



AGENDA | 2023

Notice is hereby given that an Ordinary Meeting of the 10th triennium (2022-2025) Chatham Islands Council will be held on:

Date: 26 January 2023
Time: 1.30pm
Location: Council Chambers
Tuku Road
Waitangi
Chatham Islands

MEMBERSHIP

CHAIRPERSON

Mayor, Monique Croon

MEMBERS

Deputy Mayor, Keri Lea Day
Celine Gregory-Hunt
Graeme Hoare
Greg Horler
Steve Joyce
Judy Kamo
Nigel Ryan
Amanda Seymour

Owen Pickles
Chief Executive



Karakia

Kia hora te marino

Kia whakapapa pounamu te moana

Hei huarahi mā tātou I te rangi nei

Aroha atu, aroha mai

Tātou I a tātou katoa

Hui e! Tāiki e!

May peace be widespread

May the sea be like greenstone

A pathway for us all this day

Let us show respect for each other

For one another

Bind us all together!

AGENDA
Meeting Held 26 January 2023

- 2. Democracy**
 - 2.1 Minutes from Ordinary Meeting 15 December 2022 (D 2.1d) P 1-6
 - 2.2 CEO Report (D 2.1d) P 7
- 3. Finance**
 - 3.1 Financial Report to October 2022 (F 3.5a) P 8-12
- 4. Works & Services**
 - 4.1 Stantec Engineering Report (WS 4.8) P 13-22
 - 4.2 Fulton Hogan Road Maintenance Contract (WS 4.1b1) P 23-38
Monthly Report November 2022
 - 4.3 Fulton Hogan Water & Wastewater Contract (WS 4.1b1) P 39-45
Monthly Report July & August 2022
- 6. Regulatory**
 - 6.1 Draft submission on the Natural and Built Environment Bill (R 6.11a) P 46-53
 - 6.2 Regulatory Report (R 6.15) P 54-56

Public Excluded Agenda

P 57

2. Democracy

2.1 Minutes of an Ordinary Meeting 15 December 2022

Date of meeting	26 January 2023
Agenda item number	2.1
Author/s	Jo Guise – Executive Assistant

Purpose

For the Council to receive and confirm the minutes of the Ordinary Meeting of Council held on 15 December 2022.

Recommendations

- 1. THAT the minutes from the Ordinary meeting of the Chatham Islands Council held on 15 December 2022 be a true and accurate record.**

CHATHAM ISLANDS COUNCIL

**Minutes of the Ordinary Meeting of the Chatham Islands Council,
held in the Council Chambers, Tuku Road, Waitangi, on Thursday 15 December 2022,
commencing at 1.30pm**

- Present:** Her Worship the Mayor, M Croon
Deputy Mayor, K Day
Cr G Horler
Cr RS Joyce
Cr A Seymour
Cr N Ryan
Cr C Gregory-Hunt
Cr J Kamo,
Cr G Hoare
- Management & Officers:** Chief Executive, Mr Owen Pickles
Operations Manager, Colette Peni
Executive Assistant, Jo Guise
- Attendees:** Mr Graeme Nelson (HR, Environment Canterbury)
Mr Phil Holt (Fulton Hogan)
Mr Jase Seymour (E.Can Biosecurity)
Mr Andrew Wong (Stantec) via Zoom
Ms Kirsten Norquay (Stantec) via Zoom
Ms Rebecca Tinga (Stantec) via Zoom
- Apologies:** N/a

Mayor Monique Croon opened the meeting and acknowledged the passing of Mr William Hoare, Cr Graeme Hoare's father. She also gave mihi to Paul (Horse) Humm.

1. STAFF

1.1 Declaration of Member C Gregory-Hunt

Cr Celine Gregory-Hunt read the oath of office and the declaration was duly signed in the presence of Her Worship the Mayor, Monique Croon, and the Chief Executive Officer, Owen Pickles.

2. DEMOCRACY

2.1 Minutes from Ordinary meeting 10 November 2022

RESOLVED:

THAT the minutes from the Ordinary meeting of the Chatham Islands Council held on Thursday 10 November 2022 be adopted as a true and accurate record.

G HOARE / J KAMO / CARRIED

2.2 CEO Report

RESOLVED:

THAT the Chatham Islands Council receives the report.

KL DAY / N RYAN / CARRIED

The Three Waters applications had been approved and a contract in place for the Better-off funding. Tranche 1 was guaranteed, but Tranche 2 was conditional on future governments continuing with Three Waters.

3. **FINANCE**

3.1 Adoption of the Unaudited Annual Report and Unaudited Annual Report Summary 2021/22

RESOLVED:

THAT the Council:

1. **Receives and approves the draft Unaudited Annual Report and Unaudited Annual Report Summary for the year ended 30 June 2022.**
2. **Note that the audit for the 2021/22 financial year has been delayed and therefore Council will not currently comply with section 99 of the Local Government Act, requiring audit of information in the annual report and summary. Furthermore, no letter of representation will be signed, nor an Independent Auditor's Report issued. Approval will be delayed until the audit has been completed, with a subsequent meeting being held to adopt an audited Annual Report and Summary Annual Report for the year ended 30 June 2022, in compliance with section 99 of the Local Government Act.**
3. **Notes that the prior year audit for the 2020/21 financial year is still delayed and is not complete. This audit is anticipated to begin in February or March 2023.**
4. **Notes that the Department of Internal Affairs are aware of the situation and the Council's proposed response.**
5. **Approves the upload of the Unaudited Annual Report and Unaudited Annual Report Summary for the year ended 30 June 2022 to Council's website.**
6. **Note that reported figures or other disclosures may change subsequent to review by Audit New Zealand.**

G HORLER / G HOARE / CARRIED

4. **Works & Services**

4.1 Late Item – Stantec Monthly Report

Rebecca Tinga, Andrew Wong and Kirsten Norquay joined the meeting from 2pm to 2.16pm.

RESOLVED:

THAT the report 'Stantec Engineering Services Report' be considered as a late item.

KL DAY / G HOARE / CARRIED

RESOLVED:

THAT the report be received.

C GREGORY-HUNT / N RYAN / CARRIED

4.2 Fulton Hogan Road Maintenance Reports – November 2022

RESOLVED:

THAT the Chatham Islands Council receive the report.

C GREGORY-HUNT / N RYAN / CARRIED

4.3 Fulton Hogan Water & Wastewater Operation Contract Reports – November 2022

RESOLVED:

THAT the Chatham Islands Council receives the report.

A SEYMOUR / J KAMO / CARRIED

4.5 Three Waters Better-off Funding – Tranche One

RESOLVED:

THAT the information be received.

J KAMO / C GREGORY-HUNT / CARRIED

4.6 Roughness Survey

RESOLVED:

THAT the report be received.

C GREGORY-HUNT / G HOARE / CARRIED

4.7 Water Sampling

RESOLVED:

THAT the report be received.

G HOARE / A SEYMOUR / CARRIED

6. REGULATORY

6.1 Activity Report from Environment Canterbury

E.Can Biosecurity Officer, Jase Seymour gave a verbal update.

Chemicals for gorse spraying had been ordered for 2023 but the contestable gorse fund had not yet been confirmed for 2023.

RESOLVED:

THAT the Chatham Islands Council receives the report.

G HOARE / C GREGORY-HUNT / CARRIED

The Meeting moved in to Public Excluded at 2.30pm and out at 3.xxpm.

MEETING CLOSURE

After consideration of the Public Excluded Agenda, and there being no further business, the meeting was declared closed at 3.xxpm.

CONFIRMED THIS 26thth DAY OF JANUARY 2023

MAYOR

Meeting Date	Meeting Item #	Task	Owner	Status	Date Updated	Comments
13 May 2021	6.1	Invite SBS Biosecurity to come to discuss biosecurity issues with Council	CE	Active	31 May 2021	Postponed to new year.
24 June 2021	4.1	Shaun Boshier to investigate different lighting for the Te One Transfer station	OM	Active	17 Aug 2021	Deferred till new WM building
21 October 2021	2.1a	Rateable value Maori Land – Clarify updated figure	OM	Active		Available after 1 July 2022
27 January 2022	PE 5	Council explore options for charges and penalties for Waste	CE	Active		In process
23 June 2022	-	CE to discuss CCTV cameras with Solicitors	CE	Active	15 Sept 22	In process - A privacy impact assessment be completed prior to public consultation
4 August 2022	4.5	Meeting with Owenga wharf users to be arranged	CE	Active		In process - Comms on upgrade sent
15 September 2022	2.3	- Discuss with Tourism Manager the board at the Waitangi West toilet – a gate would be more suitable	CE	Active		- In process
15 September 2022	4.2	Comms to public re signs & dead cattle – emphasising the cost to council	EA	Active		In process – after elections
15 September 2022	4.7	WMMP – Councils comments be provided before public consultation	OM	Active		In process
10 November 2022	3.1	Financial Report – Reporting changes – contact J Wallace				
10 November 2022	PE 3	Set up meeting with Landowner & N Lister / Council to find a solution to the road encroachment matter				In process

15 December 2022	2.1	Installation of speed signs where the bylaw applies on Waitangi beach	OM	Active		In process

2. Democracy

2.2 CEO Report

Date of meeting	15 December 2022
Agenda item number	2.2
Author/s	Owen Pickles, Chief Executive

Purpose

This report is to provide an update on activities the Chief Executive has been involved with since the last Council meeting.

Recommendations

THAT the Chatham Islands Council receives the report.

Meetings

Andrew Wong	8 December
Graeme Nelson	8 December
Paul Eagle and Brian Dawson	9 & 16 December
CI Investment Strategy Refresh	12 December
Chris Fry re Infrastructure Review	14 December
Graeme Nelson	14 December
Toby Kemp	16 December
Bruce Anderson (What we heard)	16 December

A Busy Year Ahead

2023 will be a busy year as the following works are to be completed.

- ❖ The 2023 to 2033 Long Term Plan (LTP)
- ❖ The 2023 to 2026 Regional Land Transport Plan
- ❖ 3 years of Audits
- ❖ The Regional Emergency Management Plan

3. Finance

3.1 Financial Report to October 2022

Date of meeting	26 January 2023
Agenda item number	3.1
Author/s	Jamin Thomas, Environment Canterbury

Purpose

To present to Council the financial report to October 2022.

Recommendations

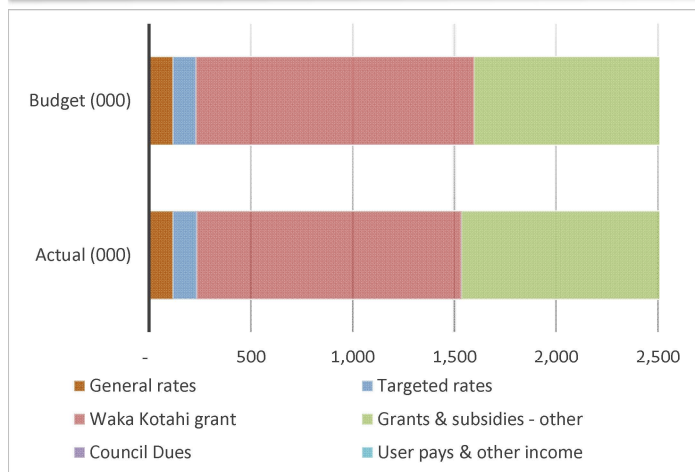
THAT the Financial Report to October 2022 be received.

Graphical Financial Information

as at 31 October 2022



Revenue

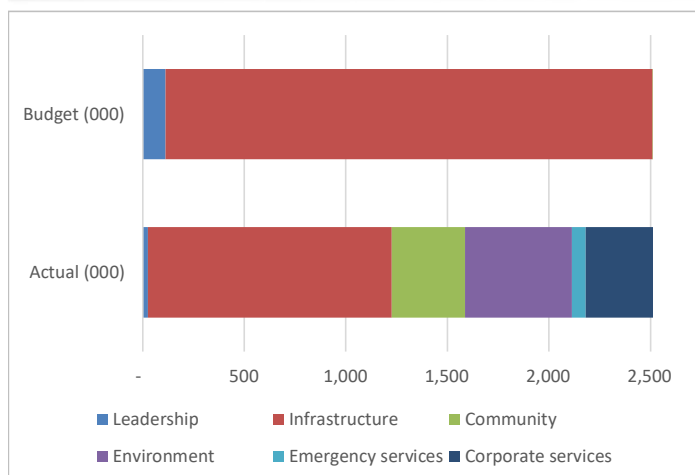


No significant items of concern related to revenue items. However, it is worth noting:

* Waka Kotahi, NZTA subsidy is driven by actual expenditure of roading works. The grant includes capital and operating expenditure.

* DIA annual contribution is \$3.73m, which will help cover the NZTA (12%) funding shortfall and cover other expected new operational requirements.

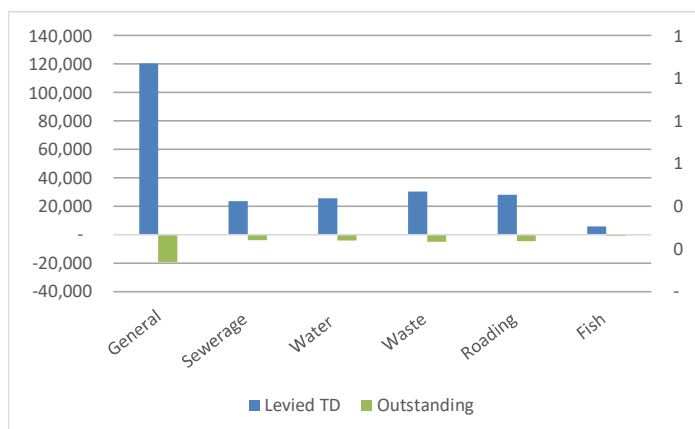
Operating & Capital Expenditure



No significant items of variance related to expenditure. There are some differences within classifications and minor allocation (actual to budget) adjustments, refer to the full financial report for further information.

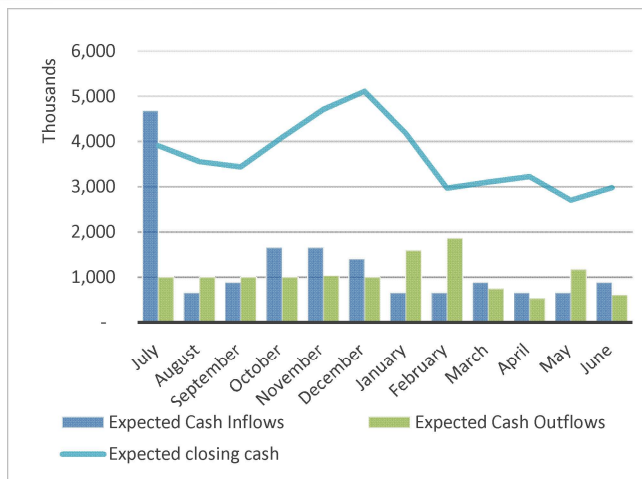
With the exception of roading works, desired capital projects have been deferred, due to lack of funding support.

Revenue rates collectability



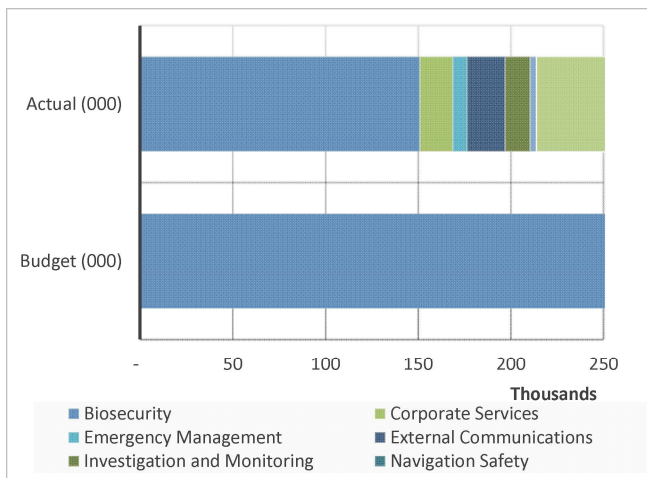
The first rates instalment was due on 15 September. The graph indicates for the total rates levied for the year to date. A focus on collecting long outstanding rate balances is recommended to ensure the outstanding balance remains reasonable and collectable.

Cashflow Forecast



Council's closing balance for October was \$987k. The majority of the DIA annual appropriation is currently sitting in a Term Deposit. Up to \$2.21m is expected as part of the "Better off Support Package" as part of the 3 Waters reform.

ECan Operational Expenditure

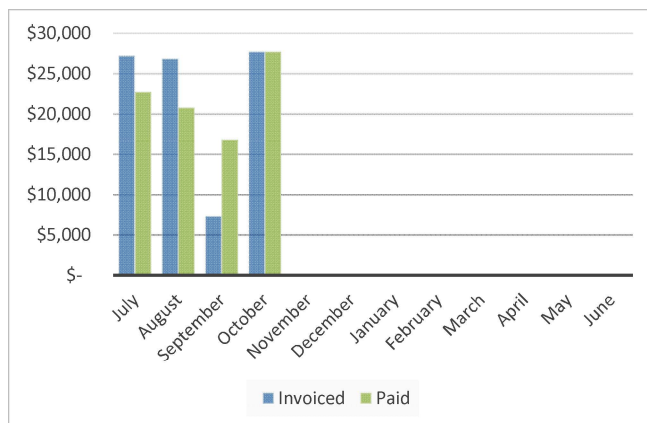


Actual expenditure reflects full year spend, compared with the budgeted contract value.

The first part of the year is traditionally quiet, with planned projects underway particularly related to biosecurity initiatives.

ECan continues to operate within the overall budgetary constraints of the contract.

Revenue Council dues collectability



Note: The current outstanding Council Dues balance for October is 1k. Current trends are reflective of steady repayments being made. However, amounts have historically not always been repaid within a month of invoicing. Delays in collecting Council Dues, increases the risk of funds not being collected.

Statement of Comprehensive Revenue and Expense
as at 31 October 2022



	Actual (000) \$000	Budget (000) \$000	Variance	Note Ref
Revenue				
General rates	116	116	0	1
Targeted rates	118	114	4	1
Grants & subsidies - Waka Kotahi NZTA	1,301	1,366	(65)	2
Grants & subsidies - other	2,279	2,406	(126)	2
Council Dues	93	112	(19)	
User pays, fees & charges and other income	525	726	(201)	
Total revenue	4,432	4,839	(407)	
Expenditure				
Leadership and community partnerships	26	113	87	
Transportation, roading and coastal networks	471	563	93	3
Three waters - water	66	215	149	3
Three waters - wastewater & stormwater	44	50	6	3
Waste management and minimisation	345	189	(156)	3
Environmental management, protection and monitoring	361	369	9	
Community services	526	856	330	4
Emergency management	68	60	(8)	
Corporate services	830	665	(166)	
Depreciation	902	902	-	
Total expenditure by activity	3,638	3,982	344	
Total surplus/(loss)	794	857	(63)	

Variance explanations:

- 1** Rates are invoiced based on the Council approved rates strike.
- 2** Roothing subsidy based on 88% of actual expenditure (operational and capital). The negative variance in revenue is matched against the negative variance with roading capital expenditure. Funding from the Mayors Taskforce for Jobs (MTFJ) has resulted in the postive variance in other grants/subsidies
- 3** Infrastructure projects - primarily relate to the Stantec/Fulton Hogan roading, water, wastewater contracts. Three waters work has accelerated, with the transfer of grant funding to address critical maintenance issues, while roading work was slightly below budget. No other significant areas of variance to note, with contract for services operating within agreed deliverables.
- 4** Community service expenditure primarily relates to the ongoing construction costs of the museum element of the CI Community Complex. Expenditure on the museum building is within grant support funding.

Capital expenditure summary	Actual \$000	Budget \$000	Variance	Note Refere
Sources of capital funding				
Subsidies and grants for capital expenditure	242	903	(661)	a
Total sources of capital funding	242	903	(661)	
Application of capital funding				
Roading works	275	1,381	(1,106)	a
Other	51	88	(37)	
Total application of capital funding	326	1,469	(1,143)	
Movement in reserves	(84)	(566)	482	

Variance explanations:

- a** The grant figure primarily relates to the Waka Kotahi budget, which is reflective of 88% of actual costs incurred. Actual expenditure behind expected budgeted levels, with work subject to timing fluctuations.

Note, budget figures are allocated on an equal monthly apportionment

4. Works & Services

4.1 Stantec Engineering Report – August & September 2022

Date of meeting	10 November 2022
Agenda item number	4.1
Author/s	Shaun Bosher - Stantec New Zealand

Purpose

To update and inform Council about its Engineering Services contract.

Recommendations

THAT the reports be received.

Background

Members from the Stantec team will teleconference in to the meeting to give a verbal report on monthly activities.

CIC Engineering Services Contract: Monthly Report

Financial update – December 2022

Financial Position: Roothing

The roading budget allocated for the 2022/23 financial year approved by Waka Kotahi is \$4.67M.

The approved Maintenance, Operations and Renewals (MOR) budget is \$3.52M (including carry-over from 21/22), and \$1.14M of Low Cost, Low Risk (LCLR) funding.

The December claim totalled \$440k. We have now spent approximately 62% of the annual budget and are 50% of the way through the year.

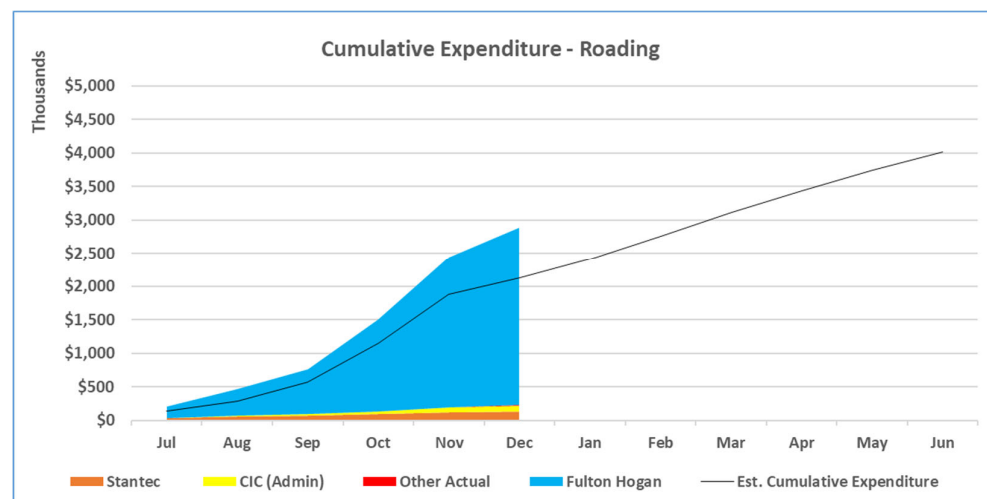
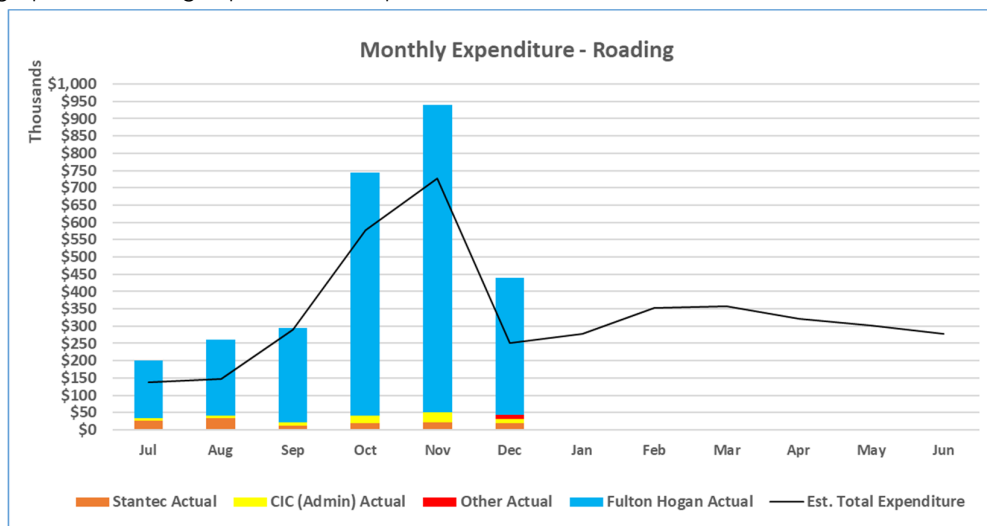
Expenditure of the core Maintenance, Operations, and Renewals (MOR) work has exhausted 81% of the FY 22/23 MOR budget.

Both of these budgets are tracking high due to the pavement and sealing works completed during November and December, and the comparatively high cost of bitumen.

The largest individual construction cost was for the pavement re-seals on Waitangi Wharf – Owenga Road. The largest engineering cost was the development of the initial Maipito bridge replacement concepts.

Expenditure Tracking of Waka Kotahi Funding

Tracking graphs for roading expenditure are presented below.



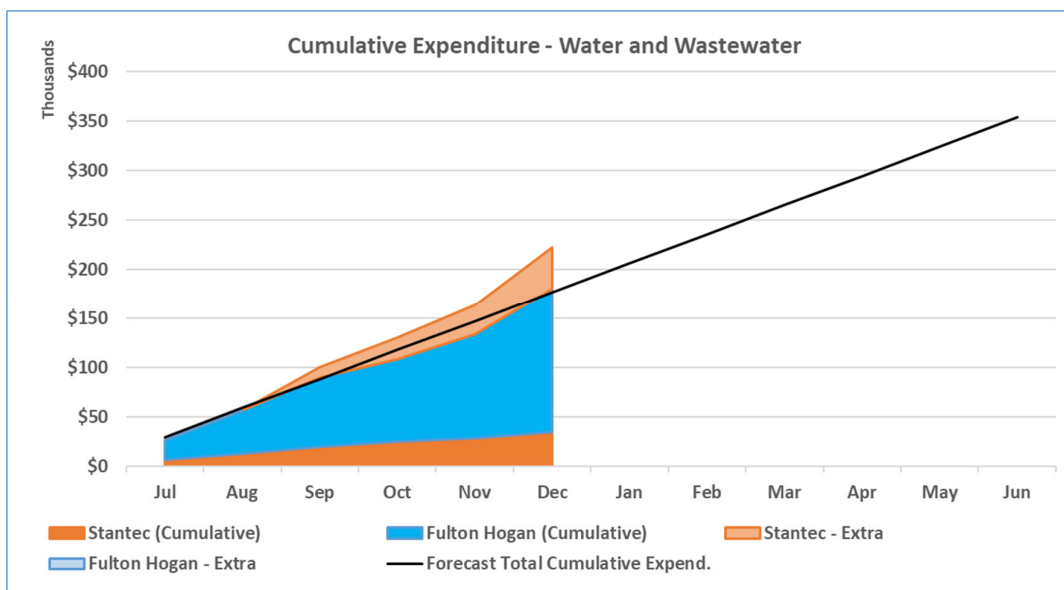
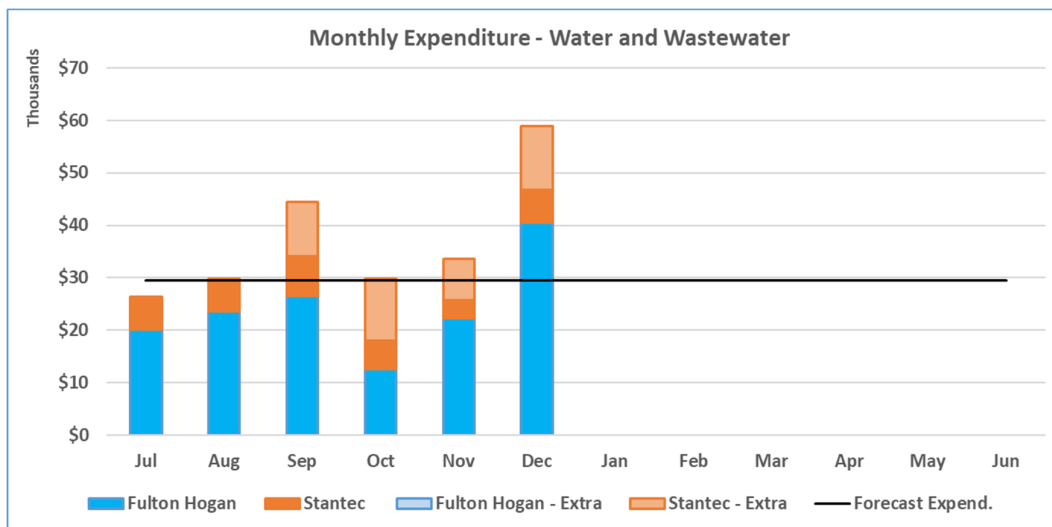
Financial Position: Water and Wastewater

The operational expenditure for W+WW allocated in the 2021-31 LTP for 2022/23 is \$354,000.

The November claim totalled \$33.6k. The main construction costs were for the annual service for the Waitangi Wastewater Treatment Plant, and the main engineering costs were associated with the Requests for Information from the on-going Three Water Reform.

Expenditure Tracking of Water & Wastewater Funding

Tracking graphs for the W+WW projects are presented below.



Roading Update – December 2022

Short-Term Roothing Forward Work Programme	
Sealed Pavement Rehabilitation and Re-seals	<ul style="list-style-type: none"> Monitoring rehabilitation and reseal sites post-construction
Drainage	<ul style="list-style-type: none"> Some drainage works are planned for Tuku Road subject to confirmation of the locations of electricity services in the area
Professional Services	<ul style="list-style-type: none"> Ongoing monitoring for programme adjustments if inflation continues to increase
Mid-Term Roothing Forward Work Programme (approx. 2-6 months)	
Renewals	<ul style="list-style-type: none"> Unsealed pavement works on North and Airbase Road to progress when airport hauling has finished
Road Safety Inspection	<ul style="list-style-type: none"> Stantec plan to undertake the deferred road safety inspection in April/May 2023
Whangamoe Bridge Design (LCLR)	<ul style="list-style-type: none"> On-going negotiations with affected stakeholders Build the replacement structure and conduct construction monitoring visits during key construction milestones.
Owenga Loading Facility Design (LCLR)	<ul style="list-style-type: none"> Produce a design in earnest and engage with the barge society to ensure proposed loading facility will work well with the barge operations Undertake a consent needs assessment and archaeological assessment in advance of physical works
Network & Asset management	<ul style="list-style-type: none"> Identify quantum of work required in next 3 year NLTP cycle, and begin planning the NLTP / RLTP 24-27 Bid in earnest Progress preliminary design works on Maipito Bridge replacement for inclusion in the next NLTP investment cycle Identify additional possibilities for minor Low Cost / Low Risk projects
Long Term Roothing Forward Work Programme	
Whangamoe Bridge Construction (LCLR)	<ul style="list-style-type: none"> Fence off roading corridor. Finalise legal boundaries with Māori Land Court and lodge new titles for adjacent parcels and road. Will require a cadastral survey of the road alignment.
Owenga Loading Facility Construction (LCLR)	<ul style="list-style-type: none"> Begin construction of the loading facility.

Pavement Maintenance	
Previous Status: <ul style="list-style-type: none"> Fulton Hogan have completed the physical works for the 22/23 season sealed pavement rehabilitation and resealing programme. 	Updates: <ul style="list-style-type: none"> The last of the pavement resealing claims will be paid this month The unsealed pavement programme will resume shortly

Drainage Maintenance	
Previous Status: <ul style="list-style-type: none"> Some culvert replacements for Tuku Road are programmed but dependent on the Power Board as they are in the vicinity of 11 kV power cables. 	Updates: <ul style="list-style-type: none"> None

Bridge Maintenance	
Previous Status: <ul style="list-style-type: none"> FH Construction division are working through finalised pricing for access and work under Te Awainanga Bridge 	Updates: <ul style="list-style-type: none"> None
Whangamoe Bridge Replacement	
Previous Status: <ul style="list-style-type: none"> Stantec understands that a key landowner has recently suffered some health issues which delayed engagement 	Updates: <ul style="list-style-type: none"> A cursory inspection of the bridge was undertaken during Stantec's December visit, with further deterioration of the main structural timber members being noted. We will ask Bryan to undertake a detailed structural assessment, when he is next on island, to establish the current bridges condition.
Owenga Loading Ramp Design	
Previous Status: <ul style="list-style-type: none"> Stantec have sent some initial questions to the barge society to identify design parameters and ensure the ramp will be fit for purpose and easy to use 	Updates: <ul style="list-style-type: none"> Stantec made some measurements of the seabed during the December visit to use alongside inputs from the barge society
Professional Services	
Previous Status: <ul style="list-style-type: none"> Stantec is still working to confirm the timing of the Te Matareae intersection minor works. Stantec have submitted a recommendation to council for consideration to open the Tuku Gully Road safely. Stantec have completed the RAPID number and wayfinding review site verifications. Advice to FH will be provided shortly to update the street name and guide sign blades 	Updates: <ul style="list-style-type: none"> Stantec have begun some interim design work on a possible replacement for the Maipito bridge to be included as a Low Cost/Low Risk project in the NLTP 24-27 bid
Kaingaroa & Owenga Wharf Repairs	
Previous Status: <ul style="list-style-type: none"> The Owenga Wharf repairs will be undertaken in early 2023. The proposed interventions for Owenga Wharf have been modified to better protect vital components from Teredo Worm. Hunter Civil have completed the make-safe works on the Kaingaroa wharf They have re-established the handrails, improved the trolley ramp, jacketing and cross-bracing shoreward piles, steel strapping connections, backfilling foundation and shoreline rock protection 	Updates: <ul style="list-style-type: none"> Bryan will undertake an additional island visit in January or early February to assess the wharf repair works
Stantec Site Visits	
Previous Status: <ul style="list-style-type: none"> Nigel and Rebecca visited February, April and August, December 2022. 	Updates: <ul style="list-style-type: none"> Next Stantec Roading visit will be 7th to 10th March 2023

CIC catch-ups in Christchurch
Previous Status:

- Owen, Monique, and Bubbles were in Christchurch in June and were joined by the Christchurch and Dunedin teams for an excellent meal

Updates:

- None

Waka Kotahi (NZTA) Correspondence
Previous Status:

- Waka Kotahi are satisfied with the updated Procurement Strategy.
- Waka Kotahi have requested an update on the Low Cost Low Risk spend forecast. We have not made any fundamental changes since carrying over the budget for the construction phase of the Whangamoe bridge replacement, so all that was needed was to adjust what was spent in the 21/22 FY.

Updates:

- None

Water and Wastewater Update – December 2022

Contract Documentation	
Project:	Current Status:
Water Compliance	<ul style="list-style-type: none"> CIC needs to carry out a catchment risk assessment / Source Water Risk Management Plan for both supplies. CIC needs to revise the Water Safety Plans (WSP) for both supplies <ul style="list-style-type: none"> The revised WSP framework was released in December 2018. The current WSPs need substantial revision to comply with the new framework, by November 2022. CIC has elected to not review its WSPs at this stage. CIC had intended to update the WSPs through the 3Ws Reform Programme, but elected to allocate funds to capital works instead. Tikitiki bore radiological testing was completed and results were all below detection limits for Radon, alpha activity, and beta activity. <ul style="list-style-type: none"> Radiological testing is to be repeated by October 2026. A Boil Water Notice was issued for the Kaingaroa Water Supply on 15 December 2022.
Water Supply	
Project:	Current Status:
All Supplies – Funding and Site Visit	<ul style="list-style-type: none"> The full MoH grant budget (\$340,000) was spent by the original 30 June 2022 deadline. The full 3Ws grant budget (\$640,000) was spent by the 30 June 2022 deadline. Final reporting was submitted 7 November 2022, and final invoice for payment was submitted on 9 November 2022. Final payment was received on 17 November 2022. Site visit was completed on 5-9 December 2022. Filtec's annual servicing visit of the Water Treatment Plants (WTP) for January 2023 to be confirmed. Queries from the Entity C NTU regarding CIC's CAPEX and OPEX submissions are ongoing. CIC's Entity C Financial RfI was not submitted by the 21 October deadline. <ul style="list-style-type: none"> CIC has forwarded relevant contact information at ECan to the National Transition Unit, but has noted that a submission of this information will be completed in February / March 2023. CIC's 3Ws Operational Stocktake workshop with the Entity C NTU to be completed in January / February 2023.
Kaingaroa – Lake Rangitai	<ul style="list-style-type: none"> There are some outstanding documentation deficiencies by FILTEC following the upgrade works at the WTP. Materials for the intake extension are on the island and awaiting installation by FH. Wet weather has prevented the completion of this work, and was not completed under the grant funding budgets. O&M contract funds will be used to cover the outstanding costs to complete the project.
Waitangi water supply	<ul style="list-style-type: none"> There are some outstanding documentation deficiencies by FILTEC following the upgrade works at the WTP. The new cloud-based telemetry system was installed and commissioned at both WTPs in April 2022. <ul style="list-style-type: none"> Improvements to the online portal have been noted and to be implemented in the New Year. CIC to consider introducing rules for enforcing private repairs within a certain timeframe to minimise loss of water and ensure the supply network can be maintained. Ongoing. CIC to consider whether charges are applied for taking water from the FH yard and/or if water is only able to be taken during hours when the yard is manned (i.e., locked at other times). Ongoing.

Reporting/ Monitoring/ Sampling December 2022	<ul style="list-style-type: none"> • Waitangi Water Supply <ul style="list-style-type: none"> ○ Complies with WSP for bacteria (E.coli not detected in raw, treated or network sample). ○ Not complying with DWSNZ for protozoa with UV disinfection system. <ul style="list-style-type: none"> ▪ The UV reactor is providing a protozoa barrier. ▪ Non-compliance is related to monitoring: UVI or UV dose (2 per week). UVT is monitored adequately. ▪ Monitoring is consistent with the existing WSP. ○ Total coliforms not detected in the raw, treated, or network sample. ○ Treated water turbidity was below the operational target of 0.3 NTU. • Kaingaroa Water Supply <ul style="list-style-type: none"> ○ Did not comply with WSP for bacteria. E.coli and total coliforms were detected in the treated samples. ○ No E.coli detected in the raw or network sample. ○ Total coliforms detected in the raw and network sample. ○ Not complying with DWSNZ for protozoa with UV disinfection system. <ul style="list-style-type: none"> ▪ The UV reactor may not have provided a protozoa barrier due to a low UVT reading. ▪ Non-compliance is related to monitoring: UVI or UV dose (2 per week). UVT is monitored adequately. ▪ Monitoring is consistent with the WSP ▪ UVT has not been consistently above 70%. ○ Troubleshooting of the chlorine dosing system is ongoing. Monitoring using handheld instrument and manually dosing chlorine into the treated water tanks. • Council Office – Rain Water Supply <ul style="list-style-type: none"> ○ Monthly monitoring is being completed, but not for compliance with the DWSNZ at this stage since it is not a registered supply. ○ Sample results not received for the Council Office • MPA Batching Bore (Potential Future Water Supply) <ul style="list-style-type: none"> ○ MPA bore no longer in operation (or sampled). See June 2018 monthly update for results and conclusions.
Wastewater Treatment	
Project:	Current Status:
WWTP maintenance	<ul style="list-style-type: none"> • Discharge consent review on-going. • 70% of plantings have been planted in the land application area. Remaining 30% of plants due to be planted early 2023. • Annual servicing visit completed by Steve Riley on December 7-9.
Reporting/ Monitoring/ Sampling December 2022	<ul style="list-style-type: none"> • Waitangi Treated Wastewater Discharge <ul style="list-style-type: none"> ○ The treated wastewater complied in December with all parameters, except for TSS and nitrogen. Stantec and FH will continue to monitor treated wastewater quality, particularly with additional tourist numbers and urgent need for WWTP upgrade. It is noted that the land application system will further reduce TSS, COD, ammonia and E.coli prior to reaching groundwater, particularly now that the sprinklers have been maintained and have been moved further from the property boundary. ○ Stantec to review algae treatment options and sludge accumulation issue. ○ Maintenance and upkeep of the land application areas (i.e., tall grass / weeds) required.
General	
	<ul style="list-style-type: none"> • N/A

Solid Waste Update – December 2022

Landfill Operation	
Current Status <ul style="list-style-type: none"> MfE were to conduct an audit of the landfill in November, but this was postponed to early December, and since put off again until the new year. ECan has asked for clarity on sampling locations, which has been provided by Stantec. Stantec has completed the review of the background trigger values for environmental monitoring parameters. 	Actions – Stantec <ul style="list-style-type: none"> Issue the trigger values report. Provide operational advice as requested from time to time by CIC staff. Actions - Council <ul style="list-style-type: none"> Placement of waste in the landfill to be undertaken as advised by Stantec.
Waste Minimisation Project (MfE Waste Minimisation Fund)	
Current Status: <ul style="list-style-type: none"> Y1M2 report has been completed for the MfE. Turtons have almost achieved completion, just the electrics and connection of stormwater to existing system to be done. Signage has been received for Kaingaroa and Te One TSs and installed at Te One. Metal frames have also been received. 	Actions - Stantec <ul style="list-style-type: none"> Stantec to continue work with CIC, suppliers and contractors, as needed. Actions - Council <ul style="list-style-type: none"> Council to provide photos of the new signage in place and photos of completed Mitre 12 facility. Council to establish insurance needs for taking over the Mitre 12 facility.
Weighbridge Project (CRRF Project)	
Current Status: <ul style="list-style-type: none"> Fulton Hogan has completed the foundations for the weighbridge. A variation to the date of Milestone 1 has been made, by extending it to 16 December. The weighbridge has been transported to the Chatham islands. Y1M1 report has been completed. 	Actions - Stantec <ul style="list-style-type: none"> Stantec to continue to work with CIC, suppliers and contractors, as needed. Actions - Council <ul style="list-style-type: none"> Council to provide input on the project, as needed. Council to obtain photographs of foundation and weighbridge installation. Council to raise invoice for MfE's payment, as needed.
Sludge Lagoon Project	
Current Status – no change. <ul style="list-style-type: none"> Stantec has provided a short report on the requirements for installing an overflow to the leachate pond. This has been given to FH. 	Actions - Stantec <ul style="list-style-type: none"> No outstanding actions. Actions - Council <ul style="list-style-type: none"> FH staff to install the overflow at the leachate pond. Council to work with Stantec to secure funding for the Sludge Facility Project.
Other Waste Management Matters	
Current Status – no change. <ul style="list-style-type: none"> MfE are keen for CIC to take up the funding for organics collections. This would need to be co-ordinated with Hokotehi Moriori Trust, to ensure that a collection by CIC would fit with the business case. Feedback has been received from one Councillor on the draft WMMP. Stantec is still progressing a draft Issues and Options paper on SW Charges. 	Actions - Stantec <ul style="list-style-type: none"> Stantec to complete a Scoping Paper for the Solid Waste Bylaw and finalise the draft Bylaw. Stantec to finalise a draft Issues and Options paper on SW disposal charges. Stantec to arrange with Council how to conduct the special consultative

<ul style="list-style-type: none"> • Stantec is progressing work on the SW Bylaw, including preparing an Issues and Options paper. 	<p>procedure for the SW Bylaw and the draft WMMP.</p> <ul style="list-style-type: none"> • Stantec to progress work on the seeking funding for transporting recyclables to New Zealand. <p>Actions - Council</p> <ul style="list-style-type: none"> • A workshop with Councillors may be needed for the draft WMMP. • CIC staff to work with Stantec to decide on arrangements for consulting the SW Bylaw and draft WMMP.
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4. Works & Services

4.2 Fulton Hogan Road Maintenance Report December 2022

Date of meeting	26 January 2023
Agenda item number	4.2
Author/s	Phil Holt – Fulton Hogan Contract Manager

Purpose

To inform and update the Council on the Chatham Islands Road Maintenance programme.

Attached is the December 2022 monthly reports from Fulton Hogan that will be presented by Mr Phil Holt (Fulton Hogan Contract Manager).

Recommendation

THAT the report be received.



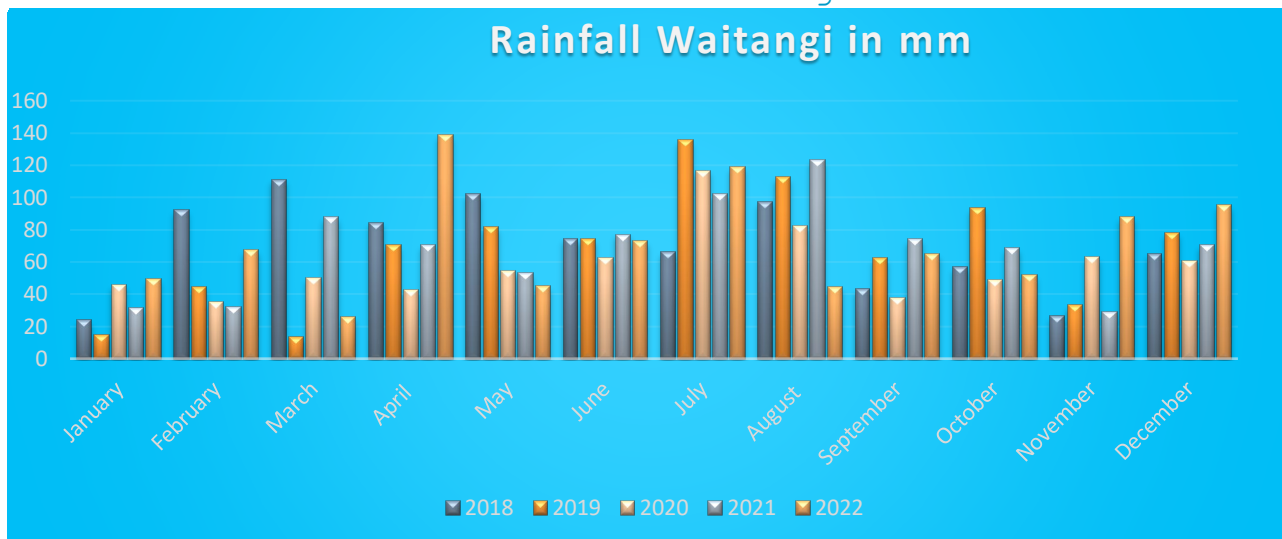
Sealing Te Awainanga Bridge Approaches

CHATHAM ISLANDS ROAD MAINTENANCE CONTRACT MONTHLY REPORT DECEMBER 2022

Work Summary
Outline of work carried out during month
Routine Maintenance and Operations
Pavement Renewals
Sealed Road Resurfacing
Drainage Renewals
Bridge and Structure Renewals
Traffic Services
Minor Improvements
Vegetation Control
Dayworks
Programmed Work for following month
Schedule of Work by Road Name
 1. Maintenance Grading
 2. Unsealed Maintenance Metaling
 Next Month's Target
Crash Damage Report Summary
Monthly Safety Report and Statistics
 1. Safety Engagements
Metal Stockpiles
CIC Owned Materials
Signs
Culvert Pipes
Environmental Compliance & Feedback
Environmental Compliance
Stakeholder Complaints Register
Public Relations & Community Involvement
Innovation
When conditions allow we will continue with the blended
maintenance material and continue to monitor areas already
done to gauge how they perform in the wet/dry conditions.
Summary of Monthly Progress Claim by Work Category
 1. Miscellaneous
 2. Traffic Counting
 3. Pitt Island
 4. Wind Damage
Photos

Work Summary

Outline of work carried out during month



95mm rainfall recorded for December in the Waitangi yard.

Routine Maintenance and Operations

Another month with above average rain which resulted in a bit of grading and maintenance metaling to get the roads ready for the Christmas period. With all the moisture and mild temperatures the grass has been growing at a very fast rate requiring 2 mows per week to keep it in check.

Pavement Renewals

Kaingaroa rehab was completed and sealed.

Sealed Road Resurfacing

Reseals were completed around town. Nairn Bridge and Hospital road were also done to use up the bitumen that was left over in the sprayer.

Drainage Renewals

Some drainage works were done on the hill sections both sides of Te Awainanga Bridge to alleviate the scouring caused by water crossing the road from the top side.

Bridge and Structure Renewals

Traffic Services

Minor Improvements

Vegetation Control

Mowing where required as the weather allowed.

Dayworks

Programmed Work for following month

Mainly routine works as and where required.

Schedule of Work by Road Name

1. Maintenance Grading

- Carried out as required during the month on the following roads:

Road ID	Disp	Road ID	Start RP	End RP	Quantity M
NORTH ROAD	4883	21	4590	48508	33648
MAIPITO ROAD	4884	101	600	1750	1150
PORT HUTT ROAD	4887	51	0	16615	17618
TUKU ROAD	4889	111	600	12500	8700
KAINGAROA ROAD	4890	126	0	5970	5970
WW-O ROAD	4894	11	4440	24305	18128
TE MATARAE ROAD	4907	81	0	1256	1256
WAITANGI WEST ROAD	4911	61	0	11690	7930
RAPANUI ROAD	4912	81	0	1155	1155
					95555m
				TOTAL	95.555km

2. Unsealed Maintenance Metaling

Road ID	Disp	Road ID	Start RP	End RP	Quantity	
KAINGAROA ROAD	4881	51	0	5970	16	
NORTH ROAD	4882	21	4590	48508	632	
TUKU ROAD	4885	111	670	2800	16	
PORT HUTT ROAD	4888	51	5000	10000	32	
WW-O ROAD	4896	11	4440	19000	80	
		Totals		This Month	776	m3
				Revised Target	43000	m3
				Contract TD	42570	m3

Next Month's Target

Currently 430m3 behind the revised schedule with the carryover from last year but right on target for the end of this financial year and will be used to strengthen pavement where needed.

Crash Damage Report Summary

Crash Damage Report

Date	Event	Action	Repaired Y/N
Dec 21	No official notification of any crashes but we did hear of 1 on WWO Rd and 1 on North Rd both of which resulted in serious harm to a person in both cases.	No damage to the network in either instance.	N
12/3/22	A caravan became disconnected from towing vehicle on Nairn Bridge = ended up over the edge onto the beach.	Used hiab to right and lift back onto the road.	Y. Only damage was a broken sign and post.
9/05/22	Police asked us about a vehicle rollover on North Rd = we did hear about it but all cleaned up by the time we got there.	No damage to the road.	N
14/07/22	A car has gone off the road into the end of a culvert on North road by Cliff Whatiri's yards.	No official report of harm or damage.	N
31/10/22	A vehicle rolled on the flat straight section of North road just before the Wharekauri Reserve.	No official report of harm or damage to road. Vehicle not healthy.	N
20/12/22	A vehicle hit the bank by Big Bush and rolled onto its side = driver taken to hospital = blacked out due to being a diabetic	Given insulin at the hospital and recovered. Van righted and towed to a safe area.	N

Network Inspections

Month	Inspection Type	Faults Identified	Inspected By
April 26/04/22	Day	Drove the roading network to ascertain damage after heavy rains.	All Crews
May 23/05/22	Day	Drove the roading network to check after the weekend storm.	All crews
June	Day	6 monthly road survey and report done.	Phil
July	Day	Weekly drive overs to make sure all was good after heavy rain events.	All Crews
August	Day	Drive over the network doing a sign audit = no real problem with network found	Phil
September	Day	All roads checked after rain events for damage.	All Crews
December	Day	Roadroid survey done = no problems found on the network.	Phil

Monthly Safety Report and Statistics

Nothing to report.

1. Safety Engagements

Date	Near Miss	Incident	Lost Time Injury	Plant Damage	Depot/Worksite Inspections
27/10/21	N	N	N	N	Crew meeting to run over risks and methodology to get gear over to Pitt on the barge.
24/11/21	N	N	N	N	Inspection of Tiki Tiki water plant upgrades.
24/01/22	N	N	N	N	Meeting with crew to run through the Covid-19 requirements now we are in the Red.
14/03/22	N	N	N	N	Site visit to WW-O Rd culvert installation.
6/04/22	N	N	N	N	Culvert replacement site visit on WW-O road = all ok
26/05/22	N	N	N	N	Stoney Crossing quarry inspection = all good.
23/06/22	N	N	N	N	Culvert replacement site on WW-o Road = all good.
22/08/22	N	N	N	N	HSQES site audit carried out while crew clearing culvert ends = all ok.
12/09/22	N	N	N	N	Target Hill counterfort drains = making sure correct installation procedure being followed = all ok.
7/12/22	N	N	N	N	Reseal site inspection = all TM in place and sufficient.

Metal Stockpiles

31/12/2022							
Site	AP40 Schist	AP65	AP32 Basalt	AP100 Schist	AP20	G3 Chip	G5 Chip
Waitaha Schist	1,838	0	0	3,933	0		
Waitaha Basalt	0	0	1,168	0	435		
Paritu	2,902	0	0	1,593	0		
Stoney Crossing	0	0	0	0	2,574	287	361
Yard	0	0	0	0	0		
Ohinemama	0	0	0	0	0		
Muirsons Schist	0	0	0	1,038	0		
	4,740	0	1,168	6,564	3,009	287	361

CIC Owned Materials

Signs

Item Description	Unit	Purchased	Used Dec 2022	End Measure	Comments
<i>Signs</i>					
CS85 North Rd	ea.			1	
CS85 Port Hutt Rd	ea.			1	
RG1	ea.			1	
RG2	ea.			0	
RM6 White	ea.			8	
RM6 Yellow	ea.			7	
RM7	ea.			16	
P66X242	ea.			7	
PW11	ea.			1	
PW11.1L	ea.			1	
PW11.1R	ea.			1	
PW12L	ea.			1	900
PW12R	ea.			1	
PW24	ea.			2	
PW25 65KM	ea.			1	
PW28	ea.			1	
PW34.1	ea.			1	900 Y
PW34.2	ea.			2	
PW37	ea.			1	900
PW49 FIRE ENGINE	ea.			2	
PWSX1	ea.			2	
RH-4	ea.			2	
PW54	ea.			2	
<i>Marker pegs</i>					
EMP	ea.		27	362	
CULVERT MARKERS	ea.		3	8	
WHITE RAPID MARKERS	ea.			61	
<i>Misc. Items</i>					
ACROW PROPS	ea.			6	
ROAD COUNTER	ea.			1	
ROUGHOMETER	ea.			1	

Culvert Pipes

ALUFLOW

Item Description	Unit	Used	Purchased	End Measure
375mm	m			5
450mm	m			6
600mm	m			0
750mm	m			6

Civilboss

225mm	m	42		-24
300mm	m			48
375mm	m			18
450mm	m			20
525mm	m			15
600mm	m			30
700mm	m			30
800mm	m			30
1000mm	m			12

Builders Mix

CEMENT	T			0
GEOGRID Tensar Triax 160	Rolls	15		14
BIDIM CLOTH 4m x 100m	Rolls			14
BIDIM CLOTH 4m x 50m	Rolls			13

Environmental Compliance

Date	Site Inspected	Compliant Y/N	Abatement Order Issued	Corrective Action Required	Completed By
20/01/22	Stoney Crossing Quarry	Y	N	N	Phil
14/03/22	WW-O Rd Culvert Installation	Y	N	N	Phil
27/06/22	Stoney Crossing Quarry	Y	N	N	Phil
26/08/22	North Road Strengthening works	Y	N	N	Phil
13/10/22	Target Hill Rehab Site	Y	N	N	Phil
1/12/22	Kaingaroa Rehab Site	Y	N	N	Tomby

Stakeholder Complaints Register

Month	Council/ Public Complaint	Complaint	Repair Undertaken	Response Time
16/12/21	Public	Dump staff coughing near public member and they feel unwell now	Spoke to dump staff and advised them to be vigilant around the public.	Same Day
24/01/22	Public	Complaint about weeds in footpath cracks outside café.	Sprayed when weather allowed.	1 Week
15/02/22	Public	Muddy sections on WW-O Road after all the recent rain.	Metal put on worst areas.	Same Day
20/05/22	Public	Cattle stop on Kaingaroa road had large potholes at each end.	Grader was actually on the road at the time.	Same Day
26/05/22	Public	North Road dusty.	Not a lot can be done for this – it happens in dry weather.	
26/05/22	Public	Rubbish from the Te One transfer site was blowing into neighbouring properties.	Staff picked up what they could considering the very strong winds at the time.	Next Day
04/10/22	Public	Large potholes in metaled dip area in the seal at Kaingaroa.	Potholes filled when crew available and weather allowed.	1 Week

Public Relations & Community Involvement

Innovation

Summary of Monthly Progress Claim by Work Category

	December 22	Separable Portion One - Roading			
Item	Work Category	Value for Month	Value YTD	Annual Budget	% of Annual Budget
1	P&G Other	\$177,571.73	\$1,044,821.50	\$972,000.00	107.49%
2	Routine Maintenance and Ops	\$62,911.21	\$398,893.90	\$910,000.00	43.83%
3	Pavement Renewals	\$0	\$716,337.04	\$874,000.00	81.96%
4	Sealed Road Resurfacing	\$129,623.34	\$305,941.82	\$227,000.00	134.78%
5	Drainage Renewals	\$2,684.19	\$49,912.08	\$233,000.00	21.42%
6	Bridge Renewals	\$0	\$508.72	\$111,000.00	0.46%
7	Traffic Services	\$1,056.74	\$10,608.55	\$20,000.00	53.04%
8	Minor Improvements	\$0	\$0	\$100,000.00	0%
9	Vegetation Control	\$5,408.41	\$32,450.46	\$55,000.00	59%
11	Dayworks	\$17,814.60	\$42,499.37	\$251,000.00	16.93%
	Total	\$397,070.22	\$2,601,973.52	\$3,753,000.00	69.33%

Estimated

1. Miscellaneous

2. Traffic Counting

Counters have arrived but unfortunately I do not have the software to activate them. Waiting on our IT support team to sort.

3. Pitt Island

4. Wind Damage

No reported or visible signs of damage this month.

Photos





Kaingaroa Sealing Works





Hospital Road Sealing Works

4. Works & Services

4.3 Fulton Hogan Water and Wastewater Operation Contract Report December 2022

Date of meeting	26 January 2023
Agenda item number	4.3
Author/s	Phil Holt – Fulton Hogan Contracts Manager

Purpose

To inform and update the Council on the Chatham Islands Water and Wastewater Operation programme.

Recommendations

THAT the report be received.

Background

Attached is the December 2022 report from Fulton Hogan that will be presented by Phil Holt (Fulton Hogan Contract Manager).



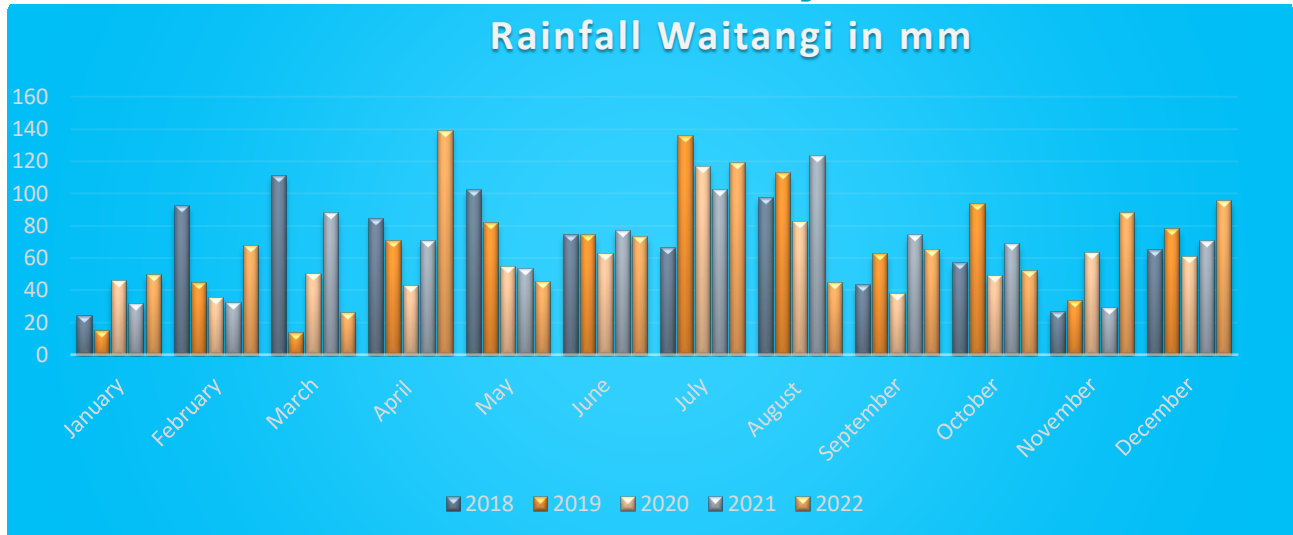
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Kaingaroa Water Supply Lake 31 December

CHATHAM ISLANDS
WATER AND WASTEWATER
OPERATION CONTRACT
MONTHLY REPORT
December 2022

Work Summary

Outline of work carried out during month



95mm rainfall recorded for December in the Waitangi yard.

Water Supply Operation & Maintenance

Tikitiki bore working ok at the moment with all tanks being full. Water level in the bore has not dropped yet this summer, probably due to the last couple of months having higher than normal amounts of rain.

No issues with plant operation and no maintenance issues this month.

Kaingaroa = On the 21st there was a major water leak on the Kaingaroa Station which resulted in all 90,000lts of treated water being lost. Valve to the farm was shut off till leak was found and repaired.

Plant has been working nonstop to try and replenish supply.

Water Treatment

Tiki Tiki plant = Parts have arrived for a permanent fix and tidy up. We are still waiting for a sparky to tidy up and finish repairs. Will look at bringing one of ours over mid-January as we have quite a few tidy up items that need attending too.

Kaingaroa plant = working overtime to keep up with demand and build up a surplus.

Wastewater Treatment Plant at Waitangi

Heavy rain event on the 18th caused all the tanks at the plant to overflow. No major runoff concerns as grass is very long and slowed the runoff to a trickle.

Found a couple of major water ingress points and repaired these but there is still a lot of storm water getting into the system which needs to be addressed.

Dayworks - Water

Dayworks - Wastewater

Excavating and repairing water ingress points that were found during the heavy rains.

Water and Wastewater Reticulation Network

Apart from the storm water getting into the sewer system, all good.

Water and Wastewater Treatment Plant: Monitoring

Just before xmas we had an Ecoli reading at Kaingaroa = a boil water notice was issued till we get 3 clear counts but this won't be till the end of January at the earliest due to labs etc not having the capacity to test.

Kaingaroa Lake Monitoring Post = lake level has come back up again with the recent rains.

Summary of Monthly Progress Claim by Work Category

	December 22	Separable Portion Two - Water and Wastewater			
Item	Work Category	Value for Month	Value YTD	Annual Budget	% of Annual Budget
13	Preliminary and General	\$21,357.13	\$50,197.45	\$49,614.04	101.18%
14	Water Supply Ops and Maint	\$922.32	\$5,533.92	\$20,067.84	27.58%
15	Water Treatment	\$4,608.08	\$19,819.86	\$39,801.86	49.8%
16	WWTP Waitangi	\$922.32	\$5,533.92	\$35,580.63	15.55%
17	Dayworks - Water	\$3,230.45	\$12,405.62	\$9,519.14	130.33%
18	Dayworks - Wastewater	\$7,848.37	\$40,603.97	\$7,090.55	572.65%
19	Water and Wastewater Reticulation	\$461.16	\$461.16	\$461.16	100%
20	Treatment Plant Monitoring	\$1,188.52	\$7,131.12	\$14,262.24	50%
	Total	\$40,538.35	\$142,137.02	\$176,397.46	80.58%

Last Financial Year

Programmed Work for Following Month

Start doing all the pipework etc we can on the new balance tank.

Water Meter Report

Irrigation Dosing

Fields are very wet after all the recent rains and with the tanks overflowing and are currently too wet to mow to aid the evaporation process.

Quality Assurance

Site Safety Report

Date	Near Miss	Incident	Lost Time Injury	Plant Damage	Depot/Worksite Inspections
29/06/22	N	N	N	N	WWWT plant check to make sure everything ok with new balance tank works.
9/08/22	N	N	N	N	New Balance tank site visit to make sure all is complete before crew leaves.
9/09/22	N	N	N	N	WWWT Plant waste water sprinkler system check = all ok and working as they should.
25/10/22	N	N	N	N	Check safety gear for chlorine use at the Kaingaroa

					Water Treatment plant = all ok
7/12/22	N	N	N	N	Steve in to do the annual service and inspection = all ok.

Environmental Non Compliance

Probably a bit of extra runoff from the plant from the tanks overflowing.

Monthly Stocktake of Supplies

General Supplies Stockpile - Month Ending December 2022

	Stock Purchased	Stock End of Previous Month	Stock Used	Stock Remaining End of Month
Salt		115 Bags	20	95 bags
Chlorine		240lts	40lts	200lts

PHOTOS



Storm Water Ingress Point Into Sewer Treatment Plant

6. Regulatory

6.1 Draft submission on the Natural and Built Environment Bill

Date of meeting	26 January 2023
Agenda item number	6.1
Author/s	Rachel Tutty, Environment Canterbury

Purpose

Decision paper for Council to approve the draft submission on the Natural and Built Environment Bill.

Recommendations

THAT Chatham Islands Council approves the draft submission on the Natural and Built Environment Bill.

Background

In February 2021, the Government announced it intends to repeal the Resource Management Act 1991 (RMA) through three bills. Two bills are now at the select committee stage; the Natural and Built Environment Bill and the Spatial Planning Bill.

The Natural and Built Environment Bill (NBE Bill) aims to protect and restore the environment while better enabling development, and as the primary replacement for the RMA. The NBE Bill would provide for a National Planning Framework (NPF) that would replace existing pieces of national direction. Regions would be required to prepare natural and built environment plans (NBE plans).

To read the full content of the Bill, follow the link below -

<https://www.legislation.govt.nz/bill/government/2022/0186/latest/LMS501892.html>

Attached to this report is a draft submission on the Natural and Built Environmental Bill. The submission period closes 5 February 2023.

5 February 2023- this is when the submission is due to MfE

Environment Committee

Submitted online at www.parliament.nz

Tēnā koutou,

SUBMISSION ON THE NATURAL AND BUILT ENVIRONMENT BILL FROM THE CHATHAM ISLANDS COUNCIL

INTRODUCTION

1. This is a submission on the Natural and Built Environment Bill 2022 (NBE Bill) from the Chatham Islands Council (CIC).
2. The Chatham Islands Council is the smallest local authority in New Zealand, serving a population of approximately 660 people. We are responsible for a range of activities within the Chatham Islands including environmental management, community and regulatory services such as licensing, building resource consents, protecting our islands from biosecurity risks, waste management and animal control.
3. The CIC acknowledges the significant amount of work the Ministry for the Environment (MfE) has undertaken in developing the NBE Bill.

GENERAL

1. The CIC generally supports the need for a new resource management system and supports local democratic input.
2. The CIC does, however, feel there are several amendments and clarifications required to the NBE Bill. Our key comments are set out in the section below.
3. The CIC request that throughout the entirety of the NBE Bill, when reference is made to Māori, iwi and hapū, reference to Moriori is added. The Chatham Islands are unique in that we have tāngata whenua who do not identify as Māori and it is important that the NBE Bill recognises both Moriori and Māori as tāngata whenua .

KEY COMMENTS

NBA and SPA plans to work in tandem

1. In the Explanatory note, the NBE Bill states that the Natural and Built Environment Act (NBA) is to work with the Spatial Planning Act (SPA). This is further set out in Part 4 where it is stated that an NBA plan must give effect to the National Planning framework (NPF) and be consistent with the relevant spatial strategy. In subpart 3, where the functions of regional planning committees are set out, clause 642(1)(b) provides an exception to the requirement for a regional spatial strategy for the regional planning committee for the Chatham Islands. As such the Chatham Islands is not required to have a regional spatial strategy and our NBA plan will need to stand on its own.
2. The CIC would like clarification regarding how the NBA Plan will work for the Chatham Islands without having a regional spatial strategy to work in tandem. This particularly relates to the setting of strategic directions for the Islands that would normally be included in the regional spatial strategy. This also raises the question about whether the Chatham's could have a regional spatial strategy if the CIC thought it appropriate.

Definitions

3. The definition of "Regional Council" has the meaning given in section 5 of the Local Government Act 2022 (LGA) and includes a Unitary Authority. Chatham Islands Council is not listed as a Regional Council in the LGA but is listed as a Territorial Authority. The LGA states that Unitary Authority means a Territorial Authority that has the responsibilities, duties and powers of a regional council conferred to it under the provisions of any Act. The Chatham Islands Council Act confers on the Council the functions, duties, and powers of a Regional Council under the Resource Management Act (to be changed to the NBE Act) but not the LGA. The NBE Bill needs to make clear that the duties of the Chatham Islands Council are that of both a Regional Council and a Territorial Authority.
4. The CIC recognises that the definition of "wetland" in the NBE Bill could be problematic for the Islands as a wetland includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions. Under this definition, a large portion of the Chatham Islands would be classed as "wetland", and this could severely limit the activities that are able to take place. It will also be very expensive and difficult to identify all the wetlands on the Islands for protection as there are large amounts of land that is inaccessible, and expertise would need to be brought in from mainland New Zealand. The CIC would like to see a change to the definition to account for this.

Regional Planning Committees

5. Regional Planning Committees (RPCs) are to be formed to deliver the NBA plans. Schedule 8 outlines how Regional Planning Committees are to be formed and how they are to operate.
6. The CIC are unsure as to how the RPC will work in the Chatham Islands. Clarity regarding how the RPC will form and function in the Chatham Islands is required from MfE. There will need to be representation of imi, iwi and hapū on this committee, appointed by Māori appointing bodies that are determined by an iwi and hapū committee. Setting up these committees and appointing bodies is likely to need assistance and funding from outside the CIC.
7. It is unclear whether the RPC for the Chatham Islands will include a central government representative as the Chatham Islands are exempt from producing a regional spatial strategy.
8. Under Schedule 8, clause 33, the RPC must appoint a director of the secretariat and that director may appoint employees. It is unclear as to who the director may be in the Chatham Islands. It is also likely that the secretariat will be staffed by employees of Environment Canterbury (or another council should the contract be awarded elsewhere) but the NBE Bill specifically states that members of the secretariat will be employees of the host council – in this case the Chatham Islands Council. This needs to be clarified for the unique situation on the islands where central government fund another council to carry out functions for CIC.
9. We note that Schedule 8 clause 31 allows the RPC to delegate its functions, powers and duties to any other person or organisation. We support this clause, because the CIC does not have the resources to carry out those functions, powers, and duties itself.
10. Schedule 8, clause 36 states that local authorities are to fund the RPC and the secretariat. The Chatham Islands Council, with a population of 660 people, do not have the resources to fund this. Additional central government funding will be needed for plan development, writing strategies, limit setting, reporting, and monitoring requirements under the NBE Bill. Clarity regarding how the RPC may function and be funded in the Chatham Islands would be helpful.

Engagement agreements

11. Section 642 of the NBA Bill regarding engagement agreements refers to subpart 4 of part 4 which seems to be missing from the NBA Bill. Part 4 goes straight from subpart 3 to subpart 5. This needs remedying by MfE.

Statements of Community Outcomes and Statements of Regional Environmental Outcomes

12. The NBA Bill requires that statements of community outcomes, summarising the views of district or local communities within the region are to be prepared by territorial authorities. Statements of regional environmental outcomes, summarising the significant resource management issues of the region are to be prepared by regional councils. From this it is assumed that the CIC must prepare both outcome statements. Clarity on this and how this will be funded would be helpful.

Part 4 Natural and Built Environment plans

13. Part 4 states that a plan must give effect to the National Planning Framework and be consistent with the relevant regional spatial strategy. CIC notes that the Chatham Islands will not have a spatial strategy and therefore the NBE Plan cannot have consistency with one. Clarity is sought by the CIC on how an NBE plan will work without reference to a Regional Spatial Strategy. If spatial planning is required, perhaps a bespoke schedule is required for the Chatham Islands, with provisions to consider spatial planning as part of NBE plan development.
14. Schedule 7 clause 11, subclause 4 has grammatical issues that need to be resolved as follows: "... a regional planning committee is not required to initiate an engagement agreement with a Māori if the committee and the Māori ~~Nāori~~ group-...".

Identification of places of national importance

15. The NBE Bill sets out that places of national importance need to be identified. A large portion of the Chatham Islands has rarity and distinctiveness values and therefore a large amount of the Islands could be classed as a place of national importance. Only allowing trivial effects in these areas means a large portion of current activities may not be able to continue on the Islands. There will also need to be funding provided for the identification and protection of places of national importance on the Islands.

Areas of highly vulnerable biodiversity

16. The CIC would like to understand more about how these areas of highly vulnerable biodiversity are different to places of national importance. The Chatham Islands Resource Management Document already identifies and protects *significant areas of indigenous vegetation and habitats of indigenous fauna*. Carrying out a new assessment to identify Areas of Highly Vulnerable Biodiversity would be very costly on the Islands where expertise would need to be brought in from mainland New Zealand and would be unlikely to add significantly to the areas already protected. The CIC would like to see recognition for the significant work already carried out to identify areas in need of protection and recognition for those areas in the NBE Bill.

Contaminated land

17. The CIC are unclear as to the potential cost implications of applying the contaminated land framework in the Chatham Islands. Clarity regarding this would be helpful.

Aquaculture

18. The CIC have noted that there are many additions to the NBE Bill regarding aquaculture and supports more direction regarding aquaculture. There is currently no aquaculture in Te Whānga lagoon although this is something that could happen in the future, however this is not in the Coastal Marine Area so CIC would like more clarity on how this would be covered under the aquaculture provisions.

19. CIC would also appreciate further conversations regarding customary marine activities that could be protected under S114.
20. Aquaculture is not currently an industry in the Chatham Islands and identifying aquaculture zones for the future would require additional resource. The CIC has questions as to whether this resource could be funded by central government.

Freshwater Farm Plans

21. CIC understands that the Minister will decide which regions require freshwater farm plans under section 401. The minister must be satisfied that freshwater farm plans are needed to meet the purpose set out in section 399 which is to better control the adverse effects of farming on freshwater and freshwater ecosystems. In the Chatham Islands, freshwater farm plans may not be required because farming uses low stocking rates, no nitrogen fertiliser is used, and as a result farming has little impact on freshwater.
22. If freshwater farm plans are required in the Chatham Islands, under section 402 they will be required for all farms that have at least 20ha in pastoral use. It must be noted that CIC has a limited capacity to administer freshwater farm plans and it will also be difficult to find and resource certifiers and auditors on the Islands.

Environmental limits

23. The NBE requires the CIC to set environmental limits as required under the National Planning Framework (NPF). There will be a need for central government funding to gather data on the current state of the environment and to set environmental limits.

Compliance, monitoring and enforcement

24. Under section 74 of the NBE, CIC will be responsible for enforcement of all National Planning Framework rules. Significant funding from central government will be needed to enable this work to occur. There is also difficulty hiring suitably qualified people on the Islands so it is likely that expertise will need to be brought in from mainland New Zealand to carry out these functions.
25. The CIC will also require significant central government funding and outside expertise to carry out the considerable environmental monitoring requirements of the NBE Bill, and to develop a Regional Monitoring and Reporting Strategy.

Sections 644 and 646

26. Section 644 covers the matters for which regional councils and unitary authorities are responsible and section 646 covers the matters for which territorial authorities or unitary authorities are responsible. The CIC has identified an inconsistency between section 644(f) the maintenance and enhancement of indigenous biodiversity and section 646a(iii) maintaining indigenous biodiversity. The CIC would like to see consistency between the two, especially as the CIC covers both functions.

National Māori entity

27. This entity is to monitor and assess the cumulative effect of the functions, processes and duties under the NBA and the SPA in giving effect to the principles of te Tiriti o Waitangi. A report must be provided to the minister once every 6 years to show on a national basis whether the management is giving effect to te Tiriti. Every 6 years seems quite a long timeframe and a shorter timeframe, perhaps yearly would really provide some monitoring information.
28. The NBA sets out that the national Māori entity will comprise of 7 members nationally. The CIC would like clarification about whether the Chatham Islands imi, iwi, and hapū will be included in this entity. Within this entity it would also need to be acknowledged that the Chatham Islands representatives will not have any knowledge of the Spatial Planning Act as the CIC are exempt from the requirements of that Act.

Mana Whakahono ā Rohe

29. The CIC understands that the Mana Whakahono ā Rohe is a tool that tangata whenua and local authorities can use to discuss and agree on how they will work together. Twelve months to agree on iwi, hapū and moriori participation, engagement, methods for monitoring climate change (among others) is a short time for a small council with limited resources and funding to be able to complete.

Training

30. The NBA sets out the requirement for more iwi approved commissioners. The CIC would like to know if training will be provided for the Chatham Islands Iwi and Imi leaders.

Local authorities Māori participation policy

31. The CIC have queries regarding this policy. The first is that Moriori do not identify as Māori and CIC would like to know how Moriori will be included in this.
32. The second point CIC have regarding this is that there seems to be several iwi participation documents/strategies that are required under the NBA. The CIC wonders whether it would make sense to combine these documents into one.

Funding

33. The CIC is aware that to comply with the NBA, more resources will be required for alignment. CIC would like to know whether there will be any funding provided to help the CIC form these new strategies and comply with the NBE plan requirements.

Amendments to the Chatham Islands Council Act 1995

34. The changes to section 7 of the CIC Act will presumably need further amendment once the Climate Change Adaptation Act is developed, to ensure that the CIC has the functions, duties and powers of a territorial authority and a regional council under that Act as well as the NBE. MfE should also consider an amendment to grant CIC the functions, duties, and powers of a regional council under the Local Government Act 2002.

35. Repeal of section 26 of the CIC Act needs to be carefully considered to allow for the interval before the NBE Plan is developed for the Islands, and to consider whether the NBE Plan will be sufficient to manage resources without the strategic direction provided by a Regional Spatial Strategy.

36. CIC supports the proposed change to section 28 of the CIC Act and notes that section 788 of the NBE Bill is identical to section 38 of the RMA.

FURTHER INFORMATION

Our Chief Executive Officer is available to provide any further information or answer any questions about our submission. Contact details are Owen Pickles CEO, Chatham Islands Council, by email: owen@cic.govt.nz

Me rongō/ Ngā mihi

Owen Pickles

CEO, Chatham Islands Council

6. Regulatory

6.2 Regulatory Report

Date of meeting	26 January 2023
Agenda item number	6.2
Author/s	Colleen Clearwater, Regulatory Officer

Purpose

Report to Chatham Islands Council on consents and licences issued for the year ending 30 June 2021.

Recommendations

THAT the Chatham Islands Council receives the report.

Key points

- NZTA Transactions – 1 July 2022 to 31 Dec 2022
- Building Consents – 1 July 2021 to 31 Dec 2022
- Liquor Licencing – 1 July 2021 to 31 Dec 2022
- Food licencing – 1 July 2021 to 31 Dec 2022

Background

NZTA

The Image Capture System had an upgrade in October/ November 2022, and we received a new signature pad in January 2023. NZTA licensing system has been working well with very few issues for the last 6 months.

NZTA License	Transactions 2020/2021	Transactions 2021/2022	Transactions 2022/2023
July	0	19	9
August	1	25	3
September	21	4	6
October	9	3	2
November	3	13	9
December	5	2	10
January	6	11	
February	2	6	
March	1	0	
April	2	20	
May	15	28	
June	44	21	
Total	109	152	39

Building Consents

Building inspectors visits for 2023 –

27 February
22 May
14 August
20 November

There is an increase of small portable housing coming to the island that could require consents for foundations/piles, and connections such as plumbing and power. Started discussions with building inspectors regarding dwellings that have been constructed within the last 5 years without consent.

Building Consents	New		Issued	Details
New Application	4		4	
CCC Application ¹			2	
COA Application ²			1	
Active building consents		25		
Other NTF, Lapsed, Historical, Unconsented building work		11		
Building inspector visits		27 Feb – 3 Mar 2023		
Building inspector visits		22 – 26 May 2023		

1. Certificate of Compliance
2. Certificate of Acceptance

Liquor Licensing

During Ross Murphy's (liquor inspector) visit in November 2022 he inspected all licensed premises, and held 4 manager certificate interviews. We are utilising Zoom meetings for managers certificate interviews for those applicants who feel comfortable, so Ross can spend more time on island doing physical inspections.

Liquor Licencing	New	Renewal	Completed		Details
Manager Application	1	5	4		Waiting on police vetting for 2 applications received before Christmas.
Club licence					
On licence		1			
Off Licence					
Annual Fees			1		
Special Licence					
Alcohol Licensing Inspector Visit	21 – 25 Nov 2022				

Food Licencing

The Wellington City Council Food inspector was well received, Swee Chan Wong-Phang spent time educating and running through procedures and paperwork to help the food premise owners with their compliance issues. It could be of great value to have some continuity with Swee Chan returning early 2023 for more training. Encouraging food producers to become compliant.

Food Licencing	New		Completed		Details
New Application	2				
Inspection Fee			11		
Food Inspector visit		14 -18 Nov 2022			

Public Excluded Agenda

26 January 2023

Mayor to Move

I move that the public be excluded from the following part of the proceedings of the meeting.

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

Item No.	Minutes / Report of:	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1	Chief Executive Officer	Minutes of Public Excluded Meeting 15 December 2022	Good reason to withhold exists under Section 7	Section 48(1)(a)
2	Graeme Nelson, HR E.Can	Process for the Appointment of the new Chatham Islands Council Chief Executive	Good reason to withhold exists under Section 7	Section 48(1)(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 6 or Section 7 of that Act which would be prejudiced by holding the whole or relevant part of the proceedings of the meeting in public, are as follows:

Item Nos	
1.	Would be likely to prejudice the commercial position of the person or persons who are the subject of the information. 7(2)(b)(ii) To maintain legal professional privilege. 7(2)(h) To enable the Council holding the information to carry out, without prejudice or disadvantage, commercial activities. 7(2)(i)
2.	Protection of privacy of natural persons – section 7(2)(a)

and that appropriate officers remain to provide advice to the Committee.