol Policy Review 2024

## Introduction

Clubs New Zealand Incorporated (Clubs New Zealand) is a not-for-profit, member led association representing more than 300 clubs around the country including Community Clubs, Cosmopolitan Clubs, Workingmen’s Club, Sports Clubs, and Returned Servicemen’s Associations (RSAs). Collectively our clubs employ more than 3,000 people, are supported by a volunteer network of more than 6,000 people and are a home away from home to over 300,000 club members.

Clubs New Zealand and our member clubs have traditionally travelled under the radar, quietly keeping pace with the legislative challenges and the ever-changing social needs of the community.

Clubs have operated in New Zealand since as early as 1881 and have seen many iterations of alcohol law. The longevity of our member clubs is a testament to their valued role in their communities and their good record of compliance.

Clubs are far more than bars; they are about bringing people together. The facilities, sporting, and recreational opportunities that clubs provide are the vehicle for members and communities to join with others and share common interests.

The Otorohanga District has a small number of clubs that are highly respected within the Clubs New Zealand community. They are active participants in Clubs New Zealand’s training and regularly engage with Clubs New Zealand resources and communications.

Club Name	Clubs New Zealand Member	Off Licence	# of members
Otorohanga Club	Yes	No	Approx. 1,500
Kawhia Sports Club	Yes	No	Approx. 50

## General Comments

The majority of Clubs New Zealand’s member clubs hold a club licence issued under the Sale and Supply of Alcohol Act 2012. The main difference between a club licence and an on-licence, other than that the licence holder must meet the definition of a “club”, is that clubs are authorised only to sell alcohol to their members, their members’ guests and visitors who are members of other clubs with which the club has reciprocal visiting rights. In this respect, clubs are not serving alcohol to the public.

The nature of our clubs enables staff and members to keep a watchful eye on each other and where appropriate act in the interest of their wellbeing.

Clubs have become the centre of communities; they provide a social focal point, and a safe and secure venue for which members can enjoy food, gaming, sports, and alcohol. Within the clubs



there are host responsibility practices and policies as well as licence conditions that are designed to ensure that alcohol is consumed in a safe and enjoyable manner, and this should be reflected within any policies and licensing decisions.

The contribution of clubs to their local communities often goes unnoticed. Nationally clubs employ close to 3,000 employees and pay salaries and wages in excess of \$83,000,000 per annum. A further 6,000 volunteers ensure that our clubs operate and serve their communities by contributing approximately 26,000 volunteer hours per month.

We have always known that the contribution clubs make to their communities is large, but to confirm that the cash donations and “in-kind” contributions made by clubs to their local communities each year exceeds \$4.2 million is huge.

A collective revenue in excess of \$262 million and assets exceeding \$1 billion demonstrates to us that clubs are significant and an important part of New Zealand’s social fabric that we need to promote and protect.

### **Club Licence Policy Comments**

Clubs New Zealand is supportive of the policy approach taken regarding Club Licences.

With regard to discretionary conditions, it is acknowledged that the Act allows for wide-ranging discretions as to the conditions that may be applied to a licence, however, we would like to see policies provide more guidance and direction on when these types of discretionary conditions may be imposed.

Clubs New Zealand would expect these types of discretionary conditions would only be imposed if there is evidence to suggest the conditions are required or that they will substantially contribute to the purposes of the LAP and the Act.

Clubs New Zealand has found that in other districts discretionary conditions are applied on a blanket basis and we do not believe that this approach is consistent with the intents of the Act.



Larry Graham  
Chief Executive Clubs New Zealand Inc.

Website: [www.clubsnz.org.nz](http://www.clubsnz.org.nz)

# Submission Form

## Draft Local Alcohol Policy

**Submissions close 5pm 26 August 2024**

Sub No.

*For office use only*

You can share your views by:

- Completing this submission form and returning it to us by:
  - Visiting our office on Maniapoto St, Ōtorohanga
  - emailing it to: [info@otodc.govt.nz](mailto:info@otodc.govt.nz) (scan and pdf or take a photo)
  - Posting to: Ōtorohanga District Council, PO Box 11, Ōtorohanga 3940
- Visiting our website: [otodc.govt.nz](http://otodc.govt.nz) and fill in an online submission form

<b>Full Name:</b>	Nina Dally
<b>Organisation:</b> <i>(if responding on behalf of)</i>	General Distributors Limited
<b>Phone:</b> <i>(home/mobile)</i>	[REDACTED]
<b>Address:</b>	Russell McVeagh, Vero Centre, 48 Shortland Street, PO Box 8, Auckland 1140
<b>Postcode:</b>	1140
<b>Email:</b>	[REDACTED]

The Local Government Act 2002 requires submissions to be made available to the public. Your name and/or organisation will be published with your submission and made available in a report to elected members and to the public. Other personal information supplied (such as address / email address) will be removed from the public copy.

I wish to speak to Council about my submission. Yes  No   
*(Hearings are scheduled for 10 September 2024. We will contact you to arrange a time.)*

### YOUR FEEDBACK

Please give us your feedback on the Draft Local Alcohol Policy 2024

Refer to attachment.

---

---

---

---

---

---

---

---

---

---

26 August 2024

Ōtorohanga District Council  
PO Box 11  
**ŌTOROHANGA 3940**

By email: [info@otodc.govt.nz](mailto:info@otodc.govt.nz)

## **SUBMISSION ON THE ŌTOROHANGA DISTRICT COUNCIL DRAFT LOCAL ALCOHOL POLICY**

### **Summary**

1. General Distributors Limited ("**GDL**") welcomes the opportunity to submit on the Ōtorohanga District Council Draft Local Alcohol Policy ("**DLAP**"). As an off-licence holder in the Ōtorohanga region, GDL has an interest in the matters raised in the DLAP.
2. GDL supports the objectives of minimising alcohol-related harm in the district and the general use of local alcohol policies as a tool for Council to assist with the safe consumption of alcohol.
3. GDL generally accepts the intention of the DLAP. However, GDL opposes Policy 2(d) relating to the location of premises holding off-licences by reference to proximity to particular facilities.
4. GDL wishes to be heard in relation to this submission.

### **GDL as an off-licence holder**

5. GDL is a wholly owned subsidiary of Woolworths and is responsible for operating Woolworths stores nationwide. GDL owns and operates 190 supermarkets under the Woolworths (formally known as Countdown) and Metro banners, and 4 "eStores" across New Zealand. Another subsidiary of Woolworths, Wholesale Distributors Limited, is the franchisor for over 70 SuperValue and FreshChoice supermarkets, which are locally owned and operated businesses.
6. GDL has been part of New Zealand communities for more than 90 years. GDL's purpose across its business is to make Kiwis' lives a little better every day. GDL is committed to contributing positively to New Zealand communities, and our team of more than 20,000 people work hard to deliver safe, fresh and affordable groceries to New Zealanders.

7. As a holder of over 175 off-licences in New Zealand, GDL is an experienced licence holder and is committed to being a responsible retailer of alcohol. GDL acknowledges it has a shared responsibility to prevent alcohol-related harm and ensure that consumption of alcohol is undertaken safely and responsibly.
8. In the Ōtorohanga district, GDL holds one off-licence for Woolworths Ōtorohanga. Woolworths Ōtorohanga trades Monday to Sunday from 8.00am to 9.00pm, but holds an off-licence for Monday to Sunday from 7.00am to 10.00pm.

#### **Location of premises holding off-licences – Policy 2(d)**

9. GDL opposes Policy 2(d) in the DLAP and seeks it is deleted in its entirety. The DLAP proposes to amend Policy 4.4.1 (proposed Policy 2(d)) of the DLAP). Policy 2(d) provides (amendments proposed in the DLAP are shown in underline):<sup>1</sup>

Within the Licensing Precinct Area, an off-licence will not be issued in respect of any new premises being licensed for the first time on any site where the site directly borders any school, early childcare facility, place of worship, marae or health facilities [...]

10. GDL seeks Policy 2(d) is deleted from the DLAP in its entirety, as follows:

~~Within the Licensing Precinct Area, an off-licence will not be issued in respect of any new premises being licensed for the first time on any site where the site directly borders any school, early childcare facility, place of worship, marae or health facilities [...]~~

11. In deciding whether to issue or renew a licence, the Sale and Supply of Alcohol Act 2012 ("**Act**") already empowers a licensing authority or licensing committee to consider the amenity and good order of the locality, and whether this is likely to be reduced by the issue or renewal of a licence.<sup>2</sup> This also includes whether the amenity and good order of the locality is already so badly affected it is not desirable to grant a new licence.<sup>3</sup> In considering these effects under the Act, the licensing authority or licensing committee must have regard to the purposes for which land near the premises concerned is used.<sup>4</sup>
12. "Sensitive sites" are a commonly understood principle when assessing the amenity and good order of the locality under the Act. These sensitive sites are synonymous with the sites as identified under Policy 2(d). For example, in assessing the amenity and good order of the locality,

---

<sup>1</sup> Statement of Proposal for Consultation on the Ōtorohanga District Council Local Alcohol Policy Review at [5.4].

<sup>2</sup> Sale and Supply of Alcohol Act 2012, ss 105(1)(h) and 131(1)(b).

<sup>3</sup> Sale and Supply of Alcohol Act 2012, s 105(1)(i).

<sup>4</sup> Sale and Supply of Alcohol Act 2012, s 106(1)(b)(i).



sensitive sites can include places of worship, any schools, early childhood facilities,<sup>5</sup> healthcare facilities and maraes.<sup>6</sup>

13. Consequently, GDL considers the Council's ability to consider sensitive sites is sufficiently provided for under the Act when assessing the amenity and good order of the locality. Given this, GDL considers Policy 2(d) is an unnecessary inclusion in the DLAP.

**Relief sought in relation to the amendment to Policy 2(d)**

14. For the reasons set out above, GDL seeks that Policy 2(d) is deleted from the DLAP in its entirety.

Yours faithfully



Paul Radich

**General Distributors Limited**

---

<sup>5</sup> *Roycroft v A & N Enterprises Ltd* [2020] NZARLA 204 at [159]. See also *Shady Lady Lighting Ltd v Lower Hutt Liquormart Ltd* [2018] NZARLA 198.

<sup>6</sup> See *PKNG Ltd v Fluker* [2019] NZARLA 38 and *Redwood Corporation Ltd v Auckland City Council* [2017] NZARLA PH 247.

**D Hall,**  
**Area Prevention Manager, Waikato District**  
**New Zealand Police**

Hi Andrew,

1. D. – site location. We recommend that a more pragmatic approach is taken when considering the location of Licenced Premises to include a 360 degree consideration to the impacts of the premises on others. This covers off the anti-social behaviours that can impact on all adjoining neighbour, not just the front facing ones.

F. Maximum trading hours for On-Licences – Police would like this reduced to 1:00am and a one way door policy from 11:00pm.

2. F. Police would like the maximum time for Off Licences to operate being unit 9:00pm in line with other LAP's such as Auckland City.

Can it be a consideration that CCTV systems must be in place and available to the Inspection Agencies?

Thanks

**David Hall**  
Area Prevention Manager  
Waikato West Area  
Waikato District

# Submission Form

## Draft Local Alcohol Policy

**Submissions close 5pm 26 August 2024**

Sub No.

For office use only

You can share your views by:

- Completing this submission form and returning it to us by:
  - Visiting our office on Maniapoto St, Ōtorohanga
  - emailing it to: [info@otodc.govt.nz](mailto:info@otodc.govt.nz) (scan and pdf or take a photo)
  - Posting to: Ōtorohanga District Council, PO Box 11, Ōtorohanga 3940
- Visiting our website: [otodc.govt.nz](http://otodc.govt.nz) and fill in an online submission form

**Full Name:** Bronwyn Merrin

**Organisation:**  
(if responding on behalf of) Otorohanga Club Incorporated

**Phone:**  
(home/mobile)

**Address:** 107 Maniapoto St, Otorohanga 3900

**Postcode:** 3900

**Email:**

The Local Government Act 2002 requires submissions to be made available to the public. Your name and/or organisation will be published with your submission and made available in a report to elected members and to the public. Other personal information supplied (such as address / email address) will be removed from the public copy.

**I wish to speak to Council about my submission.**

(Hearings are scheduled for 10 September 2024. We will contact you to arrange a time.)

Yes  No

### YOUR FEEDBACK

Please give us your feedback on the Draft Local Alcohol Policy 2024

I do not oppose the proposed changes to the Local Alcohol Policy 2024.

## **Submission on Review of Local Alcohol Policy**

Health NZ | **Te Whatu Ora**

Statement on: **Ōtorohanga District Council Local Alcohol Policy review**

June 2024

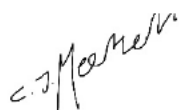
Tēnā koutou, Ōtorohanga District Council

Thank you for Council's request to provide a Health NZ | **Te Whatu Ora** position statement on the current **Ōtorohanga District Council Local Alcohol Policy** in preparation for the upcoming review of the Policy. We appreciate having this opportunity to support Ōtorohanga District Council to continue to reduce alcohol-related harm in Council's jurisdiction.

The **National Public Health Service** (NPHS) is the Division of **Health NZ** that delivers Health Protection, Health Promotion, and Prevention services. This position statement was completed by NPHS Te Manawa Taki. NPHS Te Manawa Taki provides these services to communities across the Waikato, Taranaki, Bay of Plenty, Lakes and Tairāwhiti territories.

**Date 24 of June 2024.**

Signed



**Name:** Dr Kate Meerkerk, a person who is authorised to sign on behalf of NPHS Te Manawa Taki

### Address of service

**Contact person (Waikato):** Dr Kate Meerkerk, Medical Officer of Health

**Email:** [REDACTED]

**Postal address:** PO Box 3200, Hamilton 3240

### Recommendations

The following table contains NPHS recommendations for changes to the current Ōtorohanga District Council's (ŌDC) Local Alcohol Policy. Unless otherwise specified, we **recommend** no change to other sections of the current Ōtorohanga District Council's Local Alcohol Policy (LAP).

<b>Current policy</b>	<b>Recommendations and rationale</b>
<b>On-licences</b>	
<b>Location of premises</b>	
<b>1. c) <u>Location of premises holding on-licences by reference to proximity to premises of a particular kind or kinds</u></b> <ul style="list-style-type: none"><li>• When considering a licence application, the District Licensing Committee will have regard to the proximity of that proposed premise to other licensed premise(s) where it considers this relevant.</li></ul>	We recommend proscribing proximity to sensitive sites in relation to all new licensed premises. Sensitive sites should include:

<p><u>1. d) Location of premises holding on-licences by reference to proximity to facilities of a particular kind or kinds</u></p> <ul style="list-style-type: none"> <li>• In addition to (b) above, an on-licence will not be issued in respect to any new premises being licenced for the first time on any site where it directly borders any school, early childcare facility, or place of worship existing at the time the licence application is made unless it can be demonstrated to the District Licensing Committee that the hours, signage or operation of the premises will have no direct impact on those facilities and/or persons using the facilities. “Directly borders” includes across any road from such facility within a 45° arc as shown in figure one.</li> <li>• In cases where a resource consent has been issued to locate a premises outside a Licencing Precinct Area as allowed in (b) above, the boundary of the site shall be a minimum of 40 meters from the boundary of any school, early childcare facility, or place of worship existing at the time the licence application is made unless it can be demonstrated to the District Licensing Committee that the hours, signage or operation of the premises will have no direct impact on those facilities and/or persons using the facilities.</li> <li>• Renewal of a licence shall be unaffected should a school, early childcare facility, or place of worship later move to a site which borders an existing licensed premise.</li> </ul>	<ul style="list-style-type: none"> <li>• schools,</li> <li>• child care facilities,</li> <li>• services for young people (U18’s)</li> <li>• recreational areas,</li> <li>• marae,</li> <li>• places of worship,</li> <li>• health facilities,</li> <li>• rehabilitation treatment centres,</li> <li>• pharmacies with a methadone programme,</li> <li>• high deprivation areas (7-10), and</li> <li>• any other site the community deems as sensitive.</li> </ul> <p>This has been sought to prevent new on-licenced taverns, night clubs, or premises with gaming facilities or bottle stores opening next to any of these sensitive sites, e.g. a bottle store opening next to a park or school. Further we recommend that the boundary of any licenced premises (on or off licence) be extended from 40 meters to a minimum of <b>100 meters</b> from any of the ‘sensitive sites’ listed above.</p>
<b>Hours of trade</b>	
<p><u>1. f) Maximum trading hours for premises holding on-licences</u></p> <ul style="list-style-type: none"> <li>• No on licence shall be issued or renewed for any hotel or tavern premises with hours that exceed the following (subject to sections 46 and 47 of the Act): <ul style="list-style-type: none"> <li>o Monday to Sunday 9:00am to 2:00am the following day.</li> </ul> </li> <li>• Where a new hotel, tavern or other premises where the principal activity is the consumption of alcohol is proposed within 100 meters of any Order 3 Road in the</li> </ul>	<p>We recommend reducing the maximum on-licence trading hours to <b>09.00am to 12.00 midnight</b>, to be consistent with Order 3 Road hours and restaurant and café premises, and to protect patrons who are likely to be travelling a distance after closing hours. We recommend a one-way door policy to start at <b>11.00 pm</b> as per discretionary condition 1.h).</p> <p>We recommend that the LAP needs to focus on minimising alcohol-related harm and supporting the safe and responsible sale, supply, and consumption of alcohol. All efforts to protect communities, including Māori, by reducing alcohol-related harm in</p>

<p>Ōtorohanga District Plan, hours will not exceed the following:</p> <ul style="list-style-type: none"> <li>o Sunday to Thursday 9:00am to 10.30pm,</li> <li>o Friday and Saturday 9.00am to 12.00 midnight.</li> </ul> <p>• No on-licence shall be issued or renewed in respect of any restaurant or café premises with hours that exceed the following (subject to sections 46 and 47 of the Act):</p> <ul style="list-style-type: none"> <li>o Monday to Sunday 9.00am to 12.00 midnight.</li> </ul> <p>• Any outdoor dining area will not have hours that exceed 9.00am to 11.00pm.</p> <p>• Any function centre or other premises not defined above will be subject to hours at the discretion of the District Licensing Committee but shall not exceed:</p> <ul style="list-style-type: none"> <li>o Monday to Sunday 9:00am to 2:00am the following day</li> </ul>	<p>the District help to meet ŌDC’s Tiriti o Waitangi obligations under Article 3.</p> <p>There is legal precedent establishing that:</p> <ul style="list-style-type: none"> <li>• Policies can’t be introduced based on economic reasoning</li> <li>• LAPs need to focus on minimising alcohol-related harm and supporting the safe and responsible sale, supply, and consumption of alcohol.</li> </ul> <p><i>The Wellington City Council Provisional LAP (PLAP) decision ([2015] NZARLA PH 21-PH-25) made it clear that policies can’t be introduced based on economic reasoning. The decision stated that a PLAP cannot be based on such considerations as promoting a “dynamic central city” and “people centred city”, instead it needs to be based on an attempt to further the object of the Act. Progressive Enterprises Limited v Wellington City Council. (2015). NZARLA 27 (20 January 2015) <a href="http://www.nzlii.org/nz/cases/NZARLA/2015/27.html">http://www.nzlii.org/nz/cases/NZARLA/2015/27.html</a></i></p>
<p><b>Discretionary conditions</b></p>	
<p>1. g) <u>Discretionary conditions</u></p>	<p>We recommend a discretionary condition in relation to Crime Prevention through Environmental Design evaluations for on licensed premises.</p> <p>We also recommend the inclusion of:</p> <ul style="list-style-type: none"> <li>• One-way door policy to start at 11.00pm.</li> <li>• The licensee is required to maintain a register of significant alcohol-related incidents that is available for inspection by enforcement authorities at any time during trading hours.</li> </ul>
<p><b>Off-licences</b></p>	
<p><b>Location, number and density of outlets</b></p>	
<p>2. b) <u>Location of premises holding off-licences by reference to broad areas</u></p> <ul style="list-style-type: none"> <li>• New off-licence premises (excluding remote sellers endorsed pursuant to section 40 of the Act) shall be limited to areas identified as being within the Kāwhia Licencing Precinct or the Ōtorohanga Licencing Precinct unless otherwise authorised by resource consent.</li> <li>• For the purposes of policies (b) to (d) in this section a premises that has not been subject</li> </ul>	<p>We recommend caps on off-licensed premises in the Ōtorohanga and Kawhia licencing precincts.</p> <p><i>See also “Distribution of alcohol premises” &amp; “Density”.</i></p> <p>We recommend proscribing proximity to sensitive sites in relation to all new licensed premises. Sensitive sites should include:</p> <ul style="list-style-type: none"> <li>• schools,</li> <li>• child care facilities,</li> <li>• services for young people (U18’s)</li> </ul>

<p>to an off-licence in the twelve (12) months prior to the application shall be considered as being a new premises being licenced for the first time.</p> <p><u>2. c) Location of premises holding off-licences by reference to proximity to premises of a particular kind or kinds</u></p> <ul style="list-style-type: none"> <li>• When considering a licence application for a new premises being licenced for the first time, the District Licensing Committee will have regard to the proximity of the proposed premises to other off-licensed premises where it considers this relevant.</li> <li>• Licensees of premises holding both an on and off licence shall ensure there is a separate point of sale and supply for the off licence if a totally separate area or premise is not practical.</li> </ul> <p><u>2. d) Location of premises holding off-licences by reference to proximity to facilities of a particular kind or kinds</u></p> <ul style="list-style-type: none"> <li>• Within the Licensing Precinct Area, an off-licence will not be issued in respect of any new premises being licenced for the first time on any site where the site directly borders any school, early childcare facility, or place of worship existing at the time the licence application is made, unless it can be demonstrated to the District Licensing Committee that the hours, alcohol related signage or operation of the premises will have no significant impact on those facilities and/or persons using the facilities. “Directly borders” includes across any road from such facility as shown in figure one. 12 Provided the Applicant demonstrates how the outcomes listed in 4.7.1(e) and (f) will be achieved, the following shall be considered to have no significant impact:</li> <li>• The hours of an off-licence where there is no external display of alcohol advertising</li> <li>• Renewal of a licence shall be unaffected simply on the grounds that such a facility later moves to a site which borders an existing licensed premises; or</li> <li>• The facility already bordered the existing licenced premises</li> </ul>	<ul style="list-style-type: none"> <li>• recreational areas,</li> <li>• marae,</li> <li>• places of worship,</li> <li>• health facilities,</li> <li>• rehabilitation treatment centres,</li> <li>• pharmacies with a methadone programme,</li> <li>• high deprivation areas (7-10), and</li> <li>• any other site the community deems as sensitive.</li> </ul> <p>This has been sought to prevent new on-licensed taverns, night clubs, or premises with gaming facilities or bottle stores opening next to any of these sensitive sites, e.g. a bottle store opening next to a park or school. We recommend decreasing the number of off-licences in close proximity to each other. This would prohibit high numbers of off-licences occurring on the same street or area, which often leads to competition between those outlets, leading to lower prices, longer operating hours and later weekend closing times. All of which has an adverse effect on consumption and amenity, increasing the potential level of harm. Research indicates a correlation of higher numbers of off- and on-licences with a higher number of police events.<sup>1</sup> In particular, off-licence density was associated with higher levels of anti-social behaviours, drug and alcohol offences, family violence, property abuse, property damage, traffic offences and motor vehicle accidents. Density of clubs and bars was associated with higher levels of anti-social behaviour, dishonesty offences, drug and alcohol offences, property abuse, property damage, sexual offences, traffic offences and violent offences. One way to minimise the pitfalls of high densities is to set proximity conditions. Density of on-licence restaurants and cafes was associated with higher levels of dishonesty offences, property abuse, traffic offences and motor vehicle accidents. Higher density of alcohol outlets results in greater accessibility, sales, consumption, and harm. Setting limits on the density of</p>
--	---

<sup>1</sup> Cameron, M. P., Cochrane, W., & Livingstone, M. (2016). *The relationship between alcohol outlets and harms: A spatial panel analysis for New Zealand, 2007—2014*. Health Promotion Agency. <http://www.hpa.org.nz/research-library>

<ul style="list-style-type: none"> <li>• When forming an opinion on amenity and good order in relation to a new off-licence premises being licensed for the first time, the District Licensing Committee shall have regard to the proximity of any proposed new off-licence premises to a public park, car park or reserve particularly where that park, car park or reserve is within a alcohol ban area prescribed by a bylaw and, if necessary, impose conditions set out in policy (g). e) Further issuing of off-licences in the District</li> <li>• This policy does not cap the number of off licence premises or restrict the issue of new licences, provided the other policy criteria are met.</li> </ul>	<p>outlets can reduce this harm. We recommend strong policies addressing off-licence density. We recommend creating limits within the policy rather than leave discretion to the District Licencing Committee (DLC), so as to provide consistent and clear guidance for the DLC in order to make decisions which reduce alcohol-related harm in the District. For instance:</p> <ol style="list-style-type: none"> <li>1. Setting a radius of consideration, for example “No new off-licence in respect of a bottle store shall be issued for any premises located within one (1) kilometre of the legal site boundary of any existing bottle store, licensed supermarket or grocery store”.</li> <li>2. Setting a cap to the number of available off-licences per town, for example, “The number of standalone bottle store off-licences issued in the urban areas of Ōtorohanga ... shall not exceed the number existing at the date this LAP comes into force”.</li> </ol> <p>Such policies should consider the density of all types of off-licence premises such as bottle stores, supermarkets, grocery stores, taverns, and hotels.</p> <p>All efforts to protect communities, including Māori, by reducing alcohol-related harm in the District help to meet ŌDC’s Tiriti o Waitangi obligations under Article 3.</p>
<p><b>Hours of trade</b></p>	
<p>2. f) <u>Maximum trading hours for premises holding off-licences</u></p> <ul style="list-style-type: none"> <li>• No off licence shall be issued or renewed with hours that exceed Monday to Sunday 7.00am to 10.00pm (subject to section 48 of the Act).</li> </ul>	<p>We recommend reducing off-licence hours to <b>9.00pm</b> closing across the District. This is now in place in a number of other Districts. Currently, most off-licences open to the public in Ōtorohanga are not open past 9.00pm.</p>
<p><b>Discretionary conditions</b></p>	
<p>2. g) <u>Discretionary conditions of off-licences</u></p> <ul style="list-style-type: none"> <li>• In accordance with sections 116(1) and 117 the District Licensing Committee may impose discretionary conditions in relation to the following matters (in addition to those required by section 116(2)) or any other reasonable condition: <ul style="list-style-type: none"> <li>o Prohibited persons</li> <li>o People or kinds of people to be served</li> <li>o Kinds of alcohol to be sold</li> </ul> </li> </ul>	<p>We recommend a discretionary condition in relation to types of alcohol that can be sold at a premises (e.g. off-licence) or at an event in the case of a special licence (e.g. Mardi Gras) (NZLC R114, 27 April 2010).</p> <p>E.g. no selling of single RTDs, limiting types of alcohol in s34 (uneconomic) to beer, wine, and mead just like grocery stores and supermarkets.</p> <p>We recommend the addition of discretionary conditions that relate to the following:</p>



	<ul style="list-style-type: none"> <li>• Limiting display of certain alcohol product types. This may help address the display of particularly appealing products such as RTD within the view of the front entrance and windows of the premise.</li> <li>• Limiting the external advertising on or outside of a premise other than trading name of the business.</li> <li>• Limiting sale of alcohol products that pose high risk of harm due to price and packaging. For example, conditions relating to the sale or display of single shots and single sale of beer, cider, or RTDs priced at, or less than \$6.00 per unit. Such a policy was implemented by ARLA on a bottle store in Pleasant Point ([2021] NZARLA 123).</li> <li>• No single sales of alcohol in containers less than 330mls. This restriction does not apply to individual handcrafted beers in single bottles/cans or multi-serve sizes of 330ml or higher.</li> <li>• Banning sale of non-alcoholic products that pose a high risk of harm. Such a condition should aim to prevent the sale of risky legal high strength type products, such as nitrous oxide and tobacco products.</li> <li>• Remote sale of alcohol. Such conditions should aim to address the delivery of alcohol without proof of delivery, and delivery to intoxicated persons or under aged persons. A condition implemented by the Hamilton City Council DLC ([2021] NZDLCHAM 574) contained the following restriction – “The outside delivery of the delivery package must contain the following words: COURIER WARNING, Do not leave at destination without proof of delivery; Do not leave with persons under 18 years of age. If the receiver appears to be under the age of 25 years check valid identification such as current passport, NZ drivers' licence or Hospitality NZ18+ Card / Kiwi Access Card, to ensure the receiver is 18 years of age or over; Do not leave with intoxicated persons; Contains alcoholic product”.</li> <li>• Remote sales of alcohol condition to delay delivery by 24 hours post order.</li> </ul>
--	--

	<ul style="list-style-type: none"> <li>• No sales of cask wine, as the number of standard drinks per container may encourage excessive alcohol consumption.</li> <li>• No exterior lighting advertising alcohol other than the trading name of the business.</li> <li>• No externally facing advertising of alcohol products or brands on the shop frontage</li> <li>• Alcohol may only be sold in the packaging provided by wholesalers i.e. packs of four, six, 12, 18, or 24 (e.g., no carton packaging of units may be broken down and sold in smaller units). <b>Except:</b> where packaging has become broken or damaged (unrecoverable), then those items may be repacked and sold in packs of at least four.</li> </ul> <p>The licensee is required to maintain a register of significant alcohol-related incidents that is available for inspection by enforcement authorities at any time during trading hours</p>
<b>Club licence policies</b>	
<b>Hours of trade</b>	
<p><u>3. f) Maximum trading hours for premises holding Club licences</u></p> <ul style="list-style-type: none"> <li>• The District Licensing Committee will have regard to the days and hours of operation and the type of activities undertaken by the club in setting club hours.</li> <li>• No club licence shall be issued or renewed with hours that exceed the following: <ul style="list-style-type: none"> <li>o Monday to Sunday 9.00am to 1.00am the following day (Subject to section 46 of the Act)</li> </ul> </li> </ul>	<p>We support the closing hours of 1.00am for Clubs across the District.</p>
<b>Discretionary conditions</b>	
<p><u>3. g) Discretionary conditions of Club Licences</u></p> <ul style="list-style-type: none"> <li>• In accordance with section 110(1) of the Act the District Licensing Committee may impose discretionary conditions regarding the following matters, in addition to those required by section 110(2): <ul style="list-style-type: none"> <li>o Prohibited persons</li> <li>o Management of premises</li> <li>o People or kinds of people to be served</li> <li>o Low and non-alcoholic beverages</li> </ul> </li> </ul>	<p>We recommend discretionary conditions be considered in relation to the following:</p> <ul style="list-style-type: none"> <li>• Pricing that does not attract and promote excess sale / consumption of alcohol and reflects market rates.</li> <li>• Club committees create and implement alcohol management plans.</li> <li>• Club committee members must all complete regular training in the Sale and Supply of alcohol Act 2012.</li> <li>• All committee members and bar staff must complete the ServeWise online</li> </ul>

<ul style="list-style-type: none"> <li>o Transport options</li> <li>o Exclusion of the public</li> </ul>	<p>training as a minimum, or provide ongoing training to committee members which covers important aspects of Host Responsibility and provides the knowledge and skills to manage/oversee the service of alcohol and comply with your club's legal obligations.</p> <ul style="list-style-type: none"> <li>• A Duty Manager to be on-site while alcohol is being sold.</li> <li>• The licensee is required to maintain a register of significant alcohol-related incidents that is available for inspection by enforcement authorities at any time during trading hours.</li> </ul>
<b>Special licences</b>	
<b>Discretionary conditions</b>	
<p>4. d) <u>Discretionary conditions of special licences</u></p> <ul style="list-style-type: none"> <li>• In accordance with sections 146 and 147(1) the District Licensing Committee may impose discretionary conditions regarding the following matters, in addition to those required by section 147(3): <ul style="list-style-type: none"> <li>o Sale and supply to prohibited persons</li> <li>o People or kinds of people to be served</li> <li>o The kind or kinds of alcohol that may be sold or delivered</li> <li>o The provision of food for consumption on the premises</li> <li>o The provision of low and non-alcoholic beverages</li> <li>o The provision of information relating to transport options</li> <li>o Exclusion of the public</li> <li>o Restricting the types of containers used for sale or supply</li> <li>o The filing of returns</li> <li>o Conditions of a kind subject to which a licence may be issued under section 110 (on or club licence) or 116 (off licence)</li> <li>o Any reasonable condition not inconsistent with the Act.</li> </ul> </li> </ul>	<p>We recommend a discretionary condition in relation to types of alcohol that can be sold at a premises (e.g. off-licence) or at an event in the case of a special (e.g. Mardi Gras). E.g. no selling of single RTDs, limiting types of alcohol in s34 (uneconomic) to beer, wine, and mead just like grocery stores and supermarkets.</p> <p>We also recommend:</p> <ul style="list-style-type: none"> <li>• For large events: limit of 2 serves per person. Alternatively, e.g. 4 serves for 2 hours and reduced to 2 serves for 2 hours, then to 1 serve 1 hour prior to finish of event, service of alcohol stops 30mins prior to end of event.</li> <li>• Banning the sale of products that might appeal to children and youth e.g. 'shot pops'.</li> <li>• Ban the sale of high caffeinated mixer drinks at events.</li> </ul>



**Otorohanga**

*District Council*

# POLICY

## Otorohanga District Council Local Alcohol Policy 2024

### Proposed Policy

#### Approval and review details

<b>Approval authority</b>	Ōtorohanga District Council	<b>Effective date</b>	To be confirmed
<b>Administrator</b>	GM Regulatory & Growth	<b>Next review date</b>	To be confirmed

#### Version History

Date	Version	Changes	By	Date Adopted
2014	1.0	Provisional LAP	Title	18.02.2014
2017	2.0	Local Alcohol Policy		17.05.2017
2024	3.0	Proposed Policy for adoption		

## Contents

<b>INTRODUCTION, KUPU ARATAKI</b>	<b>3</b>
<b>PURPOSE AND SCOPE TE ARONGA ME TE KORAHĪ</b>	<b>3</b>
<b>DEFINITIONS, NGĀ WHAKAMĀRAMATANGA</b>	<b>5</b>
<b>POLICY, KAUPAPA HERE</b>	<b>7</b>
<b>1. Specific Policies - On-licences</b>	<b>7</b>
a) Introduction .....	
b) Location of premises holding on-licences by reference to broad areas .....	
c) Location of premises holding on-licences by reference to proximity to premises of a particular kind or kinds ...	
d) Location of premises holding on-licences by reference to proximity to facilities of a particular kind or kinds.....	
f) Further issuing of on-licences in the District .....	
g) Maximum trading hours for premises holding on-licences .....	
h) Discretionary conditions of on-licences .....	
i) One-way door restrictions .....	
<b>2. Specific Policies – Off-Licence</b>	<b>9</b>
a) Introduction .....	
b) Location of premises holding off-licences by reference to broad areas.....	
c) Location of premises holding off-licences by reference to proximity to premises of a particular kind or kinds...	
d) Location of premises holding off-licences by reference to proximity to facilities of a particular kind or kinds ...	
e) Further issuing of off-licences in the District .....	
f) Maximum trading hours for premises holding off-licences .....	
g) Remote Sellers .....	
h) Discretionary conditions of off-licences .....	
<b>3. Specific Policies – Club Licence</b>	<b>12</b>
a) Introduction .....	
b) Location of premises holding Club licences by reference to broad areas .....	
c) Location of premises holding Club licences by reference to proximity to premises of a particular kind or kinds..	
d) Location of premises holding Club licences by reference to proximity to facilities of a particular kind or kinds..	
e) Further issuing of Club licences in the District.....	
f) Maximum trading hours for premises holding Club licences.....	
g) Discretionary conditions of Club licences .....	
h) One-way door restrictions relating to Club licences .....	
<b>4. Specific Policies – Special Licences</b>	<b>13</b>
a) Introduction .....	
b) Issuing of special licences in the District.....	
c) Maximum trading hours for premises holding special licenses .....	
d) Discretionary conditions of special licences .....	
e) One-way door restrictions .....	
<b>5. Temporary Authorities</b>	<b>14</b>
<i>Figure Two: Ōtorohanga District</i>	<b>15</b>
<b>6. Schedule One – Maps</b>	
Ōtorohanga Licencing Precinct 2013	<b>16</b>
Kāwhia Licencing Precinct 2013	<b>17</b>

## Introduction, Kupu Arataki

The Sale and Supply of Alcohol Act was enacted by Parliament in December 2012. The Act allows for territorial authorities to have local alcohol policies however this is not a requirement of the Act.

The object of the Sale and Supply of Alcohol Act is that:

*'The sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.'*

## Purpose and Scope, Te Aronga Me Te Korahi

The purpose of this policy is to balance the reasonable needs of the residents of Ōtorohanga District regarding the sale, supply, and consumption of alcohol, while addressing the statutory requirements of the Sale and Supply of Alcohol Act 2012 (the Act), including the object of the Act to minimise the harm caused by excessive or inappropriate consumption of alcohol.

This Local Alcohol Policy (LAP) has been developed pursuant to section 75 of the Act, which empowers territorial authorities to develop Local Alcohol Policies for their District.

The Act outlines what content a territorial authority may include in their LAP.

- Section 77 of the Act outlines what policies may be included in a LAP. No other policies except those listed under that section can be included in a LAP.
- Section 78 of the Act lists the matters a local authority must have regard to when producing a draft policy.
- In addition, a territorial authority must not produce a draft policy without having consulted the Police, licensing inspectors, and Medical Officers of Health.
- Section 93 of the Act allows a LAP to contain a policy more restrictive than the relevant district plan, but a LAP policy cannot authorise anything forbidden by the relevant district plan.

This LAP is intended to set a clear framework which will be applied to all applications for on, off, club and special licences, temporary authorities and managers certificates within the Ōtorohanga District.

Ōtorohanga District is that area illustrated in figure two.

## Authority Statements and Case Law

The Ōtorohanga District Licensing Committee shall give all due regard to any statement issued by the Alcohol Regulatory and Licensing Authority pursuant to section 176 of the Act when interpreting this policy and determining licence applications, and to any relevant decisions issued by the Authority.

## Related Legislation and Documents

Relevant legislation and other resources include (but are not limited to):

- Local Government Act 2002
- Sale and Supply of Alcohol Act 2012

## Definitions, Ngā Whakamāramatanga

<b>“Authorised customer”</b>	shall have the same meaning as in section 60(3) of the Act.
<b>“Authorised visitor”</b>	shall have the same meaning as in section 60(3) of the Act.
<b>“Café”</b>	shall have the same meaning as “restaurant” in section 5 of the Act.
<b>“Club”</b>	shall have the same meaning as in section 21 of the Act.  means the Ōtorohanga District Licensing Committee under section 186 of the Act.
<b>“Early childcare facility”</b>	includes any crèche, childcare centre, kindergarten, kohanga reo, play centre or plunket rooms or any other place (excluding a school) where five or more children receive care or education.
<b>“Facility”</b>	includes a place of worship, school or early childcare facility.
<b>“Function Centre”</b>	premises in which the principal business is pre-booked private functions where alcohol is sold or supplied in conjunction with those functions.
<b>“Grocery Store”</b>	has the meaning given by section 33(1) of the Act.
<b>“Hotel”</b>	shall have the same meaning as in section 5 of the Act.
<b>“Large scale event”</b>	means an event to which section 143 of the Act applies.
<b>“New Premises”</b>	applying to an on-licence, off-licence and/or club-licence means any premises which has not been subject to a liquor licence of the same kind in the 12 months immediately prior to the application.
<b>“Off-licence”</b>	applying to an on-licence, off-licence and/or club-licence means any premises which has not been subject to a liquor licence of the same kind in the 12 months immediately prior to the application.
<b>“One-way door restriction”</b>	shall have the same meaning as in section 5 of the Act.
<b>“On-licence”</b>	allows sale, supply and consumption of alcohol on premise as defined by section 14 of the Act.



<b>“Outdoor dining area”</b>	means an area of a premises holding an on-licence or club licence that is outside of the building and includes any part of a public footpath, pavement or other public place.
<b>“Place of worship”</b>	includes any church, Mosque or other facility designed primarily for worship and related religious activities.
<b>“Premises”</b>	shall have the same meaning as in section 5 of the Act.
<b>“Prohibited persons”</b>	are persons to whom alcohol cannot be served including minors and intoxicated persons and in the case of clubs any person who is not an authorised customer.
<b>“Public park”</b>	means any park, reserve, playground, garden or similar public place maintained by the Local Authority for recreation purposes.
<b>“Restaurant”</b>	shall have the same meaning as in section 5 of the Act.
<b>“School”</b>	includes any primary, intermediate or secondary school and any kura kaupapa.
<b>“Special Licence”</b>	means the type of licence detailed in section 22 of the Act.
<b>“Supermarket”</b>	has the meaning given by section 32(1)(e) of the Act.
<b>“Tavern”</b>	shall have the same meaning as in section 5 of the Act.
<b>“Temporary Authority”</b>	shall have the same meaning as in section 5 of the Act.
<b>“The Act”</b>	means the Sale and Supply of Alcohol Act 2012.

## Policy, Kaupapa Here

### 1. Specific Policies – On-licences

#### a. Introduction

An on-licence premise is one where consumption of alcohol is authorised on the premises from which it is sold. Common examples include hotels, taverns and restaurants.

Section 14 of the Act states:

*“On any premises an on-licence (other than an on-licence endorsed under section 37 of the Act) is held for, the licensee—*

- (a) Can sell and supply alcohol for consumption there; and*
- (b) Can let people consume alcohol”.*

Policies relating to On-licences also apply to:

- BYO restaurants (endorsed under section 37 of the Act)
- Caterers (endorsed under section 38 of the Act)

#### b. Location of premises holding on-licences by reference to broad areas

- New on-licence premises shall be limited to areas identified as being within the Kāwhia Licencing Precinct or the Ōtorohanga Licencing Precinct unless otherwise authorised by resource consent, and then subject to the following policies (c to (h) in this section.
- For the purposes of policies (b) to (d) in this section a premises that has not been subject to an on-licence in the twelve (12) months prior to the application shall be considered as being a new premises being licenced for the first time.

#### c. Location of premises holding on-licences by reference to proximity to premises of a particular kind or kinds

- When considering a licence application, the District Licensing Committee will have regard to the proximity of that proposed premise to other licensed premise(s) where it considers this relevant.

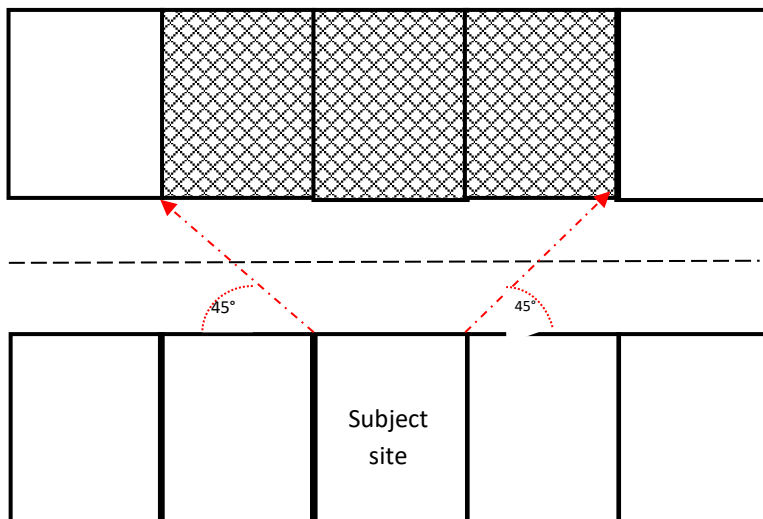
#### d. Location of premises holding on-licences by reference to proximity to facilities of a particular kind or kinds

- In addition to (b) above, an on-licence will not be issued in respect to any new premises being licenced for the first time on any site where it directly borders any school, early childcare facility, or place of worship existing at the time the licence application is made unless it can be demonstrated to the District Licensing Committee that the hours, signage or operation of the premises will have no direct impact on those facilities and/or persons using the facilities.

“Directly borders” includes across any road from such facility within a 45° arc as shown in figure one.

- In cases where a resource consent has been issued to locate a premises outside a Licencing Precinct Area as allowed in (b) above, the boundary of the site shall be a minimum of 40 meters from the boundary of any school, early childcare facility, or place of worship existing at the time the licence application is made unless it can be demonstrated to the District Licencing Committee that the hours, signage or operation of the premises will have no direct impact on those facilities and/or persons using the facilities.
- Renewal of a licence shall be unaffected should a school, early childcare facility, or place of worship later move to a site which borders an existing licensed premise.

Figure One: “Directly Borders”



e. Further issuing of on-licences in the District

- This policy does not cap the number of on-licence premises or restrict the issue of new licences, provided the other policy criteria are met.

f. Maximum trading hours for premises holding on-licences

- No on licence shall be issued or renewed for any hotel or tavern premises with hours that exceed the following (subject to sections 46 and 47 of the Act):
  - Monday to Sunday 9:00am to 2:00am the following day.
- Where a new hotel, tavern or other premises where the principal activity is the consumption of alcohol is proposed within 100 meters of any Order 3 Road in the Ōtorohanga District Plan, hours will not exceed the following:
  - Sunday to Thursday 9:00am to 10.30pm,
  - Friday and Saturday 9.00am to 12.00 midnight.

- No on-licence shall be issued or renewed in respect of any restaurant or café premises with hours that exceed the following (subject to sections 46 and 47 of the Act):
  - Monday to Sunday 9.00am to 12.00 midnight.
- Any outdoor dining area will not have hours that exceed 9.00am to 11.00pm.
- Any function centre or other premises not defined above will be subject to hours at the discretion of the District Licensing Committee but shall not exceed:
  - Monday to Sunday 9:00am to 2:00am the following day.

g. Discretionary conditions of on-licences

- In accordance with section 110(1) and 117 the District Licensing Committee may impose discretionary conditions (in addition to those required by section 110(2) on any licence or renewed licence. These may include conditions related to the following, or any other reasonable condition:
  - Prohibited persons
  - Management of premises
  - People or kinds of people to be served
  - Low and non-alcoholic beverages
  - Transport options
  - Exclusion of the public

h. One-way door restrictions

- A one-way door restriction of one-hour prior to maximum closing time shall apply on Thursday, Friday or Saturday night to any hotel or tavern premises with a midnight or later closing time.
- This condition may be added to licences as they are issued or renewed.

2. Specific Policies – Off-licences

a. Introduction

- An off-licence premises is one where consumption of alcohol is authorised away from the premises on which it is sold. Common examples include supermarkets and bottle-stores.
- Section 17 of the Act states:

*“(1) On the premises an off-licence is held for, the licensee can sell alcohol for consumption somewhere else.*

*(2) While the premises an off-licence is held for are open for the sale of alcohol for consumption somewhere else, the licensee can also supply alcohol free, as a sample, for consumption on the premises.”*

b. Location of premises holding off-licences by reference to broad areas

- New off-licence premises (excluding remote sellers endorsed pursuant to section 40 of the Act) shall be limited to areas identified as being within the Kāwhia Licencing Precinct or the Ōtorohanga Licencing Precinct unless otherwise authorised by resource consent.
  - For the purposes of policies (b) to (d) in this section a premises that has not been subject to an off-licence in the twelve (12) months prior to the application shall be considered as being a new premises being licenced for the first time.
- c. Location of premises holding off-licences by reference to proximity to premises of a particular kind or kinds
- When considering a licence application for a new premises being licenced for the first time, the District Licensing Committee will have regard to the proximity of the proposed premises to other off-licensed premises where it considers this relevant.
  - Licensees of premises holding both an on and off licence shall ensure there is a separate point of sale and supply for the off licence if a totally separate area or premise is not practical.
- d. Location of premises holding off-licences by reference to proximity to facilities of a particular kind or kinds
- Within the Licensing Precinct Area, an off-licence will not be issued in respect of any new premises being licenced for the first time on any site where the site directly borders any school, early childcare facility, or place of worship existing at the time the licence application is made, unless it can be demonstrated to the District Licensing Committee that the hours, alcohol related signage or operation of the premises will have no significant impact on those facilities and/or persons using the facilities. “Directly borders” includes across any road from such facility as shown in figure one. Provided the Applicant demonstrates how the outcomes listed in 2(h) will be achieved, the following shall be considered to have no significant impact:
    - The hours of an off-licence where there is no external display of alcohol advertising
    - Renewal of a licence shall be unaffected simply on the grounds that such a facility later moves to a site which borders an existing licensed premises;
 or
    - The facility already bordered the existing licenced premises
    - When forming an opinion on amenity and good order in relation to a new off-licence premises being licensed for the first time, the District Licensing Committee shall have regard to the proximity of any proposed new off- licence premises to a public park, car park or reserve particularly where that park, car park or reserve is within a alcohol ban area prescribed by a bylaw and, if necessary, impose conditions set out in policy 2(h).
- e. Further issuing of off-licences in the District
- This policy does not cap the number of off licence premises or restrict the issue of new licences, provided the other policy criteria are met.

f. Maximum trading hours for premises holding off-licences

- No off licence shall be issued or renewed with hours that exceed Monday to Sunday 7.00am to 10.00pm (subject to section 48 of the Act).

g. Remote sale and remote sellers

- Remote sellers are excluded from 2(f) subject to section 40 of the Act.
- The remote sale of alcohol may be made at any time on any day subject to section 49 of the Act.

h. Discretionary conditions of off-licences

- In accordance with sections 116(1) and 117 the District Licensing Committee may impose discretionary conditions in relation to the following matters (in addition to those required by section 116(2)) or any other reasonable condition:
  - Prohibited persons
  - People or kinds of people to be served
  - Kinds of alcohol to be sold
  - Display of nationally consistent safe drinking messages and material
  - Application of Crime Prevention Through Environmental Design (CPTED) principles to achieve the following outcomes:

(i) Closed-circuit television (CCTV)

- CCTV being installed in suitable locations to monitor vulnerable areas (areas which are not easily or not continuously monitored by staff).
- Customers being made aware of the CCTV systems.

(ii) Lighting

- Internal lighting inside the premises to enable passive surveillance by staff and active surveillance by CCTV.
- Lighting to allow customers to be seen as they enter the premises.
- Lighting to allow staff to check identification.
- External areas such as car parks and loading bays being well lit, subject to the requirements of any resource consent or a district plan rule.

(iii) Internal Layout

- General points of sale to be positioned near the main entrance.

(iv) Staff

- Relevant staff understanding how to operate the CCTV system.
- There being enough staff to ensure control of the premises during trading hours.

- At least 50% of any store front glazing shall be transparent, consistent with CPTED guidelines and no more than 30% of the external area of any side of the premises may contain alcohol related signage or advertising, excluding the company name.
- External signage must comply with the signage requirements outlined in the Ōtorohanga District Council District Plan

### 3. Specific Policies – Club Licences

#### a. Introduction

- A club is a body corporate having as its object (or as one of its objects) participating in or promoting a sport or other recreational activity, otherwise than for gain; or is a body corporate whose object is not for gain; or holds permanent club charter.
- Section 21 of the Act states:

*“On the premises a club licence is held for, the licensee can sell and supply alcohol to authorised customers (within the meaning of section 60(3)), for consumption there.”*

#### b. Location of premises holding Club licences by reference to broad areas

- New Licensed club premises should be located at, or in close proximity to the sports grounds or other facilities used by the club, if relevant.

#### c. Location of premises holding Club licences by reference to proximity to premises of a particular kind or kinds

- The District Licensing Committee shall have regard to the proximity of any proposed new club premises to any other existing premises when considering a new licence application.

#### d. Location of premises holding Club licences by reference to proximity to facilities of a particular kind or kinds

- The District Licensing Committee shall have regard to the proximity of any proposed club premises being licenced for the first time to any school, early childcare facility, place of worship or residential area.

#### e. Further issuing of Club licences in the District

- This policy does not cap the number of club licence premises or restrict the issue of new licences, provided the other policy criteria are met.

#### f. Maximum trading hours for premises holding Club licences

- The District Licensing Committee will have regard to the days and hours of operation and the type of activities undertaken by the club in setting club hours.

- No club licence shall be issued or renewed with hours that exceed the following:
  - Monday to Sunday 9.00am to 1.00am the following day (Subject to section 46 of the Act).

g. Discretionary conditions of Club licences

- In accordance with sections 110(1) and 117 of the Act the District Licensing Committee may impose discretionary conditions regarding the following matters, in addition to those required by section 110(2):
  - Prohibited persons
  - Management of premises
  - People or kinds of people to be served
  - Low and non-alcoholic beverages
  - Transport options
  - Exclusion of the public

h. One-way door restrictions relating to Club licences

- The District Licensing Committee may impose a one-way door condition on any licence where it believes this is warranted. The one-way door restriction shall not apply any earlier than two hours before the normal closing time of the premises.
- This condition may be added to a licence at the time of issue or renewal.

4. Specific Policies – Special Licences

a. Introduction

- Special licences allow the sale and consumption of alcohol at events or occasions on premises that are unlicensed, or premises that would be outside their normal licence conditions. They can permit on site or off site sales and are in force for the date and time of the event only.
- “Event includes an occasion and a gathering, and any of a series of events”.

b. Issuing of special licences in the District

- The District Licensing Committee, subject to section 41 of the Act may refuse a special licence or licences where it would be more appropriate for the applicant to apply for an on, off or club licence, or for the variation of an existing licence.

c. Maximum trading hours for premises holding special licenses

- Special licences for premises that are not otherwise licensed will not be issued beyond 1.00am the day following the event, except in exceptional circumstances as determined by the District Licensing Committee.
- Where the applicant for a special licence already holds an on, off or club licence with the maximum hours permitted for that type of licence under this policy, a special licence with



greater hours will only be issued in exceptional circumstances as determined by the District Licensing Committee.

d. Discretionary conditions of special licences

- In accordance with sections 146 and 147(1) the District Licensing Committee may impose discretionary conditions regarding the following matters, in addition to those required by section 147(3):
  - Sale and supply to prohibited persons
  - People or kinds of people to be served
  - The kind or kinds of alcohol that may be sold or delivered
  - The provision of food for consumption on the premises
  - The provision of low and non-alcoholic beverages
  - The provision of information relating to transport options
  - Exclusion of the public
  - Restricting the types of containers used for sale or supply
  - The filing of returns
  - Conditions of a kind subject to which a licence may be issued under section 110 (on or club licence) or 116 (off licence)
  - Any reasonable condition not inconsistent with the Act.

e. One-way door restrictions

- The licensing committee may impose a one-way door condition on any licence where it believes this is warranted. The one-way door restriction shall not apply any earlier than two hours before the normal closing time of the premises, or in the case of a special licence no earlier than two hours prior to the conclusion of the event.

5. Temporary Authorities

- All temporary authority applications will be passed to the Police to give them an opportunity to inquire into the application.
- Pursuant to section 136(4)(c) every temporary authority will be subject to a condition that no second or subsequent temporary authorities will be issued in respect to the same premises and licensee unless a full licence application has already been filed, or, in exceptional circumstances, with the prior approval of the Chairperson of the Licensing Committee.

Figure Two: Ōtorohanga District



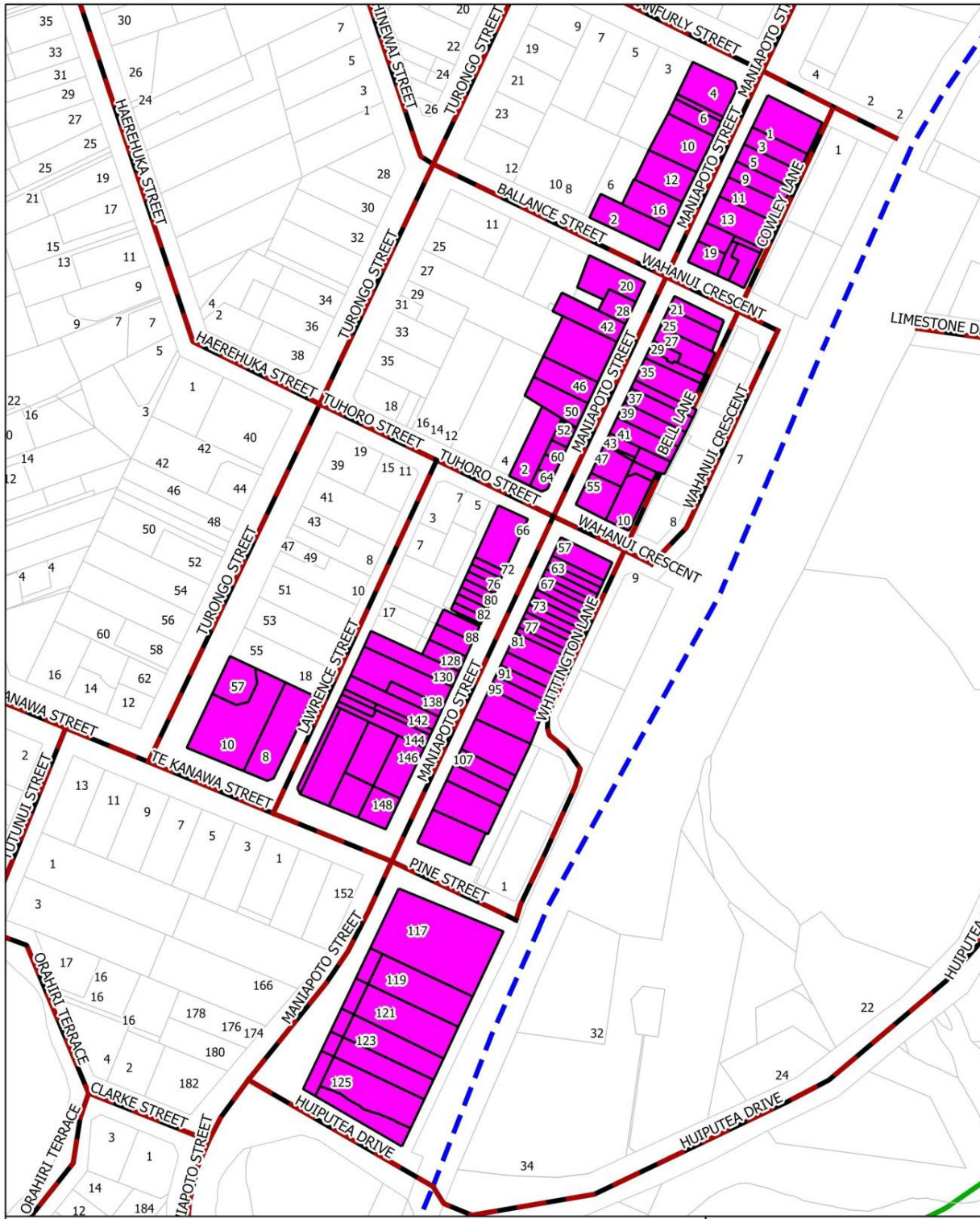
6. Schedule One – Maps



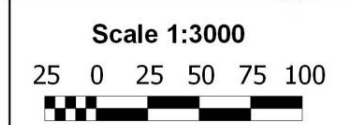
Otorohanga District Council

**Draft Local Alcohol Policy  
Otorohanga Licencing Precinct**

6 August 2013

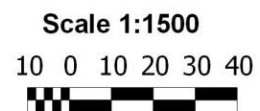


Any dimensions given are indicative and are not of Survey Grade accuracy.  
Cadastral information derived from LINZ's CRS; Crown copyright reserved.  
The information on this map has copyrights; contact the Otorohanga District Council before reproduction  
The level of accuracy of the information may vary; contact the Otorohanga District Council for details.  
The Otorohanga District Council is not responsible for consequences due to inaccuracies on this map.





Any dimensions given are indicative and are not of Survey Grade accuracy.  
Cadastral information derived from LINZ's CRS; Crown copyright reserved.  
The information on this map has copyrights; contact the Otorohanga District Council before reproduction  
The level of accuracy of the information may vary; contact the Otorohanga District Council for details.  
The Otorohanga District Council is not responsible for consequences due to inaccuracies on this map.



**Item 170** Trading and Events in Public Places Policy

**To** Ōtorohanga District Council

**From** Tony Quickfall, Group Manager Regulatory and Growth

**Type** **DECISION REPORT**

**Date** 24 September 2024



## 1. Purpose | Te kaupapa

1.1. To seek endorsement of the Trading and Events in Public Places Policy.

## 2. Executive summary | Whakarāpopoto matua

- 2.1. Staff have prepared a policy to guide trading and events in public places. This policy will guide how staff authorise the occupation of public places by trading activities, buskers and events. The draft policy has been out for consultation from 24 July to 26 August 2024. In addition to online promotion, staff undertook targeted flyer drops with key stakeholders and mobile traders.
- 2.2. One submission was received in support of the policy, and staff received additional informal input from Waipā District Council staff. The submission was from Real Fruit ice cream trader on the Omimiti Reserve at Kāwhia.
- 2.3. As a result of ŌDC staff further review and Waipā staff feedback, a number of minor amendments of a “tidy up” nature are proposed. This includes adding “events” into the policy name since it also covers events. Attached (Appendix 1) is a tracked version of recommended changes, with the amended version recommended to be confirmed as the final policy (Appendix 2).

## 3. Staff recommendation | Tūtohutanga a ngā kaimahi

That Ōtorohanga District Council endorse, subject to minor formatting or corrections, the Trading and Events in Public Places Policy (document number 778622).

## 4. Context | Horopaki

4.1. One of Council’s functions, through delegations to staff, is to consider requests for traders and event organisers to occupy public places and approve requests, where appropriate. Examples include food/coffee carts, events, stalls etc. “Public places” includes road reserves, green space reserves and other public places. There are existing fees and charges associated with the occupation of public spaces and Council can issue permits or licenses to occupy a public space. These activities can add vibrancy and vitality to our towns and public spaces. They can, however, impact how the public use and enjoy our public spaces.

- 4.2. Although these trading activities are relatively few, we currently have no guidelines around when and how we consider applications and issue approvals. There is therefore a risk of inconsistency and uncertainty around how Council administers approvals (permits or licenses to occupy) for these activities. To address this, a draft Trading in Public Places Policy has been developed. The purpose of the Policy is to manage trading in public places so that:
- a. Public access, use and enjoyment of those places is maintained.
  - b. Effects on users and members of the public are minimised.
  - c. The frequency, duration and numbers of activities are managed.
- 4.3. There are three important points to note:
- a. The Trading in Public Places Policy does **not** control trade competition where mobile traders may compete with permanent activities - Council has no legal powers to control or restrict trade competition.
  - b. An approval to occupy a public space is **separate** to any regulatory approvals, which may include food licenses, resource consents or alcohol licenses.
  - c. The Policy in and of itself is not enforceable. However, Council retains statutory powers as the road controlling authority and reserves manager, to manage and, if necessary, remove any unauthorised occupation of public spaces, irrespective of any policy or bylaw.
- 4.4. The Trading in Public Places Policy will help guide staff consideration and decisions for requests to occupy public spaces and will provide clarity and greater certainty for traders and event organisers. While Council could also develop a bylaw with associated enforcement powers, at this stage, given the relatively few enquiries and low impact of these activities, Council considers that a policy is sufficient to guide the issue of permits and licenses to occupy.

## 5. Submissions and feedback

- 5.1. One submission on the draft Policy was received. During the consultation period, staff also delivered consultation flyers to all known mobile traders and all shops who currently occupy public spaces (typically through seating and shop goods located on the footpaths). Staff also received informal feedback from Waipā District Council staff who have the benefit of managing a considerably higher activity in the Waipā district relating to trading in public places.
- 5.2. The sole submission from Alison Davy is as follows:
- Kia Ora, I operate the Real Fruit ice cream trailer on the Omimiti Reserve at Kāwhia, I would support a proposed trading policy as I feel it would validate our space and give us better operating guidelines.*
- 5.3. Staff have also reviewed the proposed Policy and are proposing additional minor changes of a “tidy up” nature. These are identified in the tracking comments.

## 6. Considerations | Ngā whai whakaarotanga

### Significance and engagement

- 6.1. Council's Significance and Engagement Policy did not require a that consultation process to be undertaken on the proposed Policy. However, a 'best practice' approach was followed with the proposed Policy being promoted online and targeted notification to key stakeholders undertaken.

### Impacts on Māori

- 6.2. Key stakeholders, including local iwi, have been provided the opportunity to submit through the consultation process.

### Risk analysis

- 6.3. If this Policy is not adopted, staff will continue to have no guidelines for when and how they issue approvals to occupy public places and spaces. The means the risk of inconsistencies in approach remain.

### Policy and plans

- 6.4. There are no key policies or plans that are impacted by proposed introduction of the Policy.

### Legal

- 6.5. The proposed Policy has been through a legal review. The legal review identified no major issues in terms of the form and content of the Policy. The legal review:
- a. Recommends minor wording refinement (track changes).
  - b. Notes that a Policy is typically accompanied by a bylaw with enforcement powers, but that there is no legal impediment or restriction to having a policy on its own. The legal review notes that ŌDC does not have significant issues that would justify for a bylaw at this time.
  - c. Confirms staff's understanding that that the Policy is not, in and of itself, enforceable, and that the risk of any complaint around the status of the policy "*may be so low as to not warrant further examination*".
- 6.6. The fact the Policy is not enforceable means in practice that:
- a. where there are any breaches of the Policy, staff will work with the customers to ensure best practice outcomes;
  - b. if any traders/occupiers refuse to pay the necessary fee (unless it is waived), or refuse to apply for approval, then approval to occupy will not be provided, and Council may invoke various legal powers as a road controlling authority and/or reserve manager to remove the occupiers.

### Financial

- 6.7. The cost of implementing this Policy will be covered by current operational budgets, with revenue already enabled through fees and charges confirmed by Council.

## 7. Discussion | He kōrerorero

### Option 1: Confirm the proposed Policy with amendments (track changes)

7.1. This option would see the Policy confirmed, with the track changes as proposed.

### Option 2: Modify the Policy further

7.2. Under this option, Council may request additional substantive changes (beyond minor formatting or corrections). Any additional changes would need to be justified, have a rational basis and align with Council's legal functions and statutory powers.

### Option 3: Withdraw the Policy

7.3. This would revert to status quo, where staff and customers have no guidance for considering applications, approvals and processes around occupation of public spaces. This option would negate all the benefits of preparing a Policy.

### Recommended option and rationale

7.4. Option 1: Staff consider that the amendments proposed under option 1 are justified and necessary to deliver a workable policy.

---

## 8. Appendices | Ngā āpitihanga

Number	Title	Document number
1	Trading and Events in Public Places Policy: with recommended track changes	N/A
2	Trading and Events in Public Places Policy: final	778622





**Otorohanga**

District Council

# POLICY

## Trading and Events in Public Places Policy 2024

### [TRACK CHANGES VERSION FOLLOWING SUBMISSIONS]

#### Approval and review details

<b>Approval authority</b>	Ōtorohanga District Council	<b>Effective date</b>	<del>1 July</del> <u>1 October</u> 2024
<b>Administrator</b>	GM Regulatory & Growth	<b>Next review date</b>	31 June 2026

#### Version History

Date	Version	Changes	Author	Approver	Date Adopted
15/5/24	1.0	Final	GM R&G	Chief Executive, [DATE APPROVED]	<del>TBC</del> <u>31 June</u> 2024

## CONTENTS

1.	Background .....	3
2.	Scope of the Policy .....	3
3.	Policy objectives.....	4
4.	Choosing a location.....	4
5.	Obtaining a permit or license.....	5
6.	Guiding principles for issuing a permit or license .....	6
7.	Fees .....	7
8.	General conditions.....	7
9.	General information: Events.....	8
10.	General information: Markets.....	8
11.	General information: Stalls.....	8
12.	General information: Mobile or travelling shops and mobile food stalls .....	9
13.	General information: Goods or services for sale or hire .....	9
14.	General information: Hawkers/pedlars.....	9
15.	General information: Street performers.....	10
16.	General information: Fundraising .....	11
17.	General information: Promotions .....	11
18.	General information: Other activities .....	11
19.	Monitoring and enforcement.....	11
20.	Complaints or Compliments .....	11
	<b>Policy Review Date.....</b>	<b>12</b>
	<b>APPENDIX 1: Definitions.....</b>	<b>13</b>
	<b><u>Error! Hyperlink reference not valid.</u> Schedule 1 – Forms .....</b>	<b>18</b>

## Purpose

Commercial activities and events in public places (events, market stalls, mobile traders, busking and street collections), can add character, vibrancy, and safety to urban areas (through activity and active surveillance), and can attract visitors. However they can also affect public use and enjoyment.

The purpose of this policy is to manage trading and events in public places so that:

- Public access, use and enjoyment of those places is maintained.
- Effects on users and members of the public are minimised.
- Mobile commercial activities are managed to regulate frequency, duration and numbers of activities.

NOTE: This policy does NOT control trade competition where mobile traders may compete with permanent activities. Council has no legal powers to control trade competition.

## Trading and Events in Public Places Policy

*Note: Applicants should refer to the Definition Section in this Policy for definitions of key terms used throughout this document.*

### 1. Background

The Trading in Public Places Policy provides the framework to authorise activities and balance activities against the impacts of these activities.

~~Despite~~ In addition to any approval under this policy, activities may also require separate approvals under the Health Act (for food activities), the Resource Management Act, the Traffic Bylaw, and/or other relevant legislation or regulation.

### 2. Scope of the Policy

2.1. The scope of this policy is limited to trading and events undertaken on public places administered by Ōtorohanga District Council.

2.2. This policy does **not** cover:

- a. Mobile trading on Council owned property. This ~~will~~ may be subject to separate ~~lease~~ legal arrangements.
- b. Mobile trading on private property. Activities on private property ~~are~~ may still be subject to other regulatory controls including but not limited to: food safety, alcohol licensing, resource management, noise, discharges, building)

- c. Trade competition impacts i.e. impacts of trade on other business carrying out similar trade. Council has no legal powers to constrain or control commercial activities which may result in trade competition with another activity.
- d. Trading or activities within any party of the State Highway corridor, **except for road corridors on the pedestrianised part of the State Highways in urban areas below 70kph ~~running through Ōtorohanga Township central business district~~** which ~~are is~~ under Council management. All other activities on State Highways are administered by Waka Kotahi NZ Transport Agency.

### 3. Policy objectives

The objectives of this policy are:

- 3.1. To enable temporary activities that enhance the use of public places, offer a service to residents and visitors, and provide diversity and vibrancy.
- 3.2. To retain the unimpeded and ongoing public use and enjoyment of public places.
- 3.3. To minimise safety and environmental impacts on adjoining uses and activities (excluding trade competition impacts).
- 3.4. To outline the process for applying for mobile and temporary trading and events in public places administered by Ōtorohanga District Council.

### 4. Location

#### 4.1. Private land or Council-owned land

This policy does not apply. You will need written approval from landowner. Other regulatory controls may apply e.g. food registration and/or alcohol licenses and resource consent requirements under the Ōtorohanga District Plan.

#### 4.2. Public places in the pedestrian precinct

Council will consider approvals on a case by case basis, with a priority for community-centred activities. Activities in these areas must not be contrary to or inconsistent with the policy objectives. Temporary mobile food stalls are not permitted in the pedestrian precinct unless part of an organised event or market.

#### 4.3. Roadside activities

State highways. Approval for mobile trading or events –on State Highways, arterial routes (as defined in the District Plan) lies with Waka Kotahi NZ Transport Agency. The sole exception is the pedestrian area of Ōtorohanga town centre.

Local roads.

- a. Approval will not generally be provided on roads with a speed limit that exceeds 50km/hour to ensure the safety of vendors and customers. Exceptions ~~can~~may be made if the activity is part of an organised event, and all traffic management requirements are met.
- b. Activities must not be contrary to or inconsistent with the policy objectives or relevant bylaws including the Traffic Bylaw.

4.4. Other public places and reserves

- a. Approval for mobile trading and events on other public places administered by Ōtorohanga District Council will be assessed on a case by case basis.
- b. Activities in these areas must not be contrary to or inconsistent with the policy objectives or any relevant legislation or bylaw.

5. Obtaining a permit or license

- 5.1. A formal application must be submitted using the relevant form ~~in Appendices~~ (~~also~~ available on Council’s website and customer service desk).
- 5.2. All applications, including renewals or extensions, will be considered on a case-by-case basis. **No permit will be granted unless evidence is also provided of compliance with all other regulatory approvals that apply to the activity. No approvals will be issued unless all other regulatory approvals are first obtained.**
- 5.3. The Council will notify the applicant in writing of the outcome of the approval process within 20 working days. If approved, the required fee must be paid before the ~~approval~~ permit or licence is issued.
- 5.4. The Council may require modifications to the applicant’s proposal. ~~These , and these~~ will be discussed with the applicant ~~before~~ as part of approval assessment process ~~approval is granted.~~
- 5.5. Approvals will be for a fixed duration only up to a maximum of 12 months, with renewals determined on a case by case basis on application for renewal.
- 5.6. Approvals may be subject to conditions including the right to revoke a permit or license to occupy under certain circumstances.

**Approvals Process**



## 6. Guiding principles for issuing a permit or license

When deciding whether to approve or decline an application, the Council will consider the following matters:

- 6.1. Consistency and adherence to the Council's bylaws, policies, strategies, and plans, as well as other governing legislation (e.g. traffic legislation, Resource Management Act 1991, Reserves Act 1977);
- 6.2. Appropriate location – the activity should enhance the existing function and public use of the area while minimising impacts to other users;
- 6.3. Accessibility - whether ~~it~~ the activity is likely to cause a nuisance, obstruction or a hazard to mobility impaired persons, other pedestrians, or vehicular traffic;
- 6.4. Where a stall is located directly in front of a permanent shop(s), whether the applicant has engaged with or has the agreement of the permanent shop tenant(s).
- 6.5. Safety – including health and safety, and any traffic management issues;
- 6.6. Diversity and quality – the use of public places should provide opportunities for the public to participate in activities such as leisure, recreation, and entertainment;
- 6.7. Suitability - any negative impacts the activity might have on the amenity of the proposed area, with special regard to noise levels and any history of prior trading;
- 6.8. Sustainability - applicants are encouraged to integrate environmentally friendly practices in their operations, ~~this may be a consideration for approval~~;
- 6.9. Density – this policy operates on a “first-in” basis, and approval will consider the number of other permits or licenses to occupy in the same area or in the vicinity of the proposed location(s). Renewal or extension ~~is~~ of existing permits is not guaranteed, and permits will be issued in accordance with the objectives and considerations of this policy. Where there are multiple traders providing the same offerings, Council may consider rotational permits, or a competitive registration of interest process.

**NOTE:** no permit or license will be issued where, in the opinion of the Authorised Officer, any material on display or for sale or associated merchandise or promotions is, or has potential to be, objectionable or offensive.

## 7. Fees

- 7.1. Fees will be applied for commercial activities or events in public places in accordance with Council's Schedule of Fees and Charges which is available on the Council's webpage.
- 7.2. The Council reserves the right to charge ~~rental~~ fees and/or a bond for all commercial activities on a public place. The rent will be set at a level that reflects the value of the location and ensures that businesses on private property are not unfairly disadvantaged.
- 7.3. Fees may be waived at the discretion of an Authorised Officer for a voluntary organisation, school, registered charitable trust or community group where satisfactory evidence is produced that the proceeds from any trading are retained wholly for charitable or community purposes.
- ~~7.3.~~7.4. Prior payment of all fees is a condition of any permit being granted and a failure to pay fees may result in the permit being cancelled.

## 8. General conditions

The general conditions upon which written approval is granted may include, but are not limited to, the following:

- 8.1. The permit/license to occupy must be prominently displayed so that it is able to be read by the public at all times during the approved activities;
- 8.2. All permits/licenses to occupy are personal to the applicant and are non-transferable. Permits/licences ~~and~~ can be suspended or cancelled at any time due to non-compliance;
- 8.3. The times, duration and location of operation under the permit or licence;
- 8.4. Unless specifically allowed to remain, a requirement that any associated equipment must be removed from the site at the end of each day;
- 8.5. The trading or event area should be left clean and tidy, and all rubbish must be properly disposed of;
- 8.6. All traders must provide evidence they hold their own suitable public liability insurance, unless alternatives are agreed with Council;
- 8.7. Restrictions on the use of amplified music/sound, including generators;
- 8.8. Emergency vehicle access must not be impeded;

- 8.9. The display and/or sale of any material and associated merchandise or promotions must not be objectionable or offensive.
- 8.10. Obtaining any other required permits – **this is a pre-requisite** of a permit/license to trade or hold an event in a public place. ~~including any necessary traffic management plan, corridor access request, food plan or alcohol licenses, resource consents, etc.~~ **No permit or licence to occupy will be issued without all necessary regulatory approvals first being obtained.**

## 9. General information: Events

The Council generally supports events due to the wide array of social, cultural, and economic benefits events provide. For all events, refer to the Event Application Form and the Event Risk Assessment Form. These documents are available on our website and via customer services .

## 10. General information: Markets

Any group or individual interested in utilising or developing a site, or establishing for an open air market, should first discuss this with ~~contact~~ the Council. For existing and approved markets, market stall applicants must approach the market organiser directly for a site and must comply with any requirements applicable to operating from that site. ~~–~~ The Council may consider permitting the establishment of open air markets in other public places on an individual basis:

- Registrations of interest to run a market may be called to operate the market on the expiry of a license term;
- All stall sites open for tender will be publicly advertised;
- The allocation of all Council-administered market and stall sites will be decided by a weighted attribute method of tender.

Any allocated sites for permanent mobile food stall locations will be tendered on the expiry of a license.

## 11. General information: Stalls

Stalls are a common way to start a business, promote products at events, raise funds for charitable and educational organisations, or as a way for existing food businesses to reach new customers.

Any person wanting to run a stall to prepare or handle packaged or unpacked food for retail sale generally needs a license or a permit. ~~See above if~~ if the stall is part of a market, permission from the market organiser will also be required. ~~–~~

Stall operators selling food must also comply with the Food Act 2014 in respect of food to be sold at the stall.



## 12. General information: Mobile ~~or travelling~~ shops and mobile food stalls

Mobile trading is ~~the~~ temporary trading activity from a location which is vacated once trading has ended. For example, roadside stalls, coffee/food carts, and ice cream trucks. A permit is required to operate a mobile ~~food stall or travelling~~ shop, where these are ~~parked up~~ being used for the purposes of trading.

A permit is not required for itinerant and occasional “stop and go” trading where **all** of the following apply:

- a. the trading vehicle is parked lawfully; and
- b. the parked-up duration is less than 10 minutes in any one single location; and
- c. the activity does not trade in more than 5 separate locations within any consecutive 48 hour period; and
- d. the activity does not operate for more than 2 days in any consecutive 7 day period

~~Most parks and reserves with offsite parking can accommodate temporary mobile food stalls, such as coffee carts and ice cream trucks. Vendors at parks should always take care not to damage the grassed surfaces, and to seek permission from organised groups using the park. Contact the Council to book a location.~~

## 13. General information: Goods or services for sale or hire

A **permit** is required to display goods or services for sale or hire in a public place. This activity includes businesses using the footpath outside their premises to display goods, such as clothing, tables with items for sale, and recreational equipment for hire. Where goods or services are for sale or hire, the items:

- 13.1. Must not impede the movement of pedestrians or vehicles, or be likely to cause danger to any person;
- 13.2. Must be placed immediately adjoining the premises from which the goods and/or services displayed may be purchased;
- 13.3. Be removed from the public place when the business is closed, or secured to the appropriate infrastructure, e.g. bike stands;
- 13.4. Goods on display must not be dangerous or offensive.

## 14. General information: Hawkers/pedlars

A hawker is someone who travels about carrying goods for sale unsolicited to the public but does not display them on a table or stall. A permit is required for hawking in a public place. Trading from a fixed location is not permitted. Hawkers/Pedlars are not permitted in the pedestrian precinct.

## 15. General information: Street performers ~~and (including busking)~~

All street performers, whether they need a permit or not, must comply with the Code of Conduct for Street Performance. A street performance permit is required:

- 15.1. if a street performer wishes to perform outside the ~~pedestrian precinct~~central business district; ~~and~~
- 15.2. for all performances in Council parks and reserves (~~including within parks in the central city~~); ~~and~~
- 15.3. for any street performer using dangerous materials, objects, or animals ~~—any other applicable legislation and policies must also be complied with.~~ Dangerous materials include but are not limited to, substances that are flammable, toxic, or hazardous, sharp implements or those that pose a risk. *Note: Performers may also need to comply with any other applicable legislation and policies that apply to the use of dangerous materials, object or animals.*

A permit is valid for a period of up to one (1) year. As part of the applicable process the, ~~and the~~ street performer ~~will be able to~~ must nominate locations where they wish to perform.

**Pavement Art** is not permitted in the pedestrian precinct unless it is part of an approved event. A street performance permit is required for pavement art. The following conditions apply to pavement art:

- Use of materials that can easily be washed off without leaving any residue. The materials must not be slippery or create a public hazard;
- If the pavement art is created on a removable surface, such as plastic, canvas or paper/card, and is fixed to the pavement, it must be with a product that does not leave any residue;
- The site must be kept clean, tidy, and safe at all times;
- Commercial advertising is not permitted in pavement art (refer definition);
- The artist must not offer individual works of art or products for sale at the site.

The Council may, from time to time, designate specific areas where street performance (including pavement art) is permitted or prohibited. The nominated street performance areas will be included in a Register on the Council website.

~~In addition, all street performers should note that the~~ The sale of any goods is not permitted as part of the street performance activity. A separate trading permit under this policy must be obtained to do so.

## 16. General information: Fundraising

Any individuals, groups or organisations wanting to use a public place to fundraise, must contact the Council to determine the suitability, location, and time.

## 17. General information: Promotions

Promotions include activities where promotional material is handed out, e.g. pamphlets, free goods. Where a promoter requires exclusive space to park a vehicle or set up equipment an event permit may be required. ~~Contact the Council to discuss the activity.~~

Promoters should be mindful of the amount of litter that the activity generates and seek to minimise this by not forcing people to take the item if they do not want it and picking up any discarded promotional items in the vicinity of the activity.

## 18. General information: Other activities

For activities not specifically listed in this policy, ~~contact the Council to discuss whether~~ a permit/license ~~is~~ may still be required for the activity. You should contact the Council to discuss any applicable requirements.

Applications for permits/licenses to undertake commercial activities other than those already identified in this policy will be considered on a case-by-case basis, ~~taking into account the type of activity, the environment the applicant wants to operate in and the impact on local existing businesses.~~

## 19. Monitoring and enforcement

The Council will monitor trading and events in public places to ensure that permit and license holders are complying with their permit or license conditions.

Anyone trading or holding an event in a public place without a permit will be required to cease the activity and remove any associated equipment/material.

~~Non-compliance with a license or lease will be managed in accordance with the conditions of the relevant license or lease.~~

## 20. Complaints or Compliments

Complaints or compliments about traders or events may be made to the Council via the Council's website, general email address, or by phoning 07 873 4000.

Complaints regarding violent, disorderly, or offensive behaviour should be referred in the first instance to the Police, and then to the Council.

Complainants are encouraged to talk to the trading, event, or activity operator to explain the issue and potential resolution (e.g. trade or perform elsewhere, reduce the noise level, ~~or relocate if the activity is on a prohibited site~~).

## Policy Review Date

An initial review two years with further reviews every 5 years.

## APPENDIX 1: Definitions

In this policy, unless otherwise defined:

Authorised officer	means an officer or other person appointed by the Council provided with delegated authority under the Ōtorohanga District Council Traffic Bylaw or Delegations Register (including any warranted <del>E</del> enforcement <del>O</del> officer). Permits and licenses will be authorised by the Group Manager Engineering and Assets or alternatively, the Group Manager Regulatory and Growth.
Bylaw	means the Ōtorohanga District Council Traffic Bylaw 2015.
Commercial activity	includes: <ul style="list-style-type: none"> <li>• trading, which includes selling, hiring, or displaying for sale any goods or services;</li> <li>• advertising goods, services, or events;</li> <li>• street performing;</li> <li>• other activities undertaken for payment or reward.</li> </ul>
<del>Corridor Access Request (CAR)</del>	<del>means an application to carry out any work or activity that affects the normal operation of the road, footpath, and <del>or</del> grass berm prior to performing the work or activity.</del>
Council	means the Ōtorohanga District Council and includes any person authorised by the Council to act on its behalf.
Food stall /mobile food stall	means a stall selling food and that <del>is required to meet</del> <del>meets the requirements of</del> the Food Act 2014.
Enforcement officer	means any person who has been appointed as an enforcement officer by the Council under the Local Government Act 2002.
Event	means an organised temporary activity with set start and end dates, which is set-up in a public place. It may be free or ticketed, conducted for the purpose of attracting revenue, support, awareness, and/or for entertainment, community connection or competition. An event may include the erection of structures, setting up of equipment, and other activities that could require exclusive use or prevent access or use by others of the public place.

Hawker	includes a pedlar or any person with goods, wares or merchandise for sale that are either carried or taken around by the seller and offered unsolicited to the public in a public place. For avoidance of doubt, it does not include stallholders or mobile or travelling shops.
License to Occupy	means a contractual agreement with the Council issued under this policy which authorises the applicant to carry out a specific activity, at a specified location, for a specified duration.
Mobile or travelling shop	means a vehicle, whether self-propelled or not, from which goods, wares, or merchandise may be purchased in the road or from which services are offered for sale in the road; but does not include any vehicle on or from which food is sold for consumption (see (mobile) food stall), or any vehicle used for the purpose of transporting and delivering goods, wares, or merchandise.
Objectionable or offensive	<p><b>Objectionable:</b> <i>describes, depicts, expresses, or otherwise deals with matters such, <u>but not limited to</u>, as sex, horror, crime, cruelty, or violence in such a manner that it is likely to be injurious to the public good</i> (<del>source, Department of Internal Affairs</del>).</p> <p><b>Offensive:</b> <i>expresses hostility against, or contempt or ridicule towards, another person on the ground of race, ethnicity, or national origin; and is likely to be unwelcome or offensive to that person, whether or not it was conveyed directly to that person</i> (<del>source—NZ Law Society</del>)</p>
Open air market	means any outdoor place, accessible to the public, where goods or services are offered for sale, which usually consists of <del>several</del> <u>two or more</u> stalls grouped together.
Pavement art	means temporary images or drawings created for the purposes of public exhibition either directly on to the pavement or on removable surfaces, such as paper or plastic, laid out on the pavement. Advertising on the pavement is not considered to be pavement art under this policy.
Pedestrian precinct	means any of the pedestrian area of Ōtorohanga and Kawhia central business district or main street, including linking side streets, lanes, and open spaces.
Permanent mobile stall	means a mobile stall that has a <u>license to occupy</u> <del>lease agreement</del> with the Council for more than six months.

Permit	means a temporary <del>of</del> <u>or</u> fixed term permit issued by the Council under this policy <del>or a relevant bylaw.</del>
Public place	<p>means an area that is open to or used by the public, and which is owned, managed, maintained, or controlled by the Council. Public places include, but are not limited to: roads, streets, footpaths, alleys, pedestrian malls, cycle tracks, lanes, accessways, thoroughfares, squares, carparks, reserves, parks, beaches, foreshore, riverbanks, berms, verges, and recreational grounds.</p> <p>Explanatory Note: Privately-owned public places, such as lanes or squares, will only fall within the above definition if they are also managed, maintained, or controlled by the Council. The Council will consider on a case-by-case basis in discussion with the landowner whether any privately-owned public places should come under Council's management, maintenance, or control for the purposes of the Bylaw. Similarly, the Council may enter into an arrangement with the Crown to manage, maintain or control its land by mutual agreement, usually where the land is adjacent to Council-owned land.</p>
Road	has the same meaning as in section 2(1) of the Land Transport Act 1998.
Street performance	includes busking and means a person or group of persons who is/are actively providing a performance to entertain in exchange for a donation. A street performance may include sounding or playing a musical instrument, singing, reciting, or performing conjuring, juggling, puppetry, miming, statue acts, dancing, or other entertainment, or doing any of those things concurrently.
Trading	includes selling, hiring, or displaying any goods or services for sale
Traffic Management Plan	means <u>an approved</u> document describing the design, implementation, management, and removal of temporary traffic management measures (such as signs and road cones) while an activity or event is taking place within the road or adjacent to and affecting the road. This includes plans prepared for one-off events and generic plans to cover activities carried out frequently.
Temporary retail	means any stand, stall, tent, mobile shop, vehicle, vessel, or other setup from which goods and/or services are sold that is open in a temporary nature and removed when not in use.

## **APPENDIX 2: CODE OF CONDUCT FOR STREET PERFORMERS (BUSKERS)**

This Code of Conduct provides the framework to assist performers, businesses and residents in understanding acceptable practices for busking. The aim is to foster an environment that encourages and enables a range of street performances, while recognising the importance of safety, amenity and minimising complaints and other issues. All street performers must comply with this Code of Conduct.

### **Places of performance:**

You can perform/busk anywhere except:

- Parks, gardens and reserves, unless a permit has been obtained.
- Within five (5) metres of any intersection, pedestrian crossing, traffic signal, road works or ATM, unless a permit has been obtained.
- Outside, adjacent to or on the grounds of places of worship, religious, and memorial sites.
- Directly in front of entrances or exits to shopping centres, arcades, businesses or residential buildings.
- Against the building line - to enable unobstructed access and safety for people who are visually impaired.
- Locations where events are being held, unless the street performer has permission of the event organiser.
- Within 30 metres of another street performance.

### **Code of Conduct**

- As a courtesy, street performers are encouraged to introduce themselves to the nearest stalls and shops, prior to starting their performance.
- A street performer may only perform between the hours of 10am and 8pm unless specifically authorised as part of an event permit, or a street performance permit.
- Street performers are limited to a maximum total time of 90 minutes, per day, at any one location (including performance time, setup and pack down). Street performers must keep track of the time they arrive on site so that they know when their time has elapsed.
- Street performers may re-locate after the maximum 90 minutes on one location, to a new location that is at least 30 metres from the previous location.
- In the case of an event, a street performer should not attempt to associate themselves with that event and should be sited at least 250 metres from the periphery of that event, unless they are part of that event.
- Street performers may give audiences an opportunity to provide voluntary donations by placing a container on their site or by asking an audience for donations. Street performers may not approach individuals requesting money or solicit funds in a way that is likely to cause any discomfort to members of the public.



- Street performers must take responsibility for their actions while performing in a public place, and retain complete control of every aspect of their performance.
- A street performance must not cause a nuisance to or disrupt business trading including retail and dining establishments, and workplaces, or detract from public amenity.
- Street performers are responsible for maintaining pedestrian and traffic flow and public amenity within the vicinity of the activity.
- Street performers should ensure that they or their audience do not block shop doorways during business hours, dining areas and cafes, bus stops, fire escapes, roads and residential doorways.
- A street performer may not erect signage advertising their performance, unless they have a permit for the sign.
- Street performers must keep the site in use clean while they are working, and the performance site must be left in the condition that it was found.
- Inappropriate/offensive language, paraphernalia or visual props must not be used.
- The maximum number of buskers in any one group is four (4) unless a specific exemption is provided by an authorised officer.
- A parent or guardian must accompany anyone under the age of 14 years while performing. Proof of age may be requested.
- If someone complains to a street performer that they are causing a nuisance or disturbance, the performer should move on, or contact the Council to mediate.
- A street performer must not continue to perform at any location if requested to move on by any authorised officer.
- Street performers using amplification for voice or instruments must keep the volume within an acceptable level and must not cause unreasonable or excessive noise. For guidance, and “acceptable level” would allow for normal conversation (i.e. with shouting), at a minimum distance of 10 metres from the amplified speakers.
- Street performers are not covered under the Council’s public liability insurance policy and are encouraged to hold their own public liability insurance.**

## ~~Schedule 1 – Forms~~

~~Form 1A: Application for Mobile Trading License~~

~~Form 1L: License to Occupy a public space for mobile trading~~

~~Form 2A: Application for Hawkers License~~

~~Form 2L: License to Occupy a public space to undertake hawking~~

~~Form 3A: Application for Commercial Services or Events License~~

~~Form 3L: License to Occupy a public space to undertake commercial services or an event~~

~~Form 4A: Application for permit to solicit donations or sell lottery tickets~~

~~Form 4P: Permit to solicit Donations or sell Lottery Tickets~~

~~Form 5A: Application for Buskers Permit~~

~~Form 5P: Permit to undertake busking~~

# Trading in Public Places Form 1A: Application for Mobile Trading License



Full Name:

\_\_\_\_\_

Address:

\_\_\_\_\_  
\_\_\_\_\_

Phone:

\_\_\_\_\_

Email:

\_\_\_\_\_

Occupation:

\_\_\_\_\_

Date of Birth:

\_\_\_\_\_

Description of vehicle to be used:

\_\_\_\_\_

Registration number:

\_\_\_\_\_

Goods to be sold:

\_\_\_\_\_

**CONVICTIONS:** \_\_\_\_\_ (a) Under the Motor Legislation \_\_\_\_\_ Yes \_\_\_\_\_ No

\_\_\_\_\_ (b) In the Police Court \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes provide details:

\_\_\_\_\_

## Particulars to be provided as part of Application

i) Vehicle Warrant of Fitness and Registration \_\_\_\_\_ Yes \_\_\_\_\_ No

ii) Road User Certificate \_\_\_\_\_ Yes \_\_\_\_\_ No

iii) Electrical Certificate \_\_\_\_\_ Yes \_\_\_\_\_ No

iv) LPG Installation Inspection Certificate (from a registered gasfitter) \_\_\_\_\_ Yes \_\_\_\_\_ No

v) All regulatory approvals obtained \_\_\_\_\_ Yes \_\_\_\_\_ No

I do hereby solemnly state to the best of my knowledge and belief that the foregoing particulars are correct and that the issue to me of a Mobile Trading License is conditional on the understanding that the particulars stated in this application are true and correct. I further declare that I am familiar with the terms and conditions which apply to this license and agree to abide with same.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_

~~Trading in Public Places Form 1L: LICENSE TO OCCUPY~~



~~a public space for Mobile Trading~~

~~The person named herein is authorised to operate a Mobile Shop within Ōtorohanga District subject to the terms and conditions as set out.~~

~~Full name of license holder:~~

---

~~Address:~~

---

---

~~Registration number of vehicle used:~~

---

~~Goods permitted to be sold:~~

---

~~Expiry date:~~

---

~~Special conditions (if any):~~

---

~~Approved under delegated authority:~~

---

~~Name:~~

---

~~Role:~~

---

~~Date:~~

---

---

## ~~General License Conditions~~

- ~~1. The holder of a Mobile Trading License shall carry the license at all times.~~
- ~~2. The license will apply only to the vehicle whose registration number is specified on the license.~~
- ~~3. Trading is prohibited in the following areas:
  - ~~i) all Parks and Reserves not listed on this license (including car parks and roads in Reserves);~~
  - ~~ii) restricted areas — schedule if any;~~
  - ~~iii) within 200 metres of another premises selling similar products;~~
  - ~~iv) within 50 metres of any intersection or pedestrian crossing where people visiting the site may be placed in danger.~~~~
- ~~4. No trading is allowed on State Highways, except with the specific consent of NZTA.~~
- ~~5. The licensee or operator of any mobile shop shall not remain stationary on any one site for a period exceeding one hour.~~
- ~~6. The operator of the Mobile Shop shall ensure that the area in which trading is carried out is cleaned up when trading is finished.~~

~~Trading in Public Places Form 2A: Application for Hawker's License~~



~~Full Name:~~

---

~~Address:~~

---

---

~~Phone:~~

---

~~Email:~~

---

~~Occupation:~~

---

~~Nature of goods to be offered for sale:~~

---

~~Address of premises to be used for the  
preparation or storage of any food:~~

---

---

~~Date:~~

---

~~Applicant's signature:~~

---



## ~~Trading in Public Places Form 2L: LICENSE TO OCCUPY~~

~~a public space to undertake hawking~~

~~The person named herein is authorised to ply the trade of a hawker within Ōtorohanga District Council subject to the terms and conditions as set out.~~

~~Full name of license holder:~~

---

~~Address:~~

---

---

~~Registration number of vehicle used:~~

---

~~Goods permitted to be sold:~~

---

~~Expiry date:~~

---

~~Special conditions (if any):~~

---

~~Approved under delegated authority:~~

---

~~Name:~~

---

~~Role:~~

---

~~Date:~~

---

### ~~License Conditions~~

- ~~1. This license must be available on demand, to any Authorised Officer or Police Officer.~~
- ~~2. No trade is allowed on any reserve without the specific consent of the Council.~~
- ~~3. No trade is allowed on the State Highway, except with the specific consent of NZTA.~~
- ~~4. The Council may limit the class of goods to be sold, and the hours or days during which business can be carried out.~~

~~Trading in Public Places Form 3A:~~

~~Application for Commercial Services or Event License~~



~~Full name:~~

---

~~Address:~~

---

---

~~Phone:~~

---

~~Email:~~

---

~~Date of Birth:~~

---

~~Nature of service to be offered:~~

---

~~The area of the District in which the  
service is to be offered:~~

---

---

~~Date/s on which the service is to be  
offered:~~

---

~~The time of the day during which the  
service is to be offered:~~

---

~~Date:~~

---

~~Applicant's Signature:~~

---



~~Trading in Public Places Form 3L: LICENSE TO OCCUPY  
a public space to undertake Commercial Services or an Event~~



~~License holder:~~

---

~~License Expiry Date:~~

---

~~Authorised Service:~~

---

~~Area of Operation:~~

---

~~Date of Operation:~~

---

~~Time of Operation:~~

---

~~Special conditions (if any):~~

---

~~Date of Issue:~~

---

~~Approved under delegated authority:~~

---

~~Name:~~

---

~~Role:~~

---

~~Date:~~

---

~~**License Conditions**~~

- ~~1. This license is to be available on demand, to any Officer or Police Officer.~~
- ~~2. No trade is allowed on any reserve without the specific consent of the Council.~~
- ~~3. No trade is allowed on the State Highway, except with the specific consent of NZTA (C/ Broad Spectrum, phone).~~
- ~~4. This License is not transferable.~~

~~Trading in Public Places Form 4A: Application to  
Solicit donations or sell lottery tickets~~



~~Application for a permit to solicit donations/sell lottery tickets (delete whichever is not applicable) within public places in Ōtorohanga District Council.~~

~~Full Name:~~

---

~~Address:~~

---

---

~~Phone:~~

---

~~Email:~~

---

~~Name of the organisation on whose behalf  
the activity will be undertaken:~~

---

---

~~Charity or Certificate of Incorporation  
Number:~~

---

~~Dept of Internal Affairs License Number  
(if applicable):~~

---

~~Location of sites from which it is proposed  
to operate:~~

---

~~Date(s) on which it is proposed to  
undertake the activities:~~

---

~~Applicant's Signature:~~

---

~~Date:~~

---

~~Trading in Public Places Form 4P: PERMIT  
to solicit donations or sell lottery tickets in a public place~~



~~Full name of permit holder:~~

---

~~Address:~~

---

---

~~Organisation represented:~~

---

~~Charity or Certificate of Incorporation  
Number:~~

---

~~Dept of Internal Affairs License Number  
(if applicable):~~

---

~~Date of activity:~~

---

~~Special conditions (if any):~~

---

~~Approved under delegated authority:~~

---

~~Name:~~

---

~~Role:~~

---

~~Date:~~

---

~~License Conditions~~

- ~~1. This permit is to be available on demand to any Authorised Officer or Police Officer.~~
- ~~2. This permit is not transferable.~~

~~Trading in Public Places Form 5A: APPLICATION FOR BUSKER'S PERMIT~~



~~Full name:~~

---

~~Address:~~

---

---

~~Phone:~~

---

~~Email:~~

---

~~Occupation:~~

---

~~Date of Birth:~~

---

~~Instrument(s):~~

---

~~Proposed Date(s):~~

---

~~Proposed Location(s):~~

---

---

~~Proposed time of performance:~~

---

~~Parent/caregiver consent  
(if applicant is under 14 years of age):~~

~~+~~

~~consent to:~~

~~{full name}~~

~~{full name}~~

~~being issued with a busking permit~~

~~Signature:~~

~~Signature of applicant:~~

---

~~Date:~~

---

~~Trading in Public Places Form 5P: PERMIT to undertake busking~~



~~Permit holder:~~

---

~~Permit Expiry Date:~~

---

~~Instrument(s):~~

---

~~Area of Operation:~~

---

~~Date(s) of Operation:~~

---

~~Time of Operation:~~

---

~~Special conditions (if any):~~

---

~~Date of Issue:~~

---

~~Approved under delegated authority:~~

---

~~Name:~~

---

~~Role:~~

---

~~Date:~~

---

~~**General Conditions**~~

~~1. Buskers must carry their busking permit and show it to any Authorised Officer or Police Officer on request.~~

~~2. No busker shall:~~

~~a. occupy any footpath adjacent to any retail or other commercial premises without the consent of the owner or manager of such premises;~~

~~b. occupy any footpath or pedestrian way in such a way as to obstruct or impede the free movement of pedestrians along the footpath, or way or through the public place;~~

- ~~c. allow the persons forming the audience to obstruct or impede the free movement of pedestrians along the footpath or way or through the public place;~~
- ~~d. use language or behaviour which is abusive, insulting, threatening or offensive;~~
- ~~e. undertake or perform any busking activity which generates any noise which in the opinion of any Officer or Police Officer unreasonably interferes with the peace, comfort and/or convenience of any person or persons; or~~
- ~~f. continue to occupy any place or site on a footpath or in any public place for longer than 2 hours, or after being requested by an Officer or Police Officer, to move to another place or site.~~



**Otorohanga**  
District Council

# POLICY

## Trading and Events in Public Places Policy 2024

### Approval and review details

<b>Approval authority</b>	Ōtorohanga District Council	<b>Effective date</b>	1 October 2024
<b>Administrator</b>	GM Regulatory & Growth	<b>Next review date</b>	31 June 2026

### Version History

Date	Version	Changes	Author	Approver	Date Adopted
15/5/24	1.0	Final	GM R&G	Chief Executive	TBC 2024

## CONTENTS

1.	Background .....	3
2.	Scope of the Policy .....	3
3.	Policy objectives.....	4
4.	Choosing a location.....	4
5.	Obtaining a permit or license.....	5
6.	Guiding principles for issuing a permit or license .....	6
7.	Fees .....	7
8.	General conditions.....	7
9.	General information: Events.....	8
10.	General information: Markets.....	8
11.	General information: Stalls.....	8
12.	General information: Mobile or travelling shops and mobile food stalls .....	9
13.	General information: Goods or services for sale or hire .....	9
14.	General information: Hawkers/pedlars.....	9
15.	General information: Street performers.....	9
16.	General information: Fundraising .....	10
17.	General information: Promotions .....	10
18.	General information: Other activities .....	11
19.	Monitoring and enforcement.....	11
20.	Complaints or Compliments .....	11
	Policy Review Date.....	11
	APPENDIX 1: Definitions.....	12



## Purpose

Commercial activities and events in public places (events, market stalls, mobile traders, busking and street collections), can add character, vibrancy, and safety to urban areas (through activity and active surveillance), and can attract visitors. However they can also affect public use and enjoyment.

The purpose of this policy is to manage trading and events in public places so that:

- Public access, use and enjoyment of those places is maintained.
- Effects on users and members of the public are minimised.
- Mobile commercial activities are managed to regulate frequency, duration and numbers of activities.

NOTE: This policy does NOT control trade competition where mobile traders may compete with permanent activities. Council has no legal powers to control trade competition.

## Trading and Events in Public Places Policy

*Note: Applicants should refer to the Definition Section in this Policy for definitions of key terms used throughout this document.*

### 1. Background

The Trading in Public Places Policy provides the framework to authorise activities and balance activities against the impacts of these activities.

In addition to any approval under this policy, activities may also require separate approvals under the Health Act (for food activities), the Resource Management Act, the Traffic Bylaw, and/or other relevant legislation or regulation.

### 2. Scope of the Policy

2.1. The scope of this policy is limited to trading and events undertaken on public places administered by Ōtorohanga District Council.

2.2. This policy does **not** cover:

- a. Mobile trading on Council owned property. This may be subject to separate legal arrangements.
- b. Mobile trading on private property. Activities on private property may still be subject to other regulatory controls including but not limited to: food safety, alcohol licensing, resource management, noise, discharges, building)

- c. Trade competition impacts i.e. impacts of trade on other business carrying out similar trade. Council has no legal powers to constrain or control commercial activities which may result in trade competition with another activity.
- d. Trading or activities within any party of the State Highway corridor, **except for** road corridors on State Highways in urban areas below 70kph which are under Council management. All other activities on State Highways are administered by Waka Kotahi NZ Transport Agency.

### 3. Policy objectives

The objectives of this policy are:

- 3.1. To enable temporary activities that enhance the use of public places, offer a service to residents and visitors, and provide diversity and vibrancy.
- 3.2. To retain the unimpeded and ongoing public use and enjoyment of public places.
- 3.3. To minimise safety and environmental impacts on adjoining uses and activities (excluding trade competition impacts).
- 3.4. To outline the process for applying for mobile and temporary trading and events in public places administered by Ōtorohanga District Council.

### 4. Location

- 4.1. Private land or Council-owned land  
This policy does not apply. You will need written approval from landowner. Other regulatory controls may apply e.g. food registration and/or alcohol licenses and resource consent requirements under the Ōtorohanga District Plan.
- 4.2. Public places in the pedestrian precinct  
Council will consider approvals on a case by case basis, with a priority for community-centred activities. Activities in these areas must not be contrary to or inconsistent with the policy objectives. Temporary mobile food stalls are not permitted in the pedestrian precinct unless part of an organised event or market.
- 4.3. Roadside activities  
State highways. Approval for mobile trading or events on State Highways, arterial routes (as defined in the District Plan) lies with Waka Kotahi NZ Transport Agency. The sole exception is the pedestrian area of Ōtorohanga town centre.

Local roads.

- a. Approval will not generally be provided on roads with a speed limit that exceeds 50km/hour to ensure the safety of vendors and customers. Exceptions may be made if the activity is part of an organised event, and all traffic management requirements are met.
- b. Activities must not be contrary to or inconsistent with the policy objectives or relevant bylaws including the Traffic Bylaw.

4.4. Other public places and reserves

- a. Approval for mobile trading and events on other public places administered by Ōtorohanga District Council will be assessed on a case by case basis.
- b. Activities in these areas must not be contrary to or inconsistent with the policy objectives or any relevant legislation or bylaw.

5. Obtaining a permit or license

- 5.1. A formal application must be submitted using the relevant form (available on Council’s website and customer service desk).
- 5.2. All applications, including renewals or extensions, will be considered on a case-by-case basis. **No permit will be granted unless evidence is also provided of compliance with all other regulatory approvals that apply to the activity.**
- 5.3. The Council will notify the applicant in writing of the outcome of the approval process within 20 working days. If approved, the required fee must be paid before the permit or licence is issued.
- 5.4. The Council may require modifications to the applicant’s proposal. These will be discussed with the applicant as part of approval assessment process.
- 5.5. Approvals will be for a fixed duration only up to a maximum of 12 months, with renewals determined on a case by case basis on application for renewal.
- 5.6. Approvals may be subject to conditions including the right to revoke a permit or license to occupy under certain circumstances.

**Approvals Process**



## 6. Guiding principles for issuing a permit or license

When deciding whether to approve or decline an application, the Council will consider the following matters:

- 6.1. Consistency and adherence to the Council's bylaws, policies, strategies, and plans, as well as other governing legislation (e.g. traffic legislation, Resource Management Act 1991, Reserves Act 1977);
- 6.2. Appropriate location – the activity should enhance the existing function and public use of the area while minimising impacts to other users;
- 6.3. Accessibility - whether the activity likely to cause a nuisance, obstruction or a hazard to mobility impaired persons, other pedestrians, or vehicular traffic;
- 6.4. Where a stall is located directly in front of a permanent shop(s), whether the applicant has engaged with or has the agreement of the permanent shop tenant(s).
- 6.5. Safety – including health and safety, and any traffic management issues;
- 6.6. Diversity and quality – the use of public places should provide opportunities for the public to participate in activities such as leisure, recreation, and entertainment;
- 6.7. Suitability - any negative impacts the activity might have on the amenity of the proposed area, with special regard to noise levels and any history of prior trading;
- 6.8. Sustainability - applicants are encouraged to integrate environmentally friendly practices in their operations;
- 6.9. Density – this policy operates on a “first-in” basis, and approval will consider the number of other permits or licenses to occupy in the same area or in the vicinity of the proposed location(s). Renewal or extension of existing permits is not guaranteed, and permits will be issued in accordance with the objectives and considerations of this policy. Where there are multiple traders providing the same offerings, Council may consider rotational permits, or a competitive registration of interest process.

**NOTE:** no permit or license will be issued where, in the opinion of the Authorised Officer, any material on display or for sale or associated merchandise or promotions is, or has potential to be, objectionable or offensive.

## 7. Fees

- 7.1. Fees will be applied for commercial activities or events in public places in accordance with Council's Schedule of Fees and Charges which is available on the Council's webpage.
- 7.2. The Council reserves the right to charge fees and/or a bond for all commercial activities on a public place. The rent will be set at a level that reflects the value of the location and ensures that businesses on private property are not unfairly disadvantaged.
- 7.3. Fees may be waived at the discretion of an Authorised Officer for a voluntary organisation, school, registered charitable trust or community group where satisfactory evidence is produced that the proceeds from any trading are retained wholly for charitable or community purposes.
- 7.4. Prior payment of all fees is a condition of any permit being granted and a failure to pay fees may result in the permit being cancelled.

## 8. General conditions

The general conditions upon which written approval is granted may include, but are not limited to, the following:

- 8.1. The permit/license to occupy must be prominently displayed so that it is able to be read by the public at all times during the approved activities;
- 8.2. All permits/licenses to occupy are personal to the applicant and are non-transferable. Permits/licences can be suspended or cancelled at any time due to non-compliance;
- 8.3. The times, duration and location of operation under the permit or licence;
- 8.4. Unless specifically allowed to remain, a requirement that any associated equipment must be removed from the site at the end of each day;
- 8.5. The trading or event area should be left clean and tidy, and all rubbish must be properly disposed of;
- 8.6. All traders must provide evidence they hold their own suitable public liability insurance, unless alternatives are agreed with Council;
- 8.7. Restrictions on the use of amplified music/sound, including generators;
- 8.8. Emergency vehicle access must not be impeded;

- 8.9. The display and/or sale of any material and associated merchandise or promotions must not be objectionable or offensive.
- 8.10. Obtaining any other required permits – **this is a pre-requisite** of a permit/license to trade or hold an event in a public place. **No permit or licence to occupy will be issued without all necessary regulatory approvals first being obtained.**

## 9. General information: Events

The Council generally supports events due to the wide array of social, cultural, and economic benefits events provide. For all events, refer to the Event Application Form and the Event Risk Assessment Form. These documents are available on our website and via customer services .

## 10. General information: Markets

Any group or individual interested in utilising or developing a site for an open air market should first discuss this with the Council. For existing and approved markets, market stall applicants must approach the market organiser directly for a site and must comply with any requirements applicable to operating from that site. The Council may consider permitting the establishment of open air markets in other public places on an individual basis:

- Registrations of interest to run a market may be called to operate the market on the expiry of a license term;
- All stall sites open for tender will be publicly advertised;
- The allocation of all Council-administered market and stall sites will be decided by a weighted attribute method of tender.

Any allocated sites for permanent mobile food stall locations will be tendered on the expiry of a license.

## 11. General information: Stalls

Stalls are a common way to start a business, promote products at events, raise funds for charitable and educational organisations, or as a way for existing food businesses to reach new customers.

Any person wanting to run a stall to prepare or handle packaged or unpacked food for retail sale generally needs a license or a permit. If the stall is part of a market, permission from the market organiser will also be required.

Stall operators selling food must also comply with the Food Act 2014 in respect of food to be sold at the stall.

## 12. General information: Mobile shops and mobile food stalls

Mobile trading is temporary trading activity from a location which is vacated once trading has ended. For example, roadside stalls, coffee/food carts, and ice cream trucks. A permit is required to operate a mobile shop, where these are being used for the purposes of trading.

A permit is not required for itinerant and occasional “stop and go” trading where **all** of the following apply:

- a. the trading vehicle is parked lawfully; and
- b. the parked-up duration is less than 10 minutes in any one single location; and
- c. the activity does not trade in more than 5 separate locations within any consecutive 48 hour period; and
- d. the activity does not operate for more than 2 days in any consecutive 7 day period

## 13. General information: Goods or services for sale or hire

A **permit** is required to display goods or services for sale or hire in a public place. This activity includes businesses using the footpath outside their premises to display goods, such as clothing, tables with items for sale, and recreational equipment for hire. Where goods or services are for sale or hire, the items:

- 13.1. Must not impede the movement of pedestrians or vehicles, or be likely to cause danger to any person;
- 13.2. Must be placed immediately adjoining the premises from which the goods and/or services displayed may be purchased;
- 13.3. Be removed from the public place when the business is closed, or secured to the appropriate infrastructure, e.g. bike stands;
- 13.4. Goods on display must not be dangerous or offensive.

## 14. General information: Hawkers/pedlars

A hawker is someone who travels about carrying goods for sale unsolicited to the public but does not display them on a table or stall. A permit is required for hawking in a public place. Trading from a fixed location is not permitted. Hawkers/Pedlars are not permitted in the pedestrian precinct.

## 15. General information: Street performers (including busking)

All street performers, whether they need a permit or not, must comply with the Code of Conduct for Street Performance. A street performance permit is required:

- 15.1. if a street performer wishes to perform outside the pedestrian precinct; and
- 15.2. for all performances in Council parks and reserves; and
- 15.3. for any street performer using dangerous materials, objects, or animals Dangerous materials include but are not limited to, substances that are flammable, toxic, or hazardous, sharp implements or those that pose a risk. *Note: Performers may also need to comply with any other applicable legislation and policies that apply to the use of dangerous materials, object or animals.*

A permit is valid for a period of up to one (1) year. As part of the applicable process the street performer must nominate locations where they wish to perform.

**Pavement Art** is not permitted in the pedestrian precinct unless it is part of an approved event. A street performance permit is required for pavement art. The following conditions apply to pavement art:

- Use of materials that can easily be washed off without leaving any residue. The materials must not be slippery or create a public hazard;
- If the pavement art is created on a removable surface, such as plastic, canvas or paper/card, and is fixed to the pavement, it must be with a product that does not leave any residue;
- The site must be kept clean, tidy, and safe at all times;
- Commercial advertising is not permitted in pavement art (refer definition);
- The artist must not offer individual works of art or products for sale at the site.

The Council may, from time to time, designate specific areas where street performance (including pavement art) is permitted or prohibited. The nominated street performance areas will be included in a Register on the Council website.

The sale of any goods is not permitted as part of the street performance activity. A separate trading permit under this policy must be obtained to do so.

## 16. [General information: Fundraising](#)

Any individuals, groups or organisations wanting to use a public place to fundraise, must contact the Council to determine the suitability, location, and time.

## 17. [General information: Promotions](#)

Promotions include activities where promotional material is handed out, e.g. pamphlets, free goods. Where a promoter requires exclusive space to park a vehicle or set up equipment an event permit may be required.



Promoters should be mindful of the amount of litter that the activity generates and seek to minimise this by not forcing people to take the item if they do not want it and picking up any discarded promotional items in the vicinity of the activity.

#### 18. General information: Other activities

For activities not specifically listed in this policy, a permit/license may still be required for the activity. You should contact the Council to discuss any applicable requirements.

Applications for permits/licenses to undertake commercial activities other than those already identified in this policy will be considered on a case-by-case basis.

#### 19. Monitoring and enforcement

The Council will monitor trading and events in public places to ensure that permit and license holders are complying with their permit or license conditions.

Anyone trading or holding an event in a public place without a permit will be required to cease the activity and remove any associated equipment/material.

#### 20. Complaints or Compliments

Complaints or compliments about traders or events may be made to the Council via the Council's website, general email address, or by phoning 07 873 4000.

Complaints regarding violent, disorderly, or offensive behaviour should be referred in the first instance to the Police, and then to the Council.

Complainants are encouraged to talk to the trading, event, or activity operator to explain the issue and potential resolution (e.g. trade or perform elsewhere, reduce the noise level, ~~or relocate if the activity is on a prohibited site~~).

#### Policy Review Date

An initial review two years with further reviews every 5 years.

## APPENDIX 1: Definitions

In this policy, unless otherwise defined:

Authorised officer	means an officer or other person appointed by the Council provided with delegated authority under the Ōtorohanga District Council Traffic Bylaw or Delegations Register (including any warranted Enforcement Officer). Permits and licenses will be authorised by the Group Manager Engineering and Assets or alternatively, the Group Manager Regulatory and Growth.
Bylaw	means the Ōtorohanga District Council Traffic Bylaw 2015.
Commercial activity	includes: <ul style="list-style-type: none"> <li>• trading, which includes selling, hiring, or displaying for sale any goods or services;</li> <li>• advertising goods, services, or events;</li> <li>• street performing;</li> <li>• other activities undertaken for payment or reward.</li> </ul>
Council	means the Ōtorohanga District Council and includes any person authorised by the Council to act on its behalf.
Food stall /mobile food stall	means a stall selling food and that is required to meet the Food Act 2014.
Enforcement officer	means any person who has been appointed as an enforcement officer by the Council under the Local Government Act 2002.
Event	means an organised temporary activity with set start and end dates, which is set-up in a public place. It may be free or ticketed, conducted for the purpose of attracting revenue, support, awareness, and/or for entertainment, community connection or competition. An event may include the erection of structures, setting up of equipment, and other activities that could require exclusive use or prevent access or use by others of the public place.
Hawker	includes a pedlar or any person with goods, wares or merchandise for sale that are either carried or taken around by the seller and offered unsolicited to the public in a public place. For avoidance of doubt, it does not include stallholders or mobile or travelling shops.

License to Occupy	means a contractual agreement with the Council issued under this policy which authorises the applicant to carry out a specific activity, at a specified location, for a specified duration.
Mobile or travelling shop	means a vehicle, whether self-propelled or not, from which goods, wares, or merchandise may be purchased in the road or from which services are offered for sale in the road; but does not include any vehicle on or from which food is sold for consumption (see (mobile) food stall), or any vehicle used for the purpose of transporting and delivering goods, wares, or merchandise.
Objectionable or offensive	<b>Objectionable:</b> <i>describes, depicts, expresses, or otherwise deals with matters such, but not limited to, as sex, horror, crime, cruelty, or violence in such a manner that it is likely to be injurious to the public good</i> <b>Offensive:</b> <i>expresses hostility against, or contempt or ridicule towards, another person on the ground of race, ethnicity, or national origin; and is likely to be unwelcome or offensive to that person, whether or not it was conveyed directly to that person</i>
Open air market	means any outdoor place, accessible to the public, where goods or services are offered for sale, which usually consists of two or more stalls grouped together.
Pavement art	means temporary images or drawings created for the purposes of public exhibition either directly on to the pavement or on removable surfaces, such as paper or plastic, laid out on the pavement. Advertising on the pavement is not considered to be pavement art under this policy.
Pedestrian precinct	means any of the pedestrian area of Ōtorohanga and Kawhia central business district or main street, including linking side streets, lanes, and open spaces.
Permanent mobile stall	means a mobile stall that has a license to occupy with the Council for more than six months.
Permit	means a temporary or fixed term permit issued by the Council under this policy.
Public place	means an area that is open to or used by the public, and which is owned, managed, maintained, or controlled by the Council. Public places include, but are not limited to: roads, streets, footpaths, alleys, pedestrian malls, cycle tracks, lanes, accessways, thoroughfares, squares, carparks, reserves, parks, beaches, foreshore, riverbanks, berms, verges, and recreational grounds.

	<p>Explanatory Note: Privately-owned public places, such as lanes or squares, will only fall within the above definition if they are also managed, maintained, or controlled by the Council. The Council will consider on a case-by-case basis in discussion with the landowner whether any privately-owned public places should come under Council's management, maintenance, or control for the purposes of the Bylaw. Similarly, the Council may enter into an arrangement with the Crown to manage, maintain or control its land by mutual agreement, usually where the land is adjacent to Council-owned land.</p>
Road	has the same meaning as in section 2(1) of the Land Transport Act 1998.
Street performance	includes busking and means a person or group of persons who is/are actively providing a performance to entertain in exchange for a donation. A street performance may include sounding or playing a musical instrument, singing, reciting, or performing conjuring, juggling, puppetry, miming, statue acts, dancing, or other entertainment, or doing any of those things concurrently.
Trading	includes selling, hiring, or displaying any goods or services for sale
Traffic Management Plan	means an approved document describing the design, implementation, management, and removal of temporary traffic management measures (such as signs and road cones) while an activity or event is taking place within the road or adjacent to and affecting the road. This includes plans prepared for one-off events and generic plans to cover activities carried out frequently.
Temporary retail	means any stand, stall, tent, mobile shop, vehicle, vessel, or other setup from which goods and/or services are sold that is open in a temporary nature and removed when not in use.

## **APPENDIX 2: CODE OF CONDUCT FOR STREET PERFORMERS (BUSKERS)**

This Code of Conduct provides the framework to assist performers, businesses and residents in understanding acceptable practices for busking. The aim is to foster an environment that encourages and enables a range of street performances, while recognising the importance of safety, amenity and minimising complaints and other issues. All street performers must comply with this Code of Conduct.

### **Places of performance:**

You can perform/busk anywhere except:

- Parks, gardens and reserves, unless a permit has been obtained.
- Within five (5) metres of any intersection, pedestrian crossing, traffic signal, road works or ATM, unless a permit has been obtained.
- Outside, adjacent to or on the grounds of places of worship, religious, and memorial sites.
- Directly in front of entrances or exits to shopping centres, arcades, businesses or residential buildings.
- Against the building line - to enable unobstructed access and safety for people who are visually impaired.
- Locations where events are being held, unless the street performer has permission of the event organiser.
- Within 30 metres of another street performance.

### **Code of Conduct**

- As a courtesy, street performers are encouraged to introduce themselves to the nearest stalls and shops, prior to starting their performance.
- A street performer may only perform between the hours of 10am and 8pm unless specifically authorised as part of an event permit, or a street performance permit.
- Street performers are limited to a maximum total time of 90 minutes, per day, at any one location (including performance time, setup and pack down). Street performers must keep track of the time they arrive on site so that they know when their time has elapsed.
- Street performers may re-locate after the maximum 90 minutes on one location, to a new location that is at least 30 metres from the previous location.
- In the case of an event, a street performer should not attempt to associate themselves with that event and should be sited at least 250 metres from the periphery of that event, unless they are part of that event.
- Street performers may give audiences an opportunity to provide voluntary donations by placing a container on their site or by asking an audience for donations. Street performers may not approach individuals requesting money or solicit funds in a way that is likely to cause any discomfort to members of the public.

- Street performers must take responsibility for their actions while performing in a public place, and retain complete control of every aspect of their performance.
- A street performance must not cause a nuisance to or disrupt business trading including retail and dining establishments, and workplaces, or detract from public amenity.
- Street performers are responsible for maintaining pedestrian and traffic flow and public amenity within the vicinity of the activity.
- Street performers should ensure that they or their audience do not block shop doorways during business hours, dining areas and cafes, bus stops, fire escapes, roads and residential doorways.
- A street performer may not erect signage advertising their performance, unless they have a permit for the sign.
- Street performers must keep the site in use clean while they are working, and the performance site must be left in the condition that it was found.
- Inappropriate/offensive language, paraphernalia or visual props must not be used.
- The maximum number of buskers in any one group is four (4) unless a specific exemption is provided by an authorised officer.
- A parent or guardian must accompany anyone under the age of 14 years while performing. Proof of age may be requested.
- If someone complains to a street performer that they are causing a nuisance or disturbance, the performer should move on, or contact the Council to mediate.
- A street performer must not continue to perform at any location if requested to move on by any authorised officer.
- Street performers using amplification for voice or instruments must keep the volume within an acceptable level and must not cause unreasonable or excessive noise. For guidance, and “acceptable level” would allow for normal conversation (i.e. with shouting), at a minimum distance of 10 metres from the amplified speakers.
- **Street performers are not covered under the Council’s public liability insurance policy and are encouraged to hold their own public liability insurance.**

**Item 171** Approve the road name 'Prescott Rise' for a private accessway

**To** Ōtorohanga District Council

**From** Andrew Loe, Policy Advisor

**Type** **DECISION REPORT**

**Date** 26 September 2024



## 1. Purpose | Te kaupapa

1.1. To approve the road name for a private accessway serving 14 properties which intersects with Main North Road, Ōtorohanga.

## 2. Executive summary | Whakarāpopoto matua

- 2.1. Resource consent for the Broadview Estate was granted in March 2005 and titles for the sections were released in March 2007. Fourteen sections in the subdivision share a common accessway onto Main North Road (SH 3). This accessway which comprises Lots 18 and 19 DP 377702 is held in shared ownership by the section owners.
- 2.2. In 2017 the developer proposed that the private accessway be named in memory of his father, Pat Prescott, a prominent member of and contributor to the Ōtorohanga community. For reasons beyond his control this matter has been subject to numerous delays.
- 2.3. Ōtorohanga District Council (ŌDC) adopted a Road Naming Policy in 2019 which provides for the naming of private roads and unnamed roads subject to consultation with affected residents and other provisions.

## 3. Staff recommendation | Tūtohutanga a ngā kaimahi

That Ōtorohanga District Council pursuant to Section 319(1)(j) of the Local Government Act 1974, approve the road name, 'Prescott Rise' for the access lots within the Broadview Estate subdivision on Main North Road, Ōtorohanga shown as Lots 18 and 19 LT 377702 on the attached Digital Title Plan (Appendix A).

## 4. Context | Horopaki

4.1. The Broadview Estate subdivision created fourteen sections serviced by a private accessway joining onto Main North Road, Ōtorohanga. The accessway is held in common ownership by the section owners who are responsible for maintenance and upkeep of the carriageway and pavement.

- 4.2. When the subdivision application was reviewed by ŌDC in 2005, staff did not request that the private accessway be named and the developer and consultants did not take the opportunity to propose a road name.
- 4.3. In July 2019, ŌDC adopted its first Road Naming Policy (the Policy) as an operational policy which specifies ŌDC's requirements for the naming of roads and vehicle accessways within the district. The Policy promotes the naming of private roads and accessways to create a unique location and ensure the effective allocation of addresses with unique numbering. In accordance with the policy any private access serving five or more lots now requires a unique name.
- 4.4. Currently the street address for a section on the accessway will have alpha suffix numbering, from 127A to 127N Main North Road, which does not comply with the Policy guidelines. In addition, the accessway has been constructed with a generous width and wide pavement giving it the appearance of a public road. These factors have caused address confusion for residents, issues with deliveries and misdirected traffic guided up the accessway by in-car navigation systems supposedly guiding drivers to Thomson Avenue or Blucks Road.

## 5. Road Naming Proposal

- 5.1. Carl Prescott has submitted a request to name the private accessway way in the Broadview Estate subdivision "Prescott Rise" in memory of his father Pat Prescott.
- 5.2. In support of the proposed name Carl provided the following history of Pat Prescott's involvement in and contribution to the Ōtorohanga Community:

*Pat was something of an identity in Ōtorohanga.*

*Dad was originally a carrier in the Mangaorongo area, later extending it into the Pirongia Road segment. In 1953 he established Pat Prescott Grocery (the store opposite Bulk Lines Main North Road premises).*

*His major business interest came as founder of the motor business, Pat Prescott Ltd in 1958, with this business still in operation today, run until recently by his son Paul and now by his grandson, Ryan.*

*Some of Dad's services to Ōtorohanga district and New Zealand were;*

1. *Lancaster Bomber pilot in WWII. A decorated officer who was awarded the Distinguished Flying Cross after having his aircraft shot up during a sortie over Germany. He successfully guided the plane back to base in Spilsby England, minus one engine. None of his 12 crew were injured.*
2. *Pat was a Justice of the Peace.*
3. *Ōtorohanga Borough Council representative on the then Ōtorohanga County Council.*
4. *Member of Ōtorohanga Primary School Committee and chief fundraiser for their new library in the late 1960's.*
5. *An active member of the Ōtorohanga Rotary Club. He put his organisational ability into student exchange and then onto chairman of the international service committee. One particular student exchange was from of all places, South Africa.*



*His full page obituary in the Ōtorohanga Times read “He was vitally interested in the affairs of his home town and was intensely committed to the furtherance of Ōtorohanga as a town and district”.*

*We are aware the naming of other roads and streets in Ōtorohanga represent the forefathers and kaumatua of Ōtorohanga. Given Pat’s commitment to both town and country, we consider our father is worthy of naming this road after him.*

- 5.3. Consultation has been undertaken with all 14 property owners in the subdivision with ten owners supporting the proposal and two wanting no change. The remaining owners did not reply to the consultation letter.
- 5.4. In accordance with the Road Naming Policy this proposal was presented to Ōtorohanga Community Board who supported a recommendation to Council to adopt the proposed road name.

Resolved O86: That Ōtorohanga Community Board recommend pursuant to Section 319(1)(j) of the Local Government Act 1974, that the access lots within the Broadview Estate subdivision on Main North Road, Ōtorohanga shown as Lots 18 19 LT 377702 on the attached Digital Title Plan (Appendix A) be named Prescott Rise subject to final approval by Ōtorohanga District Council.

Councillor Hughes | Board Member Butcher

## **6. Considerations | Ngā whai whakaarotanga**

### **Significance and engagement**

- 6.1. A majority of property owners in the Broadview Estate have signalled approval for naming their private accessway Prescott Rise. The application does not affect a public road vested in ŌDC or garner the interests of the wider community in any way. Accordingly, no further engagement is considered necessary or required.

### **Impacts on Maori**

- 6.2. Staff consider the proposal set out in this report does not have a direct impact on Maori.

### **Risk analysis**

- 6.3. No adverse risk relating to the proposed road name could be identified.

### **Policy and plans**

- 6.4. This proposal has been assessed against the Policy and is considered to be in general accordance with the criteria and addressing standards.
- 6.5. The policy will create unique addresses for the fourteen sections located on a currently un-named accessway.
- 6.6. Only one naming option was provided for the reason explained in the application proposal.
- 6.7. Informed consultation has been conducted and substantial support obtained for the road name.

- 6.8. There is no duplication with similar road names in the district or adjoining authorities although research found a Prescott Place in Hillcrest, Hamilton.
- 6.9. ŌDC will supply and install signage to ensure constancy with our infrastructure standards.
- 6.10. The proposed name aligns with criteria for a road name recognising a 'Noteworthy Person'.

#### **Legal**

- 6.11. Pursuant to Section 319 (1)(j) of the Local Government Act 1974 the Ōtorohanga District Council has the powers and obligation to name local roads and allocate property numbers along the new roads.

#### **Financial**

- 6.12. The formed accessway within Lots 18 and 19 will be maintained by the encumbered owners under their private right of way easement agreement. Owners were advised in the consultation letter that they may incur costs relating to changing their addresses on legal documents, financial accounts, billing arrangements etc. and that the road naming process does not imply ŌDC will take responsibility for the future maintenance or upkeep of the private right-of-way which will remain in the care of the section owners.
- 6.13. The cost of undertaking the road naming process and providing a street sign (blade) will be covered by current operational budgets.

## **7. Discussion | He kōrerorero**

- 7.1. There are three options available to ŌDC for consideration.

#### **Option 1: Approve the road name 'Prescott Rise'**

- 7.2. This will create a new road name within the Ōtorohanga urban area that is consistent with the Rural and Urban Addressing Standards (AS/NZS 4819:2011) and ŌDC Policy.

#### **Option 2: Propose a new name/s and restart the road naming process**

- 7.3. There is no apparent reason to adopt this approach. The proposed name measures up well against the policy criteria and has support of the residents who own the accessway. To restart the process will require more staff resource and invite the displeasure of the residents. This option is not favoured.

#### **Option 3: Decline the proposal**

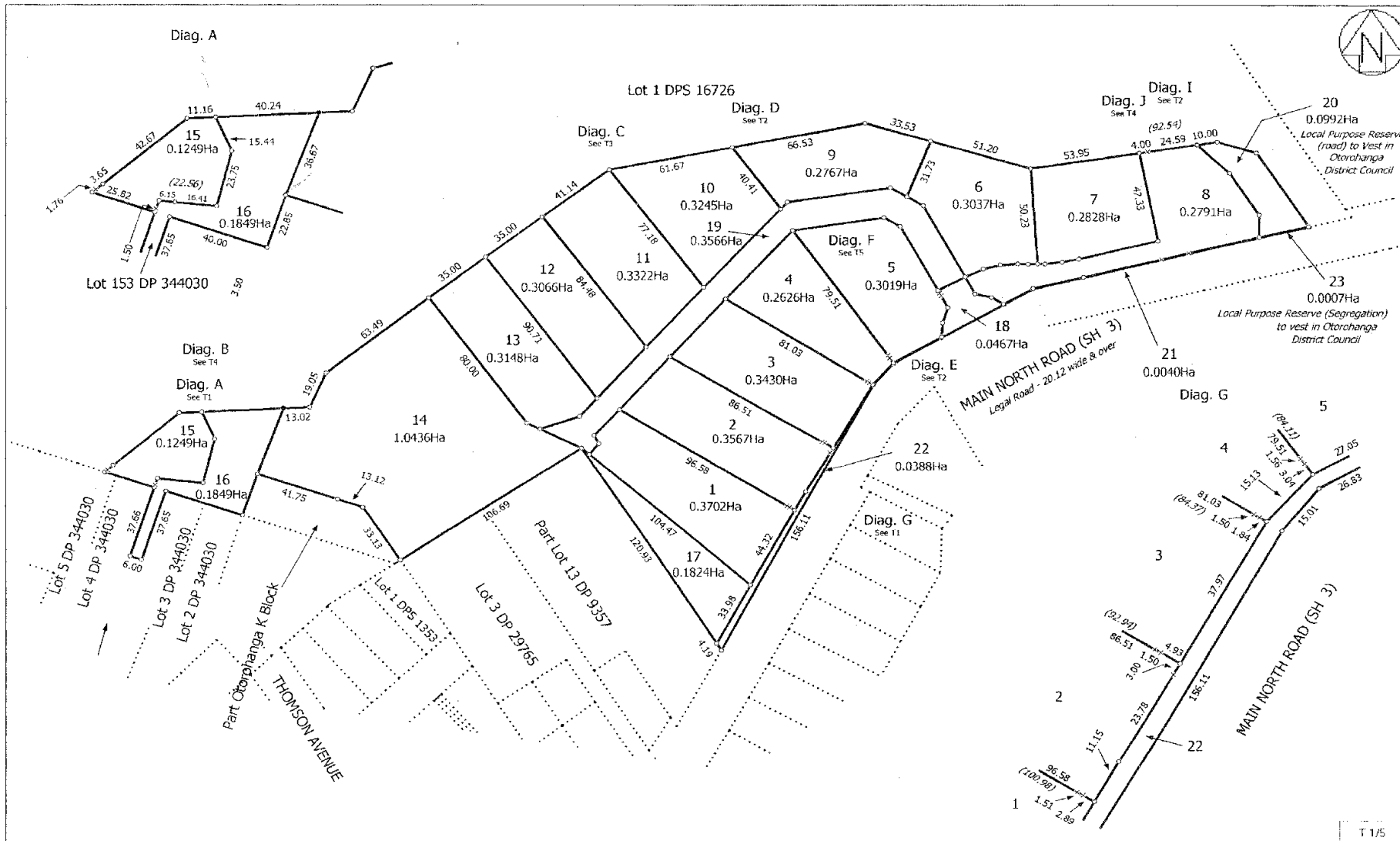
- 7.4. Maintain the status quo (do nothing). ŌDC has a Policy that requires public and private roads of a certain size, such as this accessway to be named. This option is not supported.

#### **Recommended option and rationale**

- 7.5. To recommend to ŌDC that the proposed road name Prescott Rise is approved as it is consistent with the Policy and Standards for road naming and urban addressing.

## 8. Appendices | Ngā āpitihanga

Number	Title	Document number
1	Digital Title Plan: LT 377702	N/A



Lend District: South Auckland

Digitally Generated Plan  
Generated on: 31/10/2006 12:18am Page 6 of 10

Lots 1-23 being a subdivision of Lot 2 DPS 9170 and Lot 153 DP 344030

Surveyor: Mark Galvin Lai  
Firm: CKL Surveying and Planning

Digital Title Plan  
LT 377702  
DRAFT

**Item 172** Application for Temporary Road Closure – Kāwhia Rowing Regatta Club  
115<sup>th</sup> Annual New Year’s Regatta

**To** Ōtorohanga District Council

**From** Paul Strange, Manager Roading

**Type** **DECISION REPORT**

**Date** 24 September 2024



## 1. Purpose | Te kaupapa

1.1. To consider an application for road closures within the Kāwhia township to enable the Kāwhia Rowing Regatta Club 115<sup>th</sup> Annual New Years Regatta.

## 2. Executive summary | Whakarāpopoto matua

- 2.1. An application has been received from Kāwhia Rowing Regatta Club (the Club) for road closures on Jervois Street from the intersection of Tainui Street and Omimiti Street, Kāwhia on Wednesday 1 January 2025 from 6am - 5pm.
- 2.2. The Club are in the process of obtaining consents from residents of the affected areas, indicating agreement for the road closures.
- 2.3. The proposed event was advertised on 8 August 2024 and no objections were received. Objections closed on 30 August 2024.
- 2.4. The event is planned for one day only. This generates local interest and provides additional income to these groups.

## 3. Staff recommendation | Tūtohutanga a ngā kaimahi

That the Ōtorohanga District Council:

- a) Approve the Temporary Road Closure, in accordance with Sections 319(h) and 342, and Section 11 of Schedule 10 of the Local Government Act 1974, of **Jervois Street** from the intersection of **Tainui Street** and **Omimiti Street, Kāwhia** on **Wednesday 1 January 2025 from 6am – 5pm**.
- b) Authorise public notification of the approved road closure before the event, as required by the Local Government Act 1974.

## 4. Context | Horopaki

4.1. This event is an annual event and provides an opportunity to attract interest in the district.

4.2. If approved, the application process includes the following conditions are met:

- Public notice advertisements are to be published in the King Country News, Council's website and Facebook page.
- Applicant is responsible for obtaining public liability insurance, (and paying the cost thereof), to a minimum value of \$10,000,000. This is required to indemnify Council against any damage to the property because of rally activities during the road closure period.
- Applicant is to liaise and provide evidence of liaison with all operators and businesses that may be affected by the road closures. A subsequent mail-drop is to be completed no later than ten full days before the proposed closures.
- Applicant is solely responsible for submitting the appropriate Traffic Management Plan for approval, for signposting and policing of the roads to be closed, to ensure that only vehicles connected with the event have access to the road closure areas. This includes arranging the delivery, erection and staffing of all road closure barriers, and the removal thereof, after closures.
- All gates and entranceways are to be taped, and to ensure its removal thereafter.
- Signs advising of the road closures are to be erected at the start and end of the closed portions of the roads and on each intersecting road two weeks prior to the road closure. All signs are to be removed immediately after the closure.
- Emergency Services always have right of passage.

## **5. Considerations | Ngā whai whakaarotanga**

### **Significance and engagement**

- 5.1. Roothing is defined as a significant activity. However, as this is a discretionary activity with a low cost it is assessed as not significant and that community engagement as defined by the legal requirements is sufficient.
- 5.2. If approved this event will be publicly advertised.
- 5.3. Individual properties affected will be mail dropped 10 days before the event.

### **Impacts on Māori**

- 5.4. Staff consider the matters set out in this report do not have a direct impact on cultural wellbeing, sites of significance or waterways.

### **Risk analysis**

- 5.5. Kāwhia Rowing Regatta Club has applied for this road closure pursuant to the Tenth Schedule of the Local Government Act 1974. It raises no significant risks for Council.

### **Policy and plans**

- 5.6. Staff confirm that the recommendation in this report complies with Council's Policies and Plans.

### **Legal**

- 5.7. The road closure is being dealt with under the provisions of the Tenth Schedule of the Local Government Act 1974 for this event.

### **Financial**

- 5.8. This is cost neutral to Council.

## **6. Discussion | He kōrerorero**

### **Option 1: council approve the temporary road closure**

- 6.1. This is an annual community event held in the district which provides entertainment and promotes the district. Participants and spectators will visit the district and spend money with local businesses.

### **Option 2: Council decline the temporary road closure**

- 6.2. The opportunity to provide entertainment and district promotion would be lost along with associated increased spending within the district.

### **Recommended option and rationale**

- 6.3. The preferred option is that Council grant approval. The reason for this is because the benefits outweigh the negatives.

**DISCLAIMER:** The reports attached to this Open Agenda set out recommendations and suggested resolutions only. Those recommendations and suggested resolutions DO NOT represent Ōtorohanga District Council policy until such time as they might be adopted by formal resolution. This Open Agenda may be subject to amendment either by the addition or withdrawal of items contained therein.



**Item 173** Regional Infrastructure Technical Specification Version 2 Consultation

**To** Ōtorohanga District Council

**From** Mark Lewis, Group Manager Engineering & Assets

**Type** **INFORMATION REPORT**

**Date** 24 September 2024



## 1. Purpose | Te kaupapa

1.1. To advise of the upcoming consultation on Version 2 of the Regional Infrastructure Technical Specifications (RITS).

## 2. Executive summary | Whakarāpopoto matua

2.1. The RITS is the engineering specifications managed by Co-Lab Solutions on behalf of the councils in the Waikato. It was developed in 2016/17 and adopted in 2018 by the member councils including Ōtorohanga District Council. This is the first update since 2018.

## 3. Staff recommendation | Tūtohutanga a ngā kaimahi

That the report 'Regional Infrastructure Technical Specification Version 2 Consultation' (document number 779010) from Mark Lewis, Group Manager Engineering & Assets be received.

## 4. Discussion | He kōrerorero

4.1. The RITS was Developed in 2016/17 and adopted in 2018, it is based on the former Hamilton Infrastructure Technical Specification (ITS). This is the first update since 2018, although several improvements have been made in the interim.

4.2. The creation of the RITS received overwhelming support when it was developed and continues to provide a single set of specifications across the Waikato to provide consistency for developers, consultants and councils.

4.3. There are currently nine councils that use the RITS; it is widely used by engineering consultants, contractors and council staff and is the most viewed document on the Co-Lab website. It serves as a compliance document for resource consent conditions issued by councils to developers and their agents and is also used as the guiding technical specification for council contracts.

4.4. The RITS consists of eight sections, covering everything from Earthworks and Geotechnical Requirements, Transportation, Stormwater, Wastewater, Water Supply, Landscaping and a list of acceptable products to be used. It is 400 pages long, contains 30 forms and 160 drawings which outline

infrastructure design, construction requirements and key legislation relevant to public infrastructure design and construction.

### **Key changes in RITS v2**

- a) Inclusion of Rotorua Lakes Council.
  - b) Revised Earthworks and Geotechnical Requirements: Now includes geothermal considerations to accommodate Rotorua Lakes Council.
  - c) Enhanced introduction: Additional background on the significance of the Waikato River and the importance of water.
  - d) Consistent wording: The document has been retyped for consistency in wording, structure, and style.
  - e) Terminology standardisation: Consistent use of “must” instead of “shall,” “will,” or “should.”
  - f) Separate Acceptable Products List: Now updated more easily and regularly.
  - g) Hyperlinked drawings: Easier navigation with higher quality drawings.
  - h) Updated Stormwater section: Reflects climate change requirements.
  - i) Mandated use of NZ Vertical Datum 2016: Replaces the 1953 Moturiki Datum.
  - j) Minor corrections: Addressed errors and typos.
  - k) Enhanced clarity: Improved wording and additional details.
  - l) Updated references: Links to standards and key documents updated.
  - m) Reflects latest thinking: Sections updated to align with current engineering and landscaping practices.
  - n) Reviewed drawings: Updated drawings and cross-references.
- 4.5. The changes are unlikely to incur additional costs for developers and contractors, as they are mainly minor and improve the document’s readability and usability.

### **Consultation Process**

- 4.6. Co-Lab will lead the consultation process which will run for the month of October. Council will advertise it on the Council website with a link to the Co-Lab website where a submission form will be available. While public interest is expected to be low, submissions are open to everyone.
- 4.7. Along with the public consultation, Co-Lab will directly engage with the identified partners and stakeholders listed below, to explain the review of the RITS, how it may impact them and how they can make a submission. An offer will be made to individual councils, mostly connected to the identified stakeholder, to attend any meeting if they wish to do so.

### **List of key stakeholders for targeted consultation**

- a) Waikato Tainui
- b) Raukawa

- c) Te Nehenehenui
- d) Waikato Regional Council
- e) Bay of Plenty Regional Council
- f) Waka Kotahi - Waikato region
- g) Engineering NZ - Waikato branch
- h) Survey and Spatial NZ - Waikato branch
- i) Property Council - Waikato branch
- j) Civil Contractors NZ - Waikato branch
- k) Āpōpō (formerly the Institute of Public Works Engineers Australasia)
- l) Water NZ.

- 4.8. Once consultation is completed the submissions will be reviewed and actioned by Co-Lab, with Council staff providing additional input if needed and any minor updates made accordingly.
- 4.9. The updated draft will be shared with member council staff for final comments before being finalised. Any further feedback will be incorporated into RITS v2, which will then be sent to each member council for adoption.
- 4.10. The process is intended to be completed by late December, depending on the number and complexity of submissions.

**Item 174** Capital Projects report for the month ending 30 August 2024

**To** His Worship the Mayor and Councillors of Ōtorohanga District Council

**From** Robbie Whiteman, Manager Projects

**Type** **INFORMATION REPORT**

**Date** 24 September 2024



## **1. Purpose | Te kaupapa**

- 1.1. To provide progress reports on Ōtorohanga District Council's (ŌDC) capital projects programme against the 2024-27 Long Term Plan.

## **2. Executive summary | Whakarāpopoto matua**

- 2.1. This report provides an update on the completion of the 23/24 capital projects and the progress of capital projects for the period ending 30 August 2024, the status of those projects and the challenges associated with their delivery.
- 2.2. The 24/25 capital delivery programme is progressing and tracking on schedule.

## **3. Staff recommendation | Tūtohutanga a ngā kaimahi**

That the Ōtorohanga District Council received the report titled 'Capital Projects Report for the Month Ending 30 August 2024 (document number 780084) from Robbie Whiteman, Manager Projects

## **4. Discussion | He Kōrerorero**

### **Programme delivery**

- 4.1. Engagement for the vacant Development Officer role will commence in January 2025 following internal review of the current job description. This will not influence the delivery of the overall programme however may, in the short term until recruitment is complete, necessitate engagement of external resources to provide cover in the Development Engineering space.

### **C1131 ŌDC Wastewater Upgrades**

- 4.2. The Contract was awarded to Camex Civil at the ŌDC meeting in June 2023. Physical works are complete on Separable Portion 2, Main North Road to Harper Avenue, with those works entering the 12-month defects liability period on 12 April 2024.

- 4.3. Work on Separable Portion 3 has significantly progressed with 95% of the new gravity main on Rangitahi Street having been installed. Work on Separable Portion 1, Kakamutu to Phillips Avenue pipe relining is set to commence in early September with CCTV of the existing pipeline.
- 4.4. As reported previously, this project has had several challenges to overcome, all of which have been worked through and all options considered. With projects of this size and value it is inevitable that changes will have to be made as problems arise. Good lines of communication are key between staff and contractor for a successful outcome.

*Percent complete 85% Budget Utilised 83%*

#### **C1125 Waipā rural water supply – Additional water storage**

- 4.5. Physical works for the additional water storage project on the Waipā Rural Water Scheme is complete with both new tanks commissioned into service. Practical Completion has not been achieved yet with ECB Contractors yet to furnish Producer Statements from their supplier Tasman Tanks.

*Percent complete 99% Budget Utilised 99%*

#### **C1140 SH3 Harper Thomson micro-modal improvements**

- 4.6. Intersection improvements at Harper and Thomson were a priority for delivery by the Projects team. The detailed design is currently with NZTA for approval and following a meeting on site with Council staff they have indicated their consent condition in relation to Westridge subdivision will not be imposed. A report for ŌDC funding and contract award will be presented following their approval of the design proposal.

#### **C1122 Tihiroa AVG**

- 4.7. Physical works are complete, and the filter commissioned into service. Contract currently in defects liability period following issue of Practical Completion certificate.

*Percent complete 100% Budget utilised 99%*

#### **C1147 ŌDC Water Services Renewals 2024**

- 4.8. The proposed physical works contract includes wastewater and water renewals across the Ōtorohanga district. Currently in design phase, the physical works package is programmed to commence early in the 2025 calendar year.

Proposed Scope:

##### Water

Cannon Road (Tihiroa), Tūrongo Street, SH3 Main North Rd from Karaka Rd to Thomson Avenue, Hinewai Street and Huiputea Drive.

##### Wastewater

Te Kawa St rising main, Glendon Place gravity main.

*Percent complete 2% Budget utilised 1%*

### **Ōtorohanga Wastewater Treatment Plant desludging**

- 4.9. Planning has started for the desludging of the main pond at the wastewater treatment plant, with the actual desludging to take place in the summer. Sludge is a major issue for all wastewater treatment plants and requires continued management. To enable the desludging to take place approximately 300 tons of dried sludge needs to be carting away to a class 1 landfill. Council have previously been able to dispose to land, but this is no longer an option with the disposal area already at consent disposal levels.
- 4.10. Part of the disposal project, a new access track will be built across the newly purchased farmland to enable large vehicle access to the plant and reduce council use of the existing track past residents.

*Percent complete 1% Budget utilised1%*

### **C1157 ŌDC Reseals 2024/27**

- 4.11. This contract is scheduled for release to market mid-October. The scope of the contract includes resealing operations across the Ōtorohanga district for the next 3 years. A 1+1+1-year contract term requires the Contractor achieve KPI's to ensure annual renewal over the 3 year term.

*Percent complete 2% Budget utilised1%*

### **Ōtorohanga and Kāwhia stormwater resource consent renewal**

- 4.12. The renewal of the stormwater consents for Ōtorohanga and Kāwhia have been on hold since lodgement in January 2023. The section 124 (Resource Management Act) issued for ŌDC to continue to operate under the existing consent conditions is still in place. while the applications are processed.
- 4.13. Council has now received a formal request for information (RFI) after the initial review of our consent application by Waikato Regional Council and staff are working through the request.

### **Aotea seawall consent renewal**

- 4.14. WRC has received ŌDC's application to renew the land use consent to maintain the existing Coastal Structure in Aotea (Aotea Seawall). To fully assess the application, the WRC requested landscaping and ecological assessment reports, along with comments from mana whenua. Staff have received comments from the local Iwi, obtained a specialist ecological report, and compiled a landscaping report to support our application and satisfy the further information request. The RFI response is currently being addressed by ŌDC staff.
- 4.15. Staff are currently engaging with local Iwi to ensure alignment with Te Ao Māori principles, strengthen the legitimacy of decisions, and deliver improved outcomes for all concerned with the coastal defence asset. A hui is likely to occur in late September.

### **Kāwhia seawall consent renewal**

- 4.16. Staff are currently scoping the work involved to assess, repair, upgrade, and renew the resource consent for the Kāwhia Seawall. The Department of Internal Affairs granted funding to the value of \$730,000 under Tranche 1 of the Three Waters Reforms to complete this work.

## **Tihiroa Rural Water Scheme (RWS) Water Take Consent Renewal**

4.17. The Tihiroa RWS water take consent is due to expire on 30 June 2026, staff have engaged a consultancy planner to undertake the renewal of the consent and work will start in early October to meet the lodgement date of 1 January 2026.

**Item 175** Finance Report to 31 August 2024

**To** Ōtorohanga District Council

**From** Brendan O’Callaghan, Manager Finance

**Type** **INFORMATION REPORT**

**Date** 24 September 2024



## 1. Purpose | Te kaupapa

1.1. To provide a snapshot of progress against the 2024/25 budget.

## 2. Executive summary | Whakarāpopoto matua

2.1. The Financial Report for the month ended 31 August 2024 shows the operating surplus being down \$141k, because of the timing of subsidy income and other expenses.











2.2. Capital expenditure and loan repayments were under budget by \$2.32M. This predominately relates to the timing work in progress carried over from the prior year, where the budget has not yet been carried over.

## 3. Staff recommendation | Tūtohutanga a ngā kaimahi

That the Ōtorohanga District Council receive the report titled ‘Financial Report for the month ending 31 August 2024’ (document number 779716) from Brendan O’Callaghan, Finance Manager.



#### 4. Discussion | He kōrerorero

Statement of Comprehensive Revenue and Expenses						
For the Period Ending August 2024						
	Actual	Budget	Variance			Full Year Budget
<b>Revenue</b>						
Rates income	7,601,129	7,583,668	-17,461	0%		15,260,320
Contributions	0	373	373	0%		10,001
Water by Volume Rates	-10,247	0	10,247	0%		2,238,000
Subsidies and Grants	670,532	1,191,391	520,859	78%		8,346,698
Other Income	228,682	184,111	-44,571	-19%		1,793,376
Other gains/(losses)	0	0	0	0%		0
<b>Total Revenue</b>	<b>8,490,095</b>	<b>8,959,543</b>	<b>469,448</b>			<b>27,648,395</b>
<b>Expenses</b>						
Employee Benefit Expenses	1,043,318	1,074,426	31,108	3%		7,192,546
Depreciation and Amortisation	534,988	534,988	0	0%		7,068,676
Other Expenses	1,882,203	2,088,657	206,454	11%		14,158,631
Finance Costs	-107,779	-16,539	91,240	-85%		221,123
<b>Total Expenditure</b>	<b>3,352,730</b>	<b>3,681,532</b>	<b>328,802</b>			<b>28,640,976</b>
<b>Operating Surplus/(Deficit)</b>	<b>5,137,365</b>	<b>5,278,011</b>	<b>140,646</b>			<b>-992,581</b>

4.1. Overall there is a net surplus to the end of July of \$5,137,365, compared to the budgeted surplus of \$5,278,011. The variance in the surplus against budget is due to:

- a. Operating Revenue is down on budget by \$469k, due to \$521k down on budget in subsidies and grants. This is offset by \$45k over budget in other income and \$17k over budget in rates income.
  - Subsidies and grants is down on budget by \$521k due to the timing of roading claims compared to the budget, with no claim being done for July due to the year-end processes. As of the time of this report being written the claim process has just been opened , so an estimated claim for July and August has been accrued into the above figure.
- b. Operating expenses is down on budget by \$329k, with other expenses being \$206k under budget and finance costs being \$91k under budget.
  - Other expenses is down due to the timing of expenditure, particularly in the roading maintenance area, as well as the reversing of prior year accruals such as the audit fees.

4.2. Finance costs is under budget due to the reversal of the prior year interest accrual.

<b>Statement of Financial Position</b>			
<b>For the period ending August 2024</b>			
	<b>Actual</b>	<b>Full Year Budget</b>	<b>YTD Last Year</b>
<b>Assets</b>			
<b>Current Assets</b>			
Cash and Cash Equivalents	6,363,761	3,169,964	3,496,817
Trade and Other Receivables	2,487,380	2,295,270	4,158,457
Inventory	34,775	30,910	43,493
Property Inventory	0	0	0
<b>Total Current Assets</b>	<b>8,885,917</b>	<b>5,496,144</b>	<b>7,698,768</b>
<b>Non-current Assets</b>			
Investments	7,674,788	7,847,284	7,799,282
Property, Plant and Equipment	408,223,302	405,131,826	392,391,452
Intangible Assets	109,085	157,214	5,179
<b>Total Non-current Assets</b>	<b>416,007,175</b>	<b>413,136,324</b>	<b>400,195,914</b>
<b>Total Assets</b>	<b>424,893,092</b>	<b>418,632,468</b>	<b>407,894,682</b>
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Trade and Other Payables	1,395,644	2,714,958	3,242,127
Provisions	1,088	0	1,017
Employee Benefit Liabilities	407,755	401,309	346,930
Income in Advance	187,818	741,189	784,259
<b>Total Current Liabilities</b>	<b>1,992,305</b>	<b>3,857,456</b>	<b>4,374,333</b>
<b>Non-current Liabilities</b>			
Provisions	13,030	16,715	14,047
Employee Benefit Liabilities	34,008	46,305	26,791
Borrowings	12,447,613	6,222,612	6,447,613
<b>Total Non-current Liabilities</b>	<b>12,494,651</b>	<b>6,285,632</b>	<b>6,488,451</b>
<b>Total Liabilities</b>	<b>14,486,957</b>	<b>10,143,088</b>	<b>10,862,784</b>
<b>Net Assets</b>	<b>410,406,135</b>	<b>408,489,380</b>	<b>397,031,898</b>
<b>Equity</b>			
Retained Earnings	170,249,694	162,792,930	161,314,467
Reserve Funds	3,103,513	3,023,221	2,953,952
Revaluation Reserves	237,052,927	242,673,229	232,763,479
<b>Total Equity</b>	<b>410,406,135</b>	<b>408,489,380</b>	<b>397,031,898</b>

4.3. Overall, the balance sheet shows a healthy position at the end of August, with total current assets of \$8.88M, against total current liabilities of \$1.99M, giving a working capital of \$6.89M.

4.4. Current borrowings sit as \$12.4M, which is attributable to the timing of some capital purchases against the timing of rates income being received. Further discussion of the debt profile is later in this report.

Combined Cost of Service Statement				
For the Period Ending August 2024				
	YTD Actual	YTD Budget	YTD Variance	Full Year Budget
<b>Operating Revenue</b>				
Activity Revenue	546,109	1,375,502	829,393	10,140,074
Targeted Rates	3,338,376	3,344,825	6,449	8,927,635
Development Contributions	0	373	373	10,001
General Rates	4,194,303	4,238,843	44,540	8,570,685
Other General Sources	699,860	1,288,591	588,731	12,902,812
	8,778,648	10,248,134	1,469,486	40,551,207
<b>Operating Expenditure</b>				
Land Transport	783,602	1,362,497	578,895	12,787,256
Water Supply	513,311	505,722	-7,589	4,504,357
Sewerage Treatment and Disposal	162,458	159,099	-3,359	1,424,444
Flood Protection and Control Works	21,177	34,978	13,801	182,165
Stormwater Drainage	45,777	45,364	-413	341,712
Community Services	630,702	739,848	109,146	5,266,150
Regulatory Services	228,719	402,976	174,257	3,285,240
Community Development	214,464	394,447	179,983	2,101,971
Governance & Leadership	1,067,879	1,429,654	361,775	10,893,227
	3,668,089	5,074,585	1,406,496	40,786,522
<b>Funding Required</b>				
Capital Renewals	2,060,420	2,414,189	353,769	10,678,064
Capital Growth	25,897	64,028	38,131	424,997
Capital Level of Service	2,729,337	62,153	-2,667,184	280,007
Loans Repaid	163,257	114,550	-48,707	1,112,822
	4,978,911	2,654,920	-2,323,991	12,495,890
<b>Funding Applied</b>				
Funding from Depreciation Reserves	0	10,166	10,166	5,700,479
Loans Raised	0	372,382	372,382	5,146,292
Capital Income	4,448	1,666	-2,782	59,996
Transfer to and from Balance	-136,096	-2,902,843	-2,766,747	1,824,438
	-131,648	-2,518,629	-2,386,981	12,731,205

- 4.5. In the Combined Cost of Services statement, overall operating revenue is \$1.47M under budget. This predominately relates to Other General Sources, which is a result of internal charges not being as high due to a combination of the timing of projects and the timing of the budget allocation. This is also due to Activity Revenue being \$829k under budget, again due to the timing of claims from NZTA.
- 4.6. Operating expenditure is \$1.4M under budget, with this being spread across all the budget areas. This is due to the timing of budgets and associated projects.
- 4.7. Capital expenditure and loan repayments were over budget by \$2.3M. The bulk of this is related to work in progress carried over from the prior year, which was not included last month as the end of year processes had not identified it all yet. The associated budgets for this work in progress is not included, as this will need to be approved as part of the carryovers report which will come to Council next month.

Statement of Cashflows		
For the Period Ending August 2024		
	Actual	Full Year Budget
<b>Cash flows from operating activities</b>		
Receipts from rates revenue	6,483,201	17,481,000
Receipts from other revenue	2,725,501	10,098,000
Interest received	24,272	15,000
Dividends received	-	10,000
Payments to suppliers and employees	- 6,224,855	- 21,710,000
Interest paid	107,779	- 221,000
<b>Net cash provided by Operating Activities</b>	<b>3,115,898</b>	<b>5,673,000</b>
<b>Cash flows from investing activities</b>		
Proceeds from Sale of Property, Plant and Equipment	19,988	60,000
Purchase property, plant and equipment	- 1,667,330	- 13,155,000
Purchase of investments	-	250,000
Purchase of intangible assets	- 280,152	37,000
<b>Net cash (used in) Investing Activities</b>	<b>- 1,927,494</b>	<b>- 12,808,000</b>
<b>Cash flows from financing activities</b>		
Proceeds from borrowings	3,000,000	5,775,000
Repayment of borrowings	- 96,838	-
<b>Net cash provided by/(used in) Financing Activities</b>	<b>2,903,162</b>	<b>5,775,000</b>
Net (decrease)/increase in cash, cash equivalents and bank overdrafts	4,091,566	- 1,360,000
Cash, cash equivalents and bank overdrafts at the beginning of the year	2,272,196	4,529,000
Cash and cash equivalents at the end of the period	6,363,762	3,169,000

4.8. This cashflow statement shows the cashflows in and out for the period to 31 August 2024. As can be seen, net cash flow from operating activities has been positive, mostly due to the rates income received by the due date of 30 August 2024. Cash flows used in investing activities shows the amount spent on capital expenditure to the end of August. Cash flows from financing activities shows the borrowings and repayments made to external loans as well as transfers between reserve accounts.

#### Debt Profile

4.9. As mentioned above, at the end of August, total external borrowings were \$12.4M. All these loans, with the exception of the \$0.4M suspensory loan from Housing NZ, were due on 16 September 2024. The following decisions were made with regards to these loans.

Amount	Term	Interest rate
\$2,000,000	Repaid	N/A
\$6,000,000	6 months	4.86%
\$2,000,000	12 months	4.27%
\$2,000,000	15 April 2026	4.5%

4.10. It is hoped that once the six month term is over, we will be in a position to repay some more of the maturing \$6M balance. We are also working on the assumption that interest rates will be reducing over this period and will review the terms for locking in the remaining debt at that time.

**DISCLAIMER:** The reports attached to this Open Agenda set out recommendations and suggested resolutions only. Those recommendations and suggested resolutions DO NOT represent Ōtorohanga District Council policy until such time as they might be adopted by formal resolution. This Open Agenda may be subject to amendment either by the addition or withdrawal of items contained therein.

**Item 176** Resolution to exclude the public for Item PE16

**To** Ōtorohanga District Council

**From** Kaia King, Governance Manager

**Type** **DECISION REPORT**

**Date** 24 September 2024



## 1. Purpose | Te kaupapa

1.1. To exclude the public from parts of the proceedings of the Ōtorohanga District Council meeting.

## 2. Executive summary | Whakarāpopoto matua

2.1. All formal meetings are open to the public however, there are some parts of the meeting where the public can be excluded. Council must provide a good reason if to exclude the public from a Council or committee meeting - this also includes the media. A resolution must be made at a time when the meeting is open to the public stating the general subject of each matter, the reason for passing that resolution in relation to the matter, and the grounds on which the resolution is based.

## 3. Staff recommendation | Tūtohutanga a ngā kaimahi

That the Ōtorohanga District Council exclude the public from the following parts of the proceedings of this meeting confirming:

- a This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act where a risk of prejudice is minimised by the holding of the whole or the relevant part of the proceedings of the meeting in public; and
- b The general subject of each matter to be considered while the public is excluded and the reason for passing this resolution in relation to each matter and the specific grounds for the passing of this resolution are as follows:

<b>General subject of each matter to be considered</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>	<b>Interest</b>
Item PE16: Ōtorohanga Kiwi House progress report	Section 9(2)(b)(ii)	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;

## **4. Context | Horopaki**

- 4.1. Public excluded agendas and minutes are not available to the public. Where possible, Council will release public information which has been considered during the public excluded part of a meeting.

## **5. Considerations | Ngā whai whakaarotanga**

### **Significance and engagement**

- 5.1. No community consultation is required under the Significance and Engagement Policy.

### **Impacts on Māori**

- 5.2. Staff consider this report does not have a direct impact on Iwi/Māori greater than any other member of the public.

### **Risk analysis**

- 5.3. This report seeks to reduce the risks associated with protecting the privacy of a person.

### **Policy and plans**

- 5.4. There are no policies or plans relevant to this report.

### **Legal**

- 5.5. Resolutions to exclude the public are made under Section 48 of the Local Government Official Information and Meetings Act 1987.

### **Financial**

- 5.6. There are no financial impacts resulting from the recommendation.

## **6. Discussion | He kōrerorero**

### **Option 1: To exclude the public from the meeting**

- 6.1. This option seeks to reduce the risk of commercial information breaches by the holding of the relevant part of the proceedings of the meeting with the public excluded.

### **Option 2: To decline to exclude the public**

- 6.2. This option may potentially expose Ōtorohanga District Council to greater risk of commercial information breaches.

### **Recommended option and rationale**

- 6.3. To exclude the public for the parts of the meeting outlined in the recommendation.



**DISCLAIMER:** The reports attached to this Open Agenda set out recommendations and suggested resolutions only. Those recommendations and suggested resolutions DO NOT represent Ōtorohanga District Council policy until such time as they might be adopted by formal resolution. This Open Agenda may be subject to amendment either by the addition or withdrawal of items contained therein.

**Item 177** Ōtorohanga Support House Whare Āwhina Annual Report for 1 July 2023 - 30 June 2024

**To** Ōtorohanga District Council

**From** Nicky Deeley, Manager Community Development and Wellbeing.

**Type** **INFORMATION REPORT**

**Date** 24 September 2024



## 1. Purpose | Te kaupapa

1.1. To provide a twelve-month update on Ōtorohanga Support House Whare Āwhina (ŌSHWĀ) activities as per their service level agreement with Ōtorohanga District Council (ŌDC).

## 2. Executive summary | Whakarāpopoto matua

- 2.1. This report is accompanied by the annual report from ŌSHWA, showing the 2023/24 activities against their aim to provide social support services and facilitate the wellbeing of people in our district.
- 2.2. ŌDC committed \$36,000 per annum until June 2026 as an operational grant to ŌSHWĀ to off-set their lease of an ŌDC owned building.

## 3. Staff recommendation | Tūtohutanga a ngā kaimahi

That the Ōtorohanga District Council receive the report “Ōtorohanga Support House Whare Āwhina Annual Report for 1 July 2023 - June 2024” (document number 778580) from Nicky Deeley, Manager Community Development and Wellbeing.

## 4. Discussion | He kōrerorero

- 4.1. At its May 2023 meeting, ŌDC agreed to a three-year lease with ŌSHWĀ for the exclusive use of 88 and 120 Maniapoto Street (from 1 July 2023 to 30 June 2026) with a two-year extension to be given at the landlord's discretion.
- 4.2. ŌDC further agreed to fund the additional costs (\$17,000/year) associated with the lease of 88 Maniapoto Street for a period of three years, committing to a total annual grant of \$36,000 until June 2026.
- 4.3. Services which ŌSHWĀ provide include budgeting/financial/debt support, counselling services, social services, access, family harm support, medical referrals and advocacy, health transport, employment referrals, parenting programmes, foodbank access, housing support, emergency housing support, justice of the peace, and probation services.

- 4.4. No additional services are sought by ŌDC in approving the increased funding.
- 4.5. At the end of 2023 ŌSHWĀ underwent a significant strategic re-direction and new staff roles include housing advisors, social workers, whanau support workers, and administrators. Dot Ngarotata commenced as the new Manager of ŌSHWĀ in January 2024.
- 

## 5. Appendices | Ngā āpitihanga

Number	Title	Document number
1	ŌSHWĀ Report July 2023 – June 2024	N/A



## Ōtorohanga Support House Whare Āwhina Report 2023-2024

### Environmental Factors impacting client results including issues, gaps overlaps and trends):

A shortage of housing in the district continues to have a negative impact on many whānau we support, some whānau have been sleeping in their vehicles and tents as they struggle to find housing. The houses that are available in the area are snatched up by those who have been on a waiting list with realtors for up to a year.

Other housing available is far beyond the reach of the whānau as most places including holiday parks are asking for double the amount in rent than normal.

One whānau stated that she considers the colour of their skin has had a negative impact on getting into rental housing.

Whānau are not in a current financial position to purchase housing and with government changes it seems highly unlikely they will be able to purchase within the next 5 – 10 years if at all.

### TRENDS

- Increased need for foodbank parcels
- Lack of housing remains an issue
- Unemployment
- Benefits being suspended
- Large power bills
- Car maintenance
- Budget Supports have increased with the winter month
- Foodbank users are more frequent due to paying one bill which exceeded the money they have left for kai.
- Notably it is becoming more prevalent that whānau with both adults working on lower incomes are coming forward asking for support with anything the service can provide. Those in housing are using one income to pay their mortgage or rent, the other income goes towards all other expenses which is often not enough. It is not uncommon for whānau to have more than one job to try and make ends meet.

### Areas of Improvements towards achieving better results for clients:

The introduction of Case Management to the service has identified a number of areas for improvements. The service is committed to working with all clients referred for support in a whānau-centric way. This model provides opportunity for all people living in the home to access support in an inclusive holistic way that is focused on the needs and solutions

identified by them encouraging them to have a voice and take ownership of what they feel are the most important issues to be resolved.

The capacity to provide a wrap around service for all in the home is a key priority, as is building a culture of identifying vulnerable children and ensuring their needs and safety are paramount when case management plans are implemented. Goal plans, actions, and outcomes are derived from needs and aspirations identified by whānau ensuring they are engaging in achieving their goals.

To achieve this, skilled staff have been recruited and coupled with training in the Case Management system, accessing external training sessions, weekly team meetings and delivering modules, and conducting one-on-one sessions between staff and the case management co-ordinator. The organisation is undergoing some restructuring in key areas of service in 2024 which include:

An increase in experienced staff across the service comprising;

- The appointment of a new manager in November 2023 who commenced full duties in January 2024.
- 2 new ISR Kaimahi Whānau Support Workers
- 1 Case Management Co-ordinator/ Kaiarahi
- 2 MHUD Wā Kainga Housing Advisors (shared FTE role)
- 1 MHUD Wā Kainga Housing Connector
- 1 Social Worker (Whānau Support Worker) resigned from her permanent role. Now re-employed on a casual part time contract.
- 1 Kaimahi Whānau Support Worker (currently on ACC for the past 4 months).
- 1 Financial Administration officer
- 1 PA to Manager and Governance Board Secretariat.

And we said farewell to staff members:

- 1 Emergency Housing Navigator (contract ended on 30 April '24)
- 1 Foodbank co-ordinator (MSD funding for food banks ended) this role is now covered with volunteers and staff backfill.
- 1 PA/Administration role.

The service is networking and developing alliances with community service providers, NGO's, local community groups, Otorohanga District Council and statutory agencies to strengthen the capacity to provide services in the Otorohanga area locally.

Who are the partners that help achieve results. Have there been any joint activities we have participated in?

Taking a more collaborative approach ensures that we provide a better wrap service for whānau and clients, leading to improved outcomes and opportunities. Collaboration allows us to combine our strengths and resources effectively by creating.

- **Collaboration and Partnership:** We have strong relationships with community organisations, NGO's, Police, statutory organisations, business groups, iwi and

hapu, Māori wardens, Māori Women's Welfare League, local Marae, Ōtorohanga medical centre and St Johns, schools, church groups, and a number of dedicated volunteers who are critical to our service.

- **Community Luncheons:** Offering stakeholders an opportunity to support quarterly community luncheons is a fantastic way to engage partners. These events provide a platform for networking, sharing insights, and building stronger relationships within the community.  
Staff attend a monthly Community Planning Meeting breakfast hosted by the Ōtorohanga District Council. This provides further opportunity to promote the services delivered by our organisation, and by rotating staff attending these meetings they are able to speak about their areas of speciality and to get to know others in attendance.
- **The Lines Company - Maru Energy's Trust support:** Maru Energy's contribution in helping whānau access pyjamas for the winter months demonstrates their commitment to community well-being. **They also provide heating and insulation to eligible home owners under the Healthy Homes scheme.** Collaboration between the ŌSHWA and The Lines Company have resulted in their staff visiting **our** site once a month to set up an information kiosk for anyone in the community with issues or questions regarding their power accounts or the Healthy Homes Scheme. This is a free service which commenced in May 2024.
- **MSD:** Staff have regular contact with MSD and are well known to that service. By working collaboratively through an integrated approach they are able to ensure that whānau receive all their entitlements and relevant information. This enables us to access resources to align whānau with employers, emergency/transitional housing availability, health practitioners and any other relevant stakeholders they can provide. MSD also have a dedicated Case Manager who works with victims and children affected by family violence. This service enables us to work collaboratively supporting these whānau in a discrete respectful manner. The intention is to take the pressure off them when they are traumatised, fearful, and unable to cope in crisis situations.
- **Ōtorohanga District Council:** ŌSHWA has a strong functional relationship with Ōtorohanga District Council, they are 100% supportive of the services we deliver in the community and we are privileged to be included in their 5 year Community Town Plan as the Social Services Hub, one of three major projects identified to cater to the Ōtorohanga community in this plan.

A recent joint activity Ōtorohanga District Council and ŌSHWA engaged in was a request from council staff for ŌSHWA to go to the local camping ground with them to talk to six families they had served eviction notices on due to the pending closure of the camping ground. These families were given notice to move but had nowhere to go, they were placed there in an emergency housing situation. Two staff members visited the site with

council staff then signed them up on social service case management plans. These plans not only dealt with the homeless issues they also provided support with benefit entitlements, budget advisor support, clothing, food, transport and homes to go to. Four families were placed in housing in other towns, 1 had an old motorhome that was transported to a long-term motorhome site, 1 moved into a flat in Ōtorohanga, and the Council was able to accommodate 1 in their council flat. Those families relocated to other areas were referred to social service providers in the areas they live for ongoing support; the 2 who remained in Ōtorohanga are still engaged with ŌSHWA.

What combination of services is most affective for our clients (If applicable)

1. **Ōtorohanga Budgeting Services** based at ŌSHWA, offers non-judgmental financial support to help whānau/clients negotiate affordable financial plans. Ōtorohanga Budgeting Services Debt Management Plan supports whānau/clients to consolidate payments (often at a lower interest rate) to help pay off debts faster. This service is based at ŌSHWA and open on Monday, Wednesday and Thursday. They cater for whānau/clients who would not normally seek support due to feeling whakama about their financial situation. Whānau/clients have seen the benefits of accessing budget advice to help reduce their debts and assist them to manage their budgets and work towards savings.
2. **Ōtorohanga Support House, Whare Awhina - Counselling Services** provides emotional support, coping strategies and problem-solving skills to support whānau/clients wellbeing. The counselling service can refer to other counselling professionals or support services within the team if whānau/client require additional support.
3. **Ōtorohanga Support House, Whare Awhina - Social Service Workers** provide whānau/client support by working with people to find solutions to their problems. It is working with families, communities, agencies, professionals, and internal services to protect children and victims of family harm providing strong advocacy for their rights and safety. Other areas of support include providing access and referral to other services such as counselling, doctors' appointments, assistance with housing, employment, parenting programmes and other social needs that will enhance the wellbeing of the client/whānau.
4. **Ōtorohanga Support House, Whare Awhina – Foodbank** provides support to those in need of food assistance and struggling to access kai. The criteria requires names, address, contact details, and the reason for requesting the food parcel. Available only to those who live locally each request is triaged and any other needs identified are offered support at the same time. Food parcels are issued on a case by case basis with provision to exceed entitlements in exceptional circumstances.

5. **Ōtorohanga Medical Centre** provides health care and support for clients/whānau and welcome ŌSHWA staff providing advocacy and support on behalf of families engaged in their service. The medical centre provides a collaborative approach with counsellors and social workers to ensure comprehensive support is paramount. There is a strong relationship between the services and ŌSHWA hosts new doctors and medical staff visiting the site and spending time with staff getting a hands on insight into the services available.
  
6. **Ōtorohanga Support House, Whare Awhina – Health Transport** provides short/medium/long term support to members of the community who require transport and assistance attending hospital appointments at Te Kuiti and/or Waikato hospitals. This service is primarily provided by volunteer drivers and backfilled by staff as required.
  
7. **Ministry of Social Development** – available to assist and support ŌSHWA clients/whānau with all their entitlements, and any special assistance or grants to support any unexpected needs e.g. power accounts to be disconnected, car breakdowns where this is the only mode of transport available and the family have special needs, dental work, loss of income, health and disability issues etc.
  
1. **External Services Currently Using the ŌSHWA facilities:**
  - District Health Board: Providing health-related services and support.
  - Justice of the Peace: Offering legal assistance and certification.
  - Counsellors: Providing emotional and mental health support.
  - Probation Services: Onsite facilitating those reporting on parole conditions.
  - Cultural Supervisor: Providing cultural support and well-being.
  - Rongoa Māori Practitioner: Focusing on traditional Māori healing practices, ACC registered.
  - External Professional Supervision Practitioner available to staff.
  - Te Whatu Ora: A holistic well-being approach and health service delivery.
  - The Lines Company (Maru Energy): Contributing to community well-being, advice regarding power accounts, provision of insulation and heating to meet healthy homes standards etc.
  -
  
2. **Future Plans and Additional Services:**
  - Independent Lawyers: Providing pro bono advice to members of the community requiring legal information.
  - Ministry of Social Development (Work and Income): Awaiting their response for fortnightly visits.
  - Māori Land Court Advisors: Assisting clients with whakapapa and land-related matters.
  - Art Therapies: Creative expression for well-being.
  - Sensory Centre: Catering to sensory needs.
  - Free Hearing Tests: Ensuring health and accessibility to the community.
  - Housing HUD: Addressing housing-related issues.
  - Cooking Hub: Educating people to prepare meals from foodbank parcels. Focus on healthy meals on a budget.



- Kaumatua Waiata Practices: Preserving cultural practices.
- Community Lunches: A wonderful initiative for regular community gatherings.
- Whānau Vegetable/Fruit Gardens: Encouraging self-sufficiency.
- Horticulture Course: Facilitating NZQA unit standards with the view to gaining work and gardening skills.
- Maara Kai Implementation: Community food gardens.
- Māori Wardens: Supporting safety and order.
- Māori Women's Welfare League: Fostering a sense of belonging and wellbeing of whānau.

Provide strategies or practices used to encourage "hard to reach" clients to engage

#### Manakitanga

- ♥ *Offering support to any issues they may have.*
- ♥ *Greeting them with a smile.*
- ♥ *Making sure to follow through with what you said you would do for them.*
- ♥ *Offer food from the foodbank.*
- ♥ *Listen carefully to what they have to say.*
- ♥ *Offer solutions if able.*

#### Whānaungatanga

- ♥ *Forming a relationship with the client through shared experiences.*
- ♥ *Creating a sense of belonging.*
- ♥ *Enhancing the mana of an individual or whānau.*
- ♥ *Working together to try and achieve client dreams or aspirations.*
- ♥ *Listen intently/carefully.*
- ♥ *Offer solutions.*

*Being honest with whānau goes a long way and ensuring what you say to them you deliver as trust will then be lost and you may not be able to get it back.*

Working with frameworks such as:

- ♥ *Whānau Ora*
- ♥ *Te Whare tapa wha*
- ♥ *Te Wheke*
- ♥ *He taonga te mokopuna*
- ♥ *He puawaitanga o nga matua*
- ♥ *"Triple P" parenting*

*Using a whānau centred approach to delivery ensures the whānau are in control of what supports they require which enhances their mana and wellbeing.*

**Item 178** Elevate end of year report for 2023/24

**To** Ōtorohanga District Council

**From** Nardia Gower, Group Manager Strategy and Community

**Type** **INFORMATION REPORT**

**Date** 24 September 2024



## 1. Purpose | Te kaupapa

- 1.1. To provide an end of year 2023/24 update on the results of the Ōtorohanga District Development Board's (ŌDDB), activities in relation to the service agreement set out through the Long-Term Plan 2021-2031 (LTP).
- 1.2. To present the ŌDDB workplan for 2024/25.

## 2. Executive summary | Whakarāpopoto matua

- 2.1. As part to their strategic reset, ŌDDB rebranded in July 2024 and are now operating under the new name Elevate. While their legal name remains Ōtorohanga District Development Board this report will refer to the incorporated society as Elevate.
- 2.2. This report is accompanied by an end of year report, attached as Appendix 1, on Elevate's activities and outcomes for the 2023/24 year, along with an outline of the draft 2024/25 annual workplan. The draft plan is largely a continuation of the 2023/24 workplan with ongoing discussions regarding incorporating actions from the Economic Wellbeing Strategy (EWS) that align with Elevate's scope as the local economic agency.
- 2.3. Ōtorohanga District Council (Council) maintains close collaboration with Elevate through elected representation and strong operational relationships. Councillor Christison serves as the Council-appointed board representative, while Group Manager Strategy and Community, Nardia Gower, continues to oversee the operational relationship.

## 3. Staff recommendation | Tūtohutanga a ngā kaimahi

That the Ōtorohanga District Council receive the report 'Elevate end of year report for 2023/24' (document number 778766) from Nardia Gower, Group Manager Strategy and Community.

## 4. Discussion | He kōrerorero

- 4.1. Elevate, an incorporated society, has received funding from Council since its incorporation in 1996.

4.2. Council committed \$212,000 (+CPI) per annum across the first three years of the 2021-2031 LTP as an operational grant to Elevate to achieve the following expected outcomes as outlined through their service agreement:

- A district that has a strong, unique brand and is promoted well in supporting current and future economic activity and outcomes.
- To promote the social, economic, environmental and cultural well-being of communities in the present and for the future.
- To promote constructive relationships locally, regionally, and nationally.

4.3. Through the 2022/23 Annual Plan process, Council agreed to increase the annual operational grant by an additional \$50,000 per annum for years two and three of the LTP, being 2022/23 and 2023/24.

4.4. This brought the total payments to \$267,000 for year two and \$272,000 for year three (inclusive of CPI adjustments).

#### **Annual Report 2023/24**

4.5. Elevate's end of year report for 2023/24 has been reviewed by staff. It demonstrates Elevate's successful delivery of the 2023/24 workplan and the expected outcomes. While some deliverables were not achieved, the reasons provided are valid and do not impact the overall success of Elevate's achievements.

4.6. In item 4 under 'Work in Progress' of Elevate's report, the board has made comment regarding a request that ŌDC register the Kiwiana assets on Council's list of assets. Council staff are supporting Elevate to formalise this request. Once received Council staff will present this letter to Council along with an accompanying report outlining considerations on which Council can make an informed decision.

#### **Service level agreement 2024-2027**

4.7. As part of the 2024-34 LTP, Council committed to funding Elevate \$290,000 per annum (+ CPI adjustments) to deliver economic development and wellbeing outcomes.

4.8. This new three-year commitment allowed both Elevate and Council to review the service level agreement (SLA), resulting in refined high-level outcomes to guide the development of the annual workplans.

4.9. Noted in 4.2 above are the outcomes sought through the previous SLA. Below are the refined economic outcomes co-designed between Council staff and Elevate:

a. Strong local businesses driving economic resilience

Local businesses are provided access to resources, mentoring, and capability-building opportunities to help them grow and innovate. Businesses are empowered to be key drivers of economic growth and community resilience, creating jobs and opportunities that strengthen the district.

b. Enhanced community wellbeing

Community wellbeing is created through key economic drivers including warm, safe, affordable housing that enhance quality of life and foster a strong, inclusive community.

c. Sustainable economic prosperity supporting the community

Steady and sustainable economic prosperity is achieved by harnessing opportunities to diversify the district's economic base, foster entrepreneurship and support existing businesses and sectors. A circular economy is embraced by local businesses to enhance our environment and support local employment.

d. Vibrant tourism sector with local benefits

The district's strong brand and tourism sector is well promoted locally, nationally and globally, showcasing our unique attractions and events. Tourism operators are supported through targeted marketing initiatives, capacity-building programmes and partnerships that enhance their ability to deliver high-quality visitor experiences while positively impacting the environment and local economy.

### **Elevate's 2024/25 Workplan**

4.10. The draft Elevate 2024/25 Annual Workplan, attached as Appendix 2, is largely a continuation of the 2023/24 workplan. Ongoing discussions focus on actions identified in the Economic Wellbeing Strategy that fall within Elevate's delivery scope as the local economic agency.

4.11. Following Elevate's recommendation in their submission to Council on the Economic Wellbeing Strategy (EWS), Council is adopting a co-design approach to prioritise actions within the Strategy. The 'Economic Wellbeing Actions' survey ran from 5 September to 22 September 2024, with targeted invitations sent to participants involved in developing the EWS. The survey results will help inform which priority actions may be considered for Elevate's future delivery.

4.12. As directed by Council in the LTP, staff and Elevate are exploring options for the ongoing delivery of the Information Centre.

### **Financial accountability**

4.13. Elevate's 2023/24 financial accounts are currently with their accountants and as such have not yet been audited. Therefore, they are not included in this report. However, Council's Group Manager Business Enablement, Graham Bunn, has reviewed the draft accounts and is satisfied with the Board's financial accountability.

### **Elected representation and operational relationships**

4.14. Councillor Christison serves as the Council-appointed representative on Elevate's Board, as required by their constitution.

4.15. Group Manager Strategy and Community, Nardia Gower, is Council's relationship manager for Elevate at an operational level. Ms Gower maintains a strong relationship with Elevate's Economic Development Manager, Michelle Hollands, and with Elevate's Chair, Marain Hurley.

4.16. To ensure ongoing collaboration and support, Ms. Gower regularly attends:

- Elevate board meetings as required;

- Regular meetings with the Economic Development Manager; and
- Housing Group meetings, a shared focus delivery of both Council and Elevate.

## 5. Appendices | Ngā apitihanga

Number	Title	Document number
1	Elevate's end of year report for 2023/24	N/A
2	Elevate's draft 2024/25 Annual Workplan	N/A

# Elevate Ōtorohanga Report to Ōtorohanga District Council June 2024



## Message from the Chair

On behalf of the Board of Elevate Ōtorohanga I would like to thank the Ōtorohanga District Council, Councillors and Senior Staff, for their ongoing support and partnership.

It's been an exciting time for the Board and staff of the ŌDDB as we rebranded to become Elevate Ōtorohanga, launched our business membership model and began the implementation of our revised Economic and Business Support strategy.

The year end 2024 has seen success for many of our key initiatives, importantly the launch of our Membership Model, with over 80 local businesses joining us and taking the opportunity to support our organisation as importantly we support them.

Our Project 'Retail Revitalisation' officially ended in June 2024, with 51% of our CBD businesses painted and 14% confirmed to be painted in Spring 2024. In creating this project we were able to independently raise \$60,120.00 to support local businesses as they recovered from success COVID-19 lockdowns, and have become the envy of many surrounding Districts.

Our leadership and facilitation of the District's Housing Kaupapa, sees the community led Housing Plan now endorsed by council and out for endorsement with other key agencies with several key actions for this strategy underway. It is a difficult time for New Zealanders, and Housing remains a key community challenge that we will continue to support.

We are also excited to be offering our Inaugural Economic Development Forum to be held on October 31<sup>st</sup>, 2024, at the Ōtorohanga Club. We have secured some quality Keynote Speakers for this event and aim to host over 150 participants to learn, share and make actionable change for business and community success.

As we renew our Service Level Agreement with Council over the upcoming month our plan is to continue to connect with local challenges and support our community to thrive. We strive to remain nimble and connected to our community.

Again, we thank you for your support.

*Marain Hurley, Chairperson, Elevate Ōtorohanga*

## Our Vision

***"A vibrant and connected Ōtorohanga community where  
whānau and business thrive."***

Some Imagery of our rebrand concepts.



**Information  
Centre**

[www.otorohanga.co.nz](http://www.otorohanga.co.nz)



**Retail Revitalisation Project**



**Report on our Key Service Level Agreement Priorities**

**Priority One: District Development and Promotion**

Agreed Key Outcome	Year End Report Update
Business Owners recommend to one	Our survey of business owners, including our members, was completed in June 2024. Results of this are currently being

<p>another that they have a relationship with the Elevate (NPS).</p>	<p>collated. We expect to present these results and other insights on our local businesses in our verbal presentation to council.</p>
<p>Elevate is recognised by business owners as an organisation providing quality resources and expertise to support business success.</p>	<p>Our Business Member Program was launched in October 2023, and as at end of June 2024 we have 76 members.</p> <p>A profile of these members includes:</p> <ul style="list-style-type: none"> <li>● Small Businesses Members – 53</li> <li>● Large Businesses Members - 17</li> <li>● Not-for-Profit / For Purpose Members – 5</li> <li>● Au Gratis – ODC – 1</li> </ul>
<p>Elevate has implemented a Business Membership Model with Businesses beginning to sign up as members.</p>	<p>The Business Membership Program is ongoing. New Businesses are encouraged to join. Information details are included in the New Business packs.</p>
<p>Members of Elevate actively engage in activities including workshops, breakfasts, and events.</p>	<p>As a new membership model, we are yet to analyse the relationship between being a paid member of our organisation and direct engagement in activities and resources we provide. This will become something we monitor over the next 12 months. The importance of this is that members who are 'engaged' with an organisation have an increased likelihood of retaining their membership.</p>



## Priority Two: Business Support

Agreed Key Outcome	Year End Report Update												
<p>Business Support Resources are available (material and online) that are simple, modern, relevant and easily utilised</p>	<p>Business planning templates continue to be available for business on enquiry and have been shared via our monthly newsletter emailed to the business database.</p> <p>In July 2024 we launched our new look website and resources to support business are currently being loaded to the website, including links to organisations who hold nationally recognised resources (i.e. Community Waikato, MBIE and Soda Inc).</p>												
<p>A Business Leaders Group is established – providing programme feedback, advocacy and support to Elevate.</p>	<p>A formal business leaders’ group has not been established. A “Think Tank” group is on our board’s work plan for 2024-2025 year. Board members regularly engage with business leaders to gain informal feedback. In the coming year, we intend to initiate this idea.</p> <p>Meetings were held informally with business leaders to design our business membership model and support from business leaders has been accessed to guide the establishment of our Economic Forum.</p>												
<p>A Youth in Business Group is established – providing future thinking and support to Elevate.</p>	<p>While no targeted Youth Business Group has been established Elevate has strengthened and maintained a strong partnership with the College over the past year.</p> <p>In April 2024, we partnered with the College to deliver a successful Speed Dating Program, hosting business leaders to connect with students and it is our intention to invite ten Year 11-12 students to share in our Economic Forum on the 31<sup>st</sup> October, offering them work experience, leadership opportunities and the chance to learn and share in our forum.</p> <p>Our board are exploring the idea of setting up a group of “Young Elevators” in the future.</p>												
<p>A targeted 8 business Workshops are provided in the full year</p>	<p>Delivered 21 events/workshops/networking opportunities in 12 months July 2023 – June 2024</p> <table border="0"> <tr> <td>July 19<sup>th</sup></td> <td>Annual Farmers Night &amp; EXPO</td> </tr> <tr> <td>August 29<sup>th</sup></td> <td>Digital Boost - A Business Story</td> </tr> <tr> <td>September 4<sup>th</sup></td> <td>Digital Boost - An Introduction to AI</td> </tr> <tr> <td>September 5<sup>th</sup></td> <td>INCITE 2024</td> </tr> <tr> <td>September 12<sup>th</sup></td> <td>Adapting to Change</td> </tr> <tr> <td>September 27<sup>th</sup></td> <td>Kawhia meeting and lunch at Maketu Marae</td> </tr> </table>	July 19 <sup>th</sup>	Annual Farmers Night & EXPO	August 29 <sup>th</sup>	Digital Boost - A Business Story	September 4 <sup>th</sup>	Digital Boost - An Introduction to AI	September 5 <sup>th</sup>	INCITE 2024	September 12 <sup>th</sup>	Adapting to Change	September 27 <sup>th</sup>	Kawhia meeting and lunch at Maketu Marae
July 19 <sup>th</sup>	Annual Farmers Night & EXPO												
August 29 <sup>th</sup>	Digital Boost - A Business Story												
September 4 <sup>th</sup>	Digital Boost - An Introduction to AI												
September 5 <sup>th</sup>	INCITE 2024												
September 12 <sup>th</sup>	Adapting to Change												
September 27 <sup>th</sup>	Kawhia meeting and lunch at Maketu Marae												

	<p>October 25<sup>th</sup> Business Breakfast at the College</p> <p>October 14<sup>th</sup> Election Day Rail trip</p> <p>October 17<sup>th</sup> First Aid Course</p> <p>November 2<sup>nd</sup> Get Ahead with Gen Z</p> <p>December EAT-SHOP-WIN shopping local promotion</p> <p>December Santa's Grotto</p> <p>December 1<sup>st</sup> Christmas Parade</p> <p>December 6<sup>th</sup> EOY Function</p> <p>Feb 22<sup>nd</sup> BA5</p> <p>Mar 13<sup>th</sup> First Aid Course</p> <p>Mar 20<sup>th</sup> BA5</p> <p>Mar 27<sup>th</sup> Business Breakfast</p> <p>May 13<sup>th</sup> Career Speed Dating</p> <p>May 23<sup>rd</sup> BA5</p> <p>June 25<sup>th</sup> Business Mentors evening</p>
<p>6 -14 businesses are supported by Mentors</p>	<p>During 2024 we formed a partnership with Business Mentoring New Zealand (BMNZ) and Legendary Te Kuiti to offer Mentoring across the two districts.</p> <p>We were successful in receiving 14 applications for <b>6</b> free BMNZ mentorships @\$295 per organisation. In addition, we collaborated with the North King Country Development Trust to fund additional mentorships, securing a further potential <b>8</b> funded programs.</p> <p>These mentorships are currently being established and we expect to continue this offering in 2025 as well as be able to report on the successful outcomes of those offered the program in 2024.</p>
<p>Elevate supports businesses to find funding opportunities to grow their business</p>	<p>We continue on a positive relationship with Soda Inc and share with businesses information we have on Grants, Scholarships and Funding Information. Soda Inc. deliver the Regional Business Partner Programme and provide subsidies for businesses with leadership training. Group training solutions are also available that we actively aim to bring to businesses in our district.</p>

<p>A target of 10 new businesses to the district are supported</p>	<p>33 new businesses established from July 2023-June 2024  10 of these took advantage of ODDB's \$250 advertising subsidy (\$2500). This subsidy assists new businesses in partnership with King Country News (discounted rates) to advertise their start-up advertising as a new business.  Information packs for New Business was introduced in June 2024 to include a welcome letter, advertising subsidy application form and introduction to Business Membership Program.  Through our range of workshops and programs, we have been able to connect with a broader spectrum of businesses than we have in the past.</p> <ol style="list-style-type: none"> <li>1. Digital Boost program</li> <li>2. BA5 networking opportunities</li> <li>3. Retail Revitalisation program</li> <li>4. Business mentoring program</li> <li>5. Business Breakfasts</li> </ol>
<p>Arts Conduit</p>	<p>Ōtorohanga Creative Conduit was established in February 2024. Artists are brought together to showcase their work and to provide opportunities for community education programmes and workshops.</p>

## Priority Three: Events & District Promotion

Agreed Key Outcome	Year End Report Update						
Provision of Bi-annual Business Awards	Not applicable in 2024						
Provision of New Resident Welcome	We provide an information pack at the Information Centre for new residents. This has a range of contact details for key local services, a phone directory and a copy of King Country News.						
Delivery of Christmas Festival	We conducted a survey completed in March 2023 asking businesses what they wished to see for the Christmas Festival. We had a very good response from both business owners and the general public. In 2023, the ŌDDDB alongside Project Kiwiana delivered a Christmas Parade and Santa Grotto for the benefit of the community. This Christmas Parade had 21 floats registered; some have multiple vehicles, and the Parade was well attended by the community. The Santa grotto opened Friday afternoons and Saturdays throughout December with approximately 150 children visiting Santa.						
Delivery of the Arts Festival	This was explored as part of the establishment of the Arts Conduit and has been delivered in a different form. The Festival did not eventuate because of unsuccessful funding applications. However, planning support is in place for the ARTBEAT Ōtorohanga 2024 event on November 23-24. This 2-day event is open to the public and is an opportunity to celebrate the diversity and creativity of our district. local artists, musicians, and performers will be showcasing their talent.						
Information Connector – Tourism Advocacy and Booking Support	<p><b>Kawhia Information Services:</b> ŌDDDB in accordance with SLA 2023-2024 support and contributes towards staff wages (minimum wage) to provide information and tourists services at Kawhia Information Centre. This sum \$23,074.00 was contributed in 2023-24 year. This changes annually as at April 1 and is driven by minimum wage government legislation.</p> <p><b>Ōtorohanga Information Centre:</b> Visitor numbers have been up consistently for the same periods in the last two years as have sales and bookings for tourism and transport services nationwide.</p> <p><b>Ōtorohanga Information Services Stats July 2023-2024</b></p> <table border="1" data-bbox="587 1939 1414 2018"> <thead> <tr> <th>Services</th> <th>Number</th> <th>\$Value Incl. GST</th> </tr> </thead> <tbody> <tr> <td>Travel Bookings</td> <td>197</td> <td>\$33,700.35</td> </tr> </tbody> </table>	Services	Number	\$Value Incl. GST	Travel Bookings	197	\$33,700.35
Services	Number	\$Value Incl. GST					
Travel Bookings	197	\$33,700.35					

Merchandise Sales	19	\$7,170.50
Referrals		Not recorded

**Ōtorohanga Information Centre:** Provides the promotion of local events to attract visitors to the district through eventfinda, social media and our website.

Information Centre continues to work with Busit providing Bee cards for purchase and information to assist the local community in using these services.

**Website Update:** [www.otorohanga.co.nz](http://www.otorohanga.co.nz) The website is now live, showcasing both ELEVATE and the District. The aim is to promote Ōtorohanga as a place to Live, Work and Visit.

We have created pages dedicated to attracting visitors to come, visit and stay for longer, highlighting the uniqueness and beauty of the district. We have highlighted the successes of

ELEVATE and the role we play in the community to help our businesses to thrive and attract new businesses to the District. Updating the business directory is a work in progress, as new businesses entrants are added and will eventually list all businesses in our district with our Business Membership Members highlighted.

## Priority Four: Economic Development

Agreed Key Outcome	Year End Report Update
Establishment of a Vision for the District	<p>Vision Ōtorohanga was initially envisaged as a plan to build a view of the key drivers of economic and community development.</p> <p>During 2023 support for ŌDC’s community engagement and the development of the Economic and Community Wellbeing Plan and the Community Housing Plan has superseded the establishment of the district vision.</p> <p>We are currently in the process of partnering with ODC Senior Leadership to establish our role in the delivery or support of Economic and Community Wellbeing Outcomes as part of our future SLA.</p>
Facilitation of a Community led Housing Plan	<p>Elevate, via it’s Economic Development Manager has facilitated the establishment of the Community Led Housing Plan: Homes for our Community.</p> <p>The plan includes four pillars to support community housing outcomes and is currently with key community, regional and national stakeholders for Endorsement.</p> <p>Following this endorsement process which is aimed to occur by the end of August, mid-September, there will be action plans established from which to monitor and deliver progress on the plan.</p>
Cycleways Planning	<p>The community working group established to support the establishment of a cycleways plan and projects in this area has taken a back seat over the last six months of the year. Opportunities still exist for the forest block on Waitomo Valley Road was a development of the Ōtorohanga to Waitomo Cycleway and a forest trail ride in Kawhia, planning for which will reconnect as the community members leading these projects find themselves in a position to progress.</p>
Retail Revitalisation	<p>51% or 37 buildings painted in CBD Ōtorohanga. 14% or 10 buildings committed to be painted in Spring 2024. RRP Facebook group currently has 400 avid followers watching the progress. This is a closed group that can be found on RRP Ōtorohanga FB Page</p>
Arts Conduit	<p>Over the last 12 months the ŌDDDB has supported the establishment of the Ōtorohanga Creative Conduit. An initiative to bring the arts community together to provide workshops, employment and exhibition opportunities for local</p>

	<p>artists and those in the community wishing to explore their creative side.</p> <p>We have been able, as an umbrella organisation, to support the raising of funds for OCC.</p> <p>Since it's establishment the Conduit has delivered:</p> <ul style="list-style-type: none"> <li>▪ 9 Workshops from February to June 2024</li> </ul>
<p>Economic Development Forum</p>	<p>During 2024 we have been working closely with the community to co-design an economic forum for the District. We have confirmed a quality line up of four guest speakers for this event, scheduled for the 31<sup>st</sup> of October 2024 at the Ōtorohanga Club.</p> <p>Our aim is to host 150 attendees to this event and provide an environment of learning, connection and sharing of ideas for action.</p> <p>More details on this event will be provided in our verbal presentation to Council.</p>
<p>Promotional and Events Strategy</p>	<p>As part of the design of the ŌDDB 2022-2024 workplan, the intent was to partner with the council to support the establishment and delivery of a Promotional and Events Strategy.</p> <p>This project was put on hold with the delivery of the Economic and Wellbeing Strategy. In the meantime, the ŌDDB has continued to advertise to the community upcoming events and activities.</p> <p>We are currently working with Senior Staff at Council to consider our role in the delivery of outcomes for the Economic and Wellbeing Strategy.</p> <p>ŌDDB look forward to partnering with the ŌDC to confirm any additional strategic priorities following the completion of the Economic and Wellbeing Strategy.</p>

## Priority Five: Governance and Organisational Excellence

Agreed Key Outcome	Year End Report Update
<p>Governance Quality – the ŌDDDB recruits, trains and develops quality Board members, completed quality meetings</p>	<p>June 2024 Update: Currently the ŌDDDB has 8 Board members, having recruited 2 new board members representing Kāwhia/Aotea and surrounding district. In March 2024, Annette Ganes left our board due to work commitments in Wellington and wider regions.</p> <p>During the 2023 year a job description was put in place for all board members as well as ensuring induction and information packs for new board members. In late 2023, ŌDDDB introduced a process to select interested people who wish to join our board.</p> <p>Our practice involves an interview, nomination and selection signed by a present board member and presented to the board for approval. The nominee is a casual board member with voting rights until the AGM that follows. We are pleased to confirm and welcomed Pat Edwards, Hano Ormsby and Jacque Purdie to ŌDDDB in October 2023.</p> <p>The 2023-2024 was a busy year as we prepared for the rebranding and launch of ŌDDDB as ELEVATE Ōtorohanga.</p> <p>ŌDDDB prepares a calendar of meeting dates at the beginning of the year. Monthly meetings are scheduled for the last Wednesday of the month and are held in ŌDC, Tere Waitomo Room. We are grateful to ŌDC for the use of this room at no cost.</p> <p>Meeting Agendas are prepared and distributed to all board members 5 days in advance. Meeting minutes are recorded along with all governance, legal documents i.e. contracts and agreements are stored in Elevate Ōtorohanga Google Drive.</p>
<p>Health and Safety</p>	<p>The ŌDDDB utilises OSHBox operational manuals and policies to manage our Health and Safety Policies and Procedures. These policies have guided the delivery of events and welfare. Our Business and Event co-ordinators are responsible for updating and reporting to ŌDDDB monthly meetings.</p>
<p>Communications, marketing, re-brand, website, e-newsletters, social media</p>	<p>Our communications plan includes the following activities/initiatives:</p> <ul style="list-style-type: none"> <li>● E-newsletters sent to Businesses monthly with 304 subscribers receiving this every month.</li> <li>● Our business database has 257 businesses listed.</li> </ul>



	<ul style="list-style-type: none"> <li>• Social Media –Facebook Ōtorohanga District and Ōtorohanga Information Centre pages are currently in the process of merging. Events and what’s on happening in businesses are regularly posted to these audiences.</li> <li>• In the last 6 months as part of our re-brand we have launched a new website <a href="http://www.otorohanga.co.nz">www.otorohanga.co.nz</a> The goal of re-launching the website was to provide a simple, clean and clear overview of our District. We continue to update the website as a live and ongoing project and welcome feedback and ideas on what more can be done.</li> </ul>
Funding	<p>Part of our strategy has been to explore sustainable funding solutions and generate new revenue streams to support and diversify our revenue. New funds that have diversified within the last 12 months include:</p> <ul style="list-style-type: none"> <li>▪ Business Membership Model - \$16905.00</li> <li>▪ Retail Revitalisation Project – Tagged funds \$34k as at June 2024. Contributions will continue to be distributed to Business/Landlord owners based on the size of their buildings once the painting job is complete.</li> <li>▪ In addition, because of our registered not-profit status, we act as an umbrella organisation to support other community groups and help them achieve their own aspirations. Funding applications that we have supported include: <ul style="list-style-type: none"> <li>▪ Art Conduit \$16,450.00</li> <li>▪ Picnic &amp; Pistons/Truck &amp; Ute \$4000.00</li> <li>▪ Ōtorohanga Kai Forest \$ 5,375.00</li> <li>▪ Kawhia Fitness Trail \$675.00</li> <li>▪ Ōtorohanga Christmas Club \$2780.76</li> <li>▪ 100<sup>th</sup> Birthday Celebration \$5000.00</li> <li>▪ Project Kiwiana \$4681.00</li> <li>▪ Friends of Beattie Home \$2000.00</li> <li>▪ Ōtorohanga Support House - Whare Awhina - application for Housing Innovation Funding supporting two Housing Support roles over the upcoming three years</li> <li>▪ Project Kiwiana - Ōtorohanga Christmas Parade 100% donation for TMP from Inframax Ltd value \$9,300. OCB donation \$3,500.</li> </ul> </li> </ul>

## Kiwiana

ŌDDDB in agreement with the sub-committee Project Kiwiana (October 2014) is responsible for the R&M management of Large Assets i.e. the many Kiwiana iconic features and items

throughout Ōtorohanga that resulted in Ōtorohanga being proclaimed as the Kiwiantown of NZ.

ŌDDB remains the conduit of annual rated funds from ŌDC to PK for R&M at \$15k + GST.

ŌDDB is the legal entity and parent of the Kiwiana group of five, which includes Marain Hurley (Chair), Bev Moloney, Michelle Erikson (Treasurer) and Vanessa Drinkwater (Secretary).

The Ōtorohanga Christmas Parades 2022 and 2023 was organised by the Kiwiana group. 100% funded by the group through independently submitting funding requests and applications to external sources. Kiwiana are grateful to Inframax Ltd for the donation (discount) towards the cost of TMP in 2022 and at **no cost** in 2023.

Plans are in progress for upgrades on some of the tired Kiwiana features and structures in 2024 -2025 Year.

**Completed** projects include YTD:

- ✓ Giant Kiwis at north and south end of Maniapoto Street, painted and re-installed
- ✓ All existing mural walls and features, structures have been cleaned and spider-treated prior to June 2024 as follows.
- ✓ Sir Ed Hillary Walkway, Walls and Tile Floor, Exterior of Display Modules (soft Wash) – Contact O Café
- ✓ Icon Mural Wall - Mitre 10
- ✓ Sponsor Wall – Appliance Plus
- ✓ Henshaw Cartoon Wall -The Thirsty Weta
- ✓ Kiwiana Sign – Left on the South end of Maniapoto St - outside Subway
- ✓ The Pukeko – Lake Huiputea
- ✓ Ōtorohanga District Council – “Ōtorohanga, It’s our Story” Wall
- ✓ Kiwiana Mural Wall – Ōtorohanga Club

**Work In progress:**

1. New Lampost Icons x6 awaiting approval from ŌDC to install at Kiwiana’s cost. We aim to work together with the installation of coloured lights (ŌCB) and fabric flags (RSA) on a pulley system. Council envisage that the Kiwiana icons would sit above the flags so that the flags can be raised and lowered unimpeded. There may be an opportunity for us to work together and get one traffic management plan and share some other costs.

2. Kiwiana received a quote dated 24th June 2024 from Gray Construction. Quote 3168 \$4,504.00+GST to Fabricate Mounting Frames and Install x6 Kiwiana Icon Signs. Kiwiana has tagged funds to cover this cost. This quote is currently pending acceptance as Kiwiana waits for further instructions from the Manager of Roading at ŌDC who is seeking advice from Waka Kotahi.
3. Later this year, plans will progress to design and add murals to the Village Green Wall. Kiwiana has tagged funds to cover this project through a successful funding application to ŌDC's Creative Grants Fund and a successful request received from the Ōtorohanga Charitable Trust. Kiwiana intend to engage local māori artist Daniel Ormsby and will outline in his brief that we expect him to consult with mana whenua and demonstrate that successful consultation has occurred.
4. An attached Appendix #1 of Kiwiana Assets with \$value and R&M annual plan. We ask ŌDC to register these on ŌDC's list of assets. ŌDDB covers the annual Insurance cost of all Kiwiana Structures. They have a book value of \$350k based on historical cost and are insured for replacement cover of \$265k.
5. Kiwiana is getting quotes to replace the decals on the exterior walls of the toilets, which were recently reclad and reskimmed at the Jim Barker Memorial Playground.

	A	B	C	D	E
1	<b>LIST OF KIWIANA ASSETS AS AT AUGUST 2024</b>				
2	<b>DESCRIPTION</b>	<b>QTY</b>	<b>\$ITEM COST</b>	<b>REPLACE \$VALUE</b>	<b>R&amp;M PLAN</b>
3	CANOPY SIDES	3	\$ 183.33	\$ 550.00	IN STORAGE AVAILABLE FOR COMMUNITY TO USE
4	CANOPY INC SCREEN PRINT	1	\$ 2,500.00	\$ 2,500.00	IN STORAGE AVAILABLE FOR COMMUNITY TO USE
5	DISPLAY MODULES SIR ED WALKWAY	21	\$ 6,000.00	\$ 126,000.00	CLEANED EXTERIOR ANNUAL OR AS NECESSARY, INTERIOR CLEANED 6 MONTHLY
6	STORY PANELS SIR ED WALKWAY	8	\$ 1,800.00	\$ 14,400.00	ANNUAL CLEAN , CLEANED JUNE 2024
7	DISPLAY MODULES X3 Main Street	3	\$ 6,000.00	\$ 18,000.00	ANNUAL CLEAN Cleaned June 2024, 2 AT APPLIANCE PLUS, 1 AT KIWIANA SHOP
8	EXTERIOR MODULES AT ODC KIWI	1	\$ 7,000.00	\$ 7,000.00	ANNUAL CLEAN Cleaned June 2024
9	NEW EXTERIOR MODULE KIWIANA	1	\$ 20,000.00	\$ 20,000.00	ANNUAL CLEAN Cleaned June 2024
10	WALL MURALS MITRE 10, HENSHAW	2	\$ 10,000.00	\$ 20,000.00	ANNUAL CLEAN Cleaned June 2024
11	Kiwiana Otorohanga CLUB MURAL	1	\$ 19,000.00	\$ 19,000.00	ANNUAL CLEAN Cleaned June 2024
12	LAMP POST ICONS 3 IN SITU	3	\$ 1,700.00	\$ 5,100.00	Checked R&M April 2004 by GRAY CONSTRUCTION
13	LAMP POST ICONS 6 NEW TO BE INSTALLED	6	\$ 1,700.00	\$ 10,200.00	ANNUAL CLEAN Cleaned June 2024
14	LAMPOST ICONS AT GRAY CONSTRUCTION	5	\$ 1,700.00	\$ 8,500.00	DUE TO BE REPAIRED OR REPLACED PENDING KIWIANA'S AVAILABLE FUNDS. 2025 PLAN?
15	PUKEKO STRUCURE - Lake Huputeaa	1	\$ 15,000.00	\$ 15,000.00	ANNUAL CLEAN Cleaned June 2024
16	Giant CORRUGATED KIWIS x2	2	\$ 25,000.00	\$ 50,000.00	Repainted by Spray & Bake and installed by Gray Construction May 2004
17	BUTTERFLY WALL INCL PLAQUES AND SIGN	1	\$ 5,000.00	\$ 5,000.00	ANNUAL CLEAN Cleaned June 2024 APPLIANCE PLUS WALL
18	FLAG POLES	4	\$ 800.00	\$ 3,200.00	3 AT SOUTH END AND 1 NORTH MANIAPOTO ST
19	ANZAC POPPIES NOT USED	9	\$ 25.00	\$ 225.00	IN STORAGE AVAILABLE FOR COMMUNITY TO USE
20	STEEL BUTTERFLIES SPARE	3	\$ 60.00	\$ 180.00	BUTTEFLY WALL AT APPLIANCE PLUS
21	KIWIANA COSTUMES old tired	9	\$ 400.00	\$ 3,600.00	OLD, NEED REPLACING WHEN FUNDS ALLOW. AVAILABE FOR COMMUNIUNITY TO USE
22	KIWIANATOWN SIGN AT SUBWAY	1	\$ 2,000.00	\$ 2,000.00	SIGN AT SUBWAY
23	BIG BUZZY BEE - CORRUGATED	1	\$ -	\$ -	IN STORAGE AVAILABLE FOR COMMUNITY TO USE
24	VINYL WINDOW BANNERS	4	\$ 575.00	\$ 2,300.00	IN STORAGE AVAILABLE FOR COMMUNITY TO USE
25	SILVER FERNS NOT USED	9	\$ 400.00	\$ 3,600.00	IN STORAGE AVAILABLE FOR COMMUNITY TO USE
26	WALL OF FAME "ITS OUR STORY"	1	\$ 16,500.00	\$ 16,500.00	ODC "Otorohanga, its my Story" wall
27		<b>100</b>	<b>\$143,343.33</b>	<b>\$ 352,855.00</b>	

**Our ANNUAL PLAN July 2024 to June 2025**

Complete	On Target	Some problems – feedback wanted	Real challenges – help needed
----------	-----------	---------------------------------	-------------------------------

Key Activity	Measured By	Due Date	Achievement Notes	Status
<ul style="list-style-type: none"> <li>New businesses to the district are supported in their planning and introduction to the community.</li> </ul>	Evidence exists that new businesses are contacted and supported via Information packs that include a personal welcome letter, application form for advertising subsidy. Introduction and invite to Elevate’s Business Membership Program. A Mentoring Program in collaboration with North King Development Trust at a discounted cost. Social Media promotion/monthly newsletter communications.	Ongoing		
<ul style="list-style-type: none"> <li>Elevate is connected to regional initiatives that support and promote businesses in the community and bring business to the District.</li> </ul>	Evidence exists that showcases Elevate’s partnering with Regional communications and that information on these platforms is up-to-date and regularly updated. Soda Inc, MBIE and WRC.	Ongoing		
<ul style="list-style-type: none"> <li>The main retail precinct in Ōtorohanga township is supported to be an attractive and vibrant space</li> </ul>	Elevate is progressing towards the Retail Revitalisation Project being complete. Plans are in place for the ongoing sustainability of the Project.	October 2024		

<ul style="list-style-type: none"> <li>Youth Business Group</li> </ul>	<p>To date, the establishment of a formal Youth Business Group specific to Elevate has not been set up.</p> <p>Elevate supported students through a donation of \$200 towards “end-of-the-year prize-giving”.</p> <p>Strong relationships exist with the College means that student ideas and feedback have been received more informally.</p> <p>In April 2024, Elevate initiated a Career speed dating event with 100 Yr 9 students in attendance. This event was organised in collaboration with Otorohanga College.</p> <p>Elevate plan to introduce an “Elevators Youth” program in 2024.</p>	<p>TBC in year 2024-2025.</p>		
<ul style="list-style-type: none"> <li>A Promotion and Events Strategy is created in partnership with Council and other members of the community. Including the development of an events calendar with the community.</li> </ul>	<p>Creation and Implementation of a Promotion and Events Strategy and provision of an Events Calendar</p>	<p>February 2025</p>		

<ul style="list-style-type: none"> <li>• A “What’s On Guide” is established and communicated.</li> </ul>	<p>What’s on Guide shared – website, e-newsletter and social media</p>	<p>Ongoing</p>	<p>What’s on guide is on the otorohanga.co.nz and Info Centre notice board, this is updated regularly. Shared in monthly newsletter and share the link on Otorohanga District Facebook.</p>	
<ul style="list-style-type: none"> <li>• Partnership Program</li> <li>• Building Relationships</li> </ul>	<p>Partnering with ELEVATE Ōtorohanga, introduced in September 2024, to assist in funding Elevate projects and programs. This is our opportunity for partners to share our journey to date, future plans to support our community. There are a variety of partnership proposals available. The committed partners will connect to all ELEVATE Ōtorohanga events including our provision of workshops, business breakfasts, networking, our biennial INCITE event, Inaugural Economic Forum and Creative Conduit Workshops. Elevate Partners will be promoted as a significant partner in all our work with their name strongly connected and promoted in our community facing events and activities.</p>	<p>September/October /November 2024</p>		
<ul style="list-style-type: none"> <li>• Inaugural Economic Forum</li> </ul>	<p>Plans are progressing at great speed. We have secured a lineup of 4 quality speakers who will deliver a day of lively presentations, analysis and insights. We aim to connect with and support business and organisation leaders to understand challenging issues and find solutions to support a successful outcome. <b>Key topics:</b></p>	<p>October 31 2024</p>		

	<p><b>Innovation Building, Delivery and Solutions for sustainability:</b></p> <p><b>Workplace Wellbeing:</b></p> <p><b>Employing for Success:</b></p> <p>The Forum to possibly be held every year, with hosting to be shared amongst regional Waikato districts.</p>			
<ul style="list-style-type: none"> <li>• A Business Leaders Group</li> </ul>	<p>A “Think Tank” group is on our board’s work plan for 2024-2025 year. Board members regularly engage with business leaders to gain informal feedback. In the coming year, we intend to initiate this idea.</p>	February 2025		
<ul style="list-style-type: none"> <li>• Housing Plan</li> </ul>	<p>Elevate provides the facilitation of this project through the contractual agreement with our Economic Development Manager.</p> <p>Elevate board member endorses and joins the advisory committee, to establish and support the groups working on the Housing Plan in Otorohanga.</p>	Ongoing		



## Councillor updates on meetings attended on behalf of Ōtorohanga District Council

## Ngā kōrero hou a ngā Kaikaunihera

All councillors will be invited by the Chairperson to provide a verbal update to the meeting.

### Resolution Register

### Rēhita tatūnga

Previous resolutions of Ōtorohanga District Council which are not yet finalised are outlined below.

#	Date	Resolution	Staff update
C232	25/06/24	<p>That the Ōtorohanga District Council:</p> <p>a. Confirm the Draft Ōtorohanga Reserves Strategy/Reserves Management Plan be presented for consideration at a future meeting of the Ōtorohanga District Council,</p> <p>b. Request the Chief Executive explore the opportunity raised by Councillor Dow, reporting back to the Ōtorohanga District Council meeting in July 2024 for consideration of potential inclusion in the Draft Ōtorohanga Reserves Strategy/Reserves Management Plan before it is approved for community consultation.</p>	<p>A report on the multi-purpose park proposal along with consideration of land to be gifted is the subject of a separate report on this agenda.</p> <p>Staff recommend this Resolution remain on the Register until the Strategy and Plan are confirmed at a future meeting.</p>
C147	25/06/24	<p>That Ōtorohanga District Council:</p> <p>a. Approve the Arohena Rural Water Scheme (comprising of three separate water supplies: Huirimu, Kahorekau and Taupaki) to remain under permanent Boil Water Notices.</p> <p>b. Authorise the Chief Executive to use Section 131 of Local Government Act to initiate a process that would close down the drinking water component of the Arohena Rural Water Supply Scheme and enable the three supplies to continue as a non-drinking water supplies.</p>	<p>Staff recommend this Resolution remain on the Register until the process to close down the drinking water component has been initiated.</p>
C254	27/08/24	<p>That Ōtorohanga District Council:</p> <p>a. Affirms the resolution to establish an Ōtorohanga District Māori ward (Rangiātea ward) by Ōtorohanga District Council on 20 April 2021.</p>	<p>This resolution is now complete.</p> <p>Staff recommend this resolution be removed from the Register.</p>

- b. Requests the Electoral Officer hold a poll alongside the 2025 Election on whether the Ōtorohanga Districts should have a Māori ward.

C255 27/08/24 That Ōtorohanga District Council:

- a. Receives the report titled 'Waikato Water Done Well – Proposal' from the Waikato Water Done Well Project Team (document number 776676) and the accompanying technical report (document number 776675).
- b. Agrees to the vision, outcomes and success measures for the Waikato being adopted in principle. These are set out in section 3 of the technical report.
- c. Agrees to being a participating council that will co-design an aggregated model for the delivery of water services staged by function and governed by a professional board from the outset. Stage 1 will be the establishment of an entity providing functional services to participating councils. The end point as Stage 2 (to deliver on the vision, outcomes and success measures) is an aggregated, fully regulated water services entity.
- d. Advises the Joint chairs of the Waikato Joint Mayors and Chairs Forum of their decision.
- e. Instructs the Chief Executive to negotiate a proposed Heads of Agreement (HoA) to bring back for Council approval by the end of October 2024 (with the intention of the HoA being signed in November 2024). Noting that the HoA is a non-binding agreement between participating councils, entered into on a good faith basis to show a commitment to progress in the manner proposed and that the framework will inform the development of more formal documentation.
- f. Notes that, if Council does not confirm ŌDC as a participating council in the proposed aggregated model, it will exit the Waikato Water Done Well workstream but be kept informed of the work underway.
- g. Instructs the Chief Executive to investigate the stand alone option for Ōtorohanga District Council to continue to delivery water services and to provide the assessment prior to Council signing the HoA.

Staff recommend this resolution remain on the register until it comes back to the October Council meeting.

C256	27/08/24	That Ōtorohanga District Council:	This resolution is now complete.
		a. Confirm the proposed Concept Plans Implementation Programme, noting Council's preference that 75% of the programme budget is directed to progressing 'shovel ready' projects.	Staff recommend this resolution be removed from the Register.
		b. Confirm that the staff resourcing supporting the implementation of the Concept Plans continue until June 2027 and that the annual budget (up to \$75,000) for this resource be funded from the Concept Plans implementation budget as was confirmed in the 2024-34 Long Term Plan.	
C257	27/08/24	That the Ōtorohanga District Council confirm the amendments to the Traffic Bylaw 2025 to clarify rules controlling Freedom Camping using a motor vehicle.	This resolution is now complete.  Staff recommend this Resolution be removed from the Register.
C258	27/08/24	That Ōtorohanga District Council declines the service proposal from Hamilton Waikato Tourism and retains the 24/25 budget of \$35,000 for the local delivery of tourism-related activities/services reporting on activities and outcomes to inform funding for 2025/26 and subsequent years.	This resolution is now complete.  Staff recommend this resolution be removed from the Register.

**Staff recommendation**

That Ōtorohanga District Council confirm the removal of Resolutions C254, 256, 257 and 258 from the Register.

**Closing prayer/reflection/words of wisdom****Karakia/huritao/whakataukī**

The Chairperson will invite a Member to provide the closing words and/or prayer/karakia.

**Meeting closure****Katinga o te hui**

The Chairperson will declare the meeting closed.

**Workshops****Hui awheawhe**

*Following a short break, workshops will commence. Please refer to the order of agenda for details.*