



Waitakere City Council
Te Taiao o Waitakere

NOTICE OF MEETING

POLICY AND STRATEGY COMMITTEE

I hereby give notice that a meeting of the Policy and Strategy Committee will be held on:-

DATE: Thursday, 7 May 2009 **TIME:** 9.30 am

MEETING ROOM: Council Chamber

VENUE: Waitakere Central, 6 Henderson Valley Road, Henderson, Waitakere

to consider the business as set out herein and to take any necessary action connected therewith.

23 April 2009

Judith Moore
COMMITTEE SECRETARY

Telephone (09) 836 8000 extn 8950

MEMBERSHIP:

Deputy Mayor	PA	Hulse (Chairman)
Councillors	LA	Cooper, JP (Deputy Chairman)
	DQ	Battersby, JP
	BA	Brady, JP
	MFP	Chan, JP
	JM	Clews, QSO, JP
	RI	Clow
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP
	WW	Flaunty, QSM, JP
	MM	Jolley
	JP	Lawley, JP
	PG	Mitchell
	VS	Neeson, JP
Mr	W	Paki, JP (Chairman, Te Taumata Runanga)

Mayor RA Harvey, QSO, JP (ex officio)

(Quorum 5 members)

★ ★ ★ ★ ★ ★ ★ ★ ★ ★

(Meeting Room could be subject to change)

(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

**AGENDA FOR A MEETING OF THE POLICY AND STRATEGY COMMITTEE TO BE HELD IN
THE COUNCIL CHAMBER AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD,
HENDERSON, WAITAKERE, ON THURSDAY, 7 MAY 2009,
COMMENCING AT 9.30 AM**

TABLE OF CONTENTS

<u>ITEM</u>		<u>PAGE NO.</u>
1	APOLOGIES	1
2	URGENT BUSINESS	1
3	CONFLICTS OF INTEREST	1
4	CONFIRMATION OF MINUTES	1
5	ECOMATTERS ENVIRONMENT TRUST – THREE YEAR FUNDING AGREEMENT	2
6	HAURAKI GULF FORUM RECOMMENDATIONS	5
7	WAITAKERE CITY COUNCIL SUBMISSION ON WASTE MINIMISATION IN NEW ZEALAND – A DISCUSSION DOCUMENT FROM THE MINISTRY FOR THE ENVIRONMENT	11
8	WAITAKERE CITY COUNCIL'S SOCIAL STRATEGY 2009	21
9	SUBMISSION TO THE NEW ZEALAND GOVERNMENT BROADBAND INVESTMENT INITIATIVE	25
10	PROPOSED LOCAL AREA PLANS - UPDATES	29
11	ROYAL COMMISSION - ISSUES AND UPDATES	29

**AGENDA FOR A MEETING OF THE POLICY AND STRATEGY COMMITTEE TO BE HELD IN
THE COUNCIL CHAMBER AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD,
HENDERSON, WAITAKERE, ON THURSDAY, 7 MAY 2009,
COMMENCING AT 9.30 AM**

1 APOLOGIES



2 URGENT BUSINESS

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Committee by resolution so decides; and
- (ii) the Chairman has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Committee may make a decision on a matter determined to be urgent.

NOTE: Urgent Business need not be dealt with now and may be delayed until later in the meeting.



3 CONFLICTS OF INTEREST

The Council has acknowledged in its Code of Conduct that Elected Members need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the Council and any private or other external interest they might have. This note is provided as a reminder to members to check that no such conflicts arise in relation to any items on this agenda.



4 CONFIRMATION OF MINUTES

Meeting Minutes – Thursday, 2 April 2009

RECOMMENDATION

It is recommended that the Policy and Strategy Committee resolve to:

Receive the minutes of the meeting of the Policy and Strategy Committee held on Thursday, 2 April 2009, as circulated, and that they be taken as read and now be confirmed.



5 ECOMATTERS ENVIRONMENT TRUST – THREE YEAR FUNDING AGREEMENT

GLOSSARY

EcoMatters Environment Trust	(EcoMatters)
Draft Long Term Council Community Plan 2009-2019	(LTCCP)

EXECUTIVE SUMMARY

The purpose of this report is to propose that EcoMatters Environment Trust (EcoMatters) be recommended for approval for a three year funding agreement for their base funding that is approved through the draft Long Term Council Community Plan 2009-2019 (LTCCP).

RECOMMENDATIONS

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the EcoMatters Environment Trust – Three Year Funding Agreement report.
2. **Approve** that a recommendation be forwarded to the Long Term Council Community Plan and Annual Plan Committee that EcoMatters Environment Trust be approved for a three year funding arrangement subject to the negotiation of a service agreement and an agreed work programme.

BACKGROUND

1. On 5 October 2007 a Partnering Statement was signed between EcoMatters and the Council. The purpose of the Partnering Statement was to formalise the Council's relationships with EcoMatters, to allow better long term planning, to build the strategic capacity within EcoMatters and provide a valuable partner that is able to liaise with community groups.
2. The Council funds EcoMatters through two different mechanisms:
 - a. Base funding is provided through the LTCCP. This funding is specifically intended for EcoMatters, acknowledging the work EcoMatters does towards delivering the Council's strategic objectives. This funding is a grant and is not contestable. To date this funding has been distributed through three separate annual contracts. These are:
 - Sustainable Living Centre administered through Environmental Strategy;
 - Eco Day administered through Public Affairs; and
 - Enviro Schools administered through Public Affairs.
 - b. Project funding exists in various Council areas for projects that are currently delivered by EcoMatters. Such projects are covered by contracts or purchase orders and are subject to the Council's procurement policies. This means the funding is contestable. This includes contracts for water demand management work and Project Twin Streams.
3. In March 2003 the City Development Committee approved the criteria and process for a longer term funding agreement. At its meeting on 6 March 2003 this was resolved as follows:

- “a. That the proposed criteria and process for providing longer term funding to organisations be approved in principle.*
- b. That the process around longer term funding arrangement be referred to the Long Term Council Community Plan and Annual Plan process.”*

378/2003

- 4. For the Long Term Council Community Plan 2006-2016 a range of organisations such as Keep Waitakere Beautiful, West Auckland District Council of Social Services (now Community Waitakere), Citizens Advice Bureau, Lopdell House, Pacific Island Advisory Board and the Waitakere Ethnic Board were approved for three year funding. EcoMatters contracts have been funded on an annual basis.

DECISION MAKING

Issues

Current Funding Arrangement

- 5. The current annual funding agreements with EcoMatters for their base funding require three separate contracts to be negotiated. The disadvantages of this arrangement is that it is time consuming for both EcoMatters and the Council also makes it difficult for EcoMatters to plan long term.

Criteria for Longer Term Funding

- A1 6. An assessment of EcoMatters against the criteria approved by the City Development Committee in March 2003 for longer term funding agreements (attached at page A1) shows that:
 - a. EcoMatters has been in operation since 2002 and is recognised as a leader in the development of community based environmental initiatives that encourage our community to act sustainably through behaviour change.
 - b. EcoMatters plays a key role in engaging with the community of Waitakere on urban environmental issues. As a community organisation with significant community and strategic alliances, EcoMatters is able to assist the Council in the conceptualisation and implementation of environmental programmes and projects that help to achieve a range of strategic objectives in the area of environmental sustainability.
 - c. The Partnering Statement between the Council and EcoMatters is an acknowledgement of the key strategic role EcoMatters plays which is as critical in assisting the Council to fulfil its goals.
 - d. EcoMatters provides a unique service in the City that is not duplicated by the Council.
 - e. EcoMatters has a track record as a viable and sustainable organisation.
 - f. Longer term funding from the Council will provide recognition of the strategic relationship between the Council and EcoMatters and provide security for longer term planning. It also provides leverage for EcoMatters to access other funding services to build on the Council's investment.
 - g. The proposed funding for EcoMatters as per the LTCCP exceeds the minimum threshold of \$30,000 set for longer term funding arrangements.
- 7. This assessment suggests that EcoMatters meets all the criteria for long term funding.

Options Identified

8. The only option to consider is whether the Council would like to approve a recommendation be forwarded to the Long Term Council Community Plan and Annual Plan Committee that EcoMatters be approved for a three year funding agreement subject to the negotiation of a service agreement and an agreed work programme.

STRATEGIC CONTEXT

9. EcoMatters' activities relate to a number of the Council's Strategic Platforms. In particular these include Sustainable Energy and Clean Air, Zero Waste, Green Network and Three Waters.
10. They also give effect to the Community Outcomes of: Green Network – *He tuituitanga kakariki*; Sustainable Environment – *Kaunekeru Tauwhiro Taiao*; and Waiora – *Environmental protection*.
11. The activities undertaken by EcoMatters contribute to the achievement of the key targets identified in the Environmental Strategy for Green Network, Low Carbon City, Integrated Water Management and Waste to Resources.
12. EcoMatters is a unique organisation within Waitakere and the wider Auckland area. In the last six years it has played a key role in working towards environmental outcomes with the Council and other community partners. Organisations such as EcoMatters are critical to the achievement of Waitakere's Community Outcomes as they can reach elements of the community that are difficult for the Council to reach.
13. Partnering with EcoMatters in a more formal way and the proposed new role contributes to the Community Outcomes of Strong Communities – *He iwi kaha* and Working Together – *Te mahi tahi*.

CONSULTATION

14. In the preparation of this report consultation has been undertaken with the Council staff from Environmental Strategy, Public Affairs and Community Wellbeing.

RESOURCES

15. The following per annum funding has been allocated in the LTCCP for EcoMatters base funding:
 - \$80,000 Sustainable Living Centre;
 - \$25,000 Eco Day;
 - \$31,000 Enviro Schools; and
 - \$30,000 Capacity Building for Environmental Groups (this is new funding recommended in the LTCCP).

IMPLEMENTATION ISSUES

16. If funding is approved a long-term funding contract for 2009-2012 will be prepared.

Report prepared by: Jenny Chilcott, Strategic Advisor – Sustainable Catchments.



6 HAURAKI GULF FORUM RECOMMENDATIONS

GLOSSARY

Hauraki Gulf Forum	(the Forum)
Hauraki Gulf Marine Park Act 2000	(HGMPA)
Resource Management Act 1991	(RMA)
Hauraki Gulf Marine Park	(the Park)
Governing the Gulf: Giving Effect to the Hauraki Gulf Marine Park Act through Policies and Plans	(the Guide)

EXECUTIVE SUMMARY

The Hauraki Gulf Forum (the Forum) has developed a document “Governing the Gulf: Giving Effect to the Hauraki Gulf Marine Park Act through Policies and Plans” (the Guide). The purpose of the Guide is to assist councils in giving effect to the Hauraki Gulf Marine Park Act 2000 (HGMPA) in the Resource Management Act 1991 (RMA) policies and plans. The Guide identifies ways in which regional policy statements, regional plans and district plans can more effectively protect and enhance the Hauraki Gulf. At a Forum meeting in March 2009, it was recommended that constituent parties adopt the Guide for use in the preparation of their policies and plans. This report outlines the key components of the Guide and recommends that Council adopt it for use.

The Forum also recommended that consideration be given to the creation of a distinct identity for the Hauraki Gulf Marine Park (the Park) based on shared interests. The Park has been in operation for eight years but remains largely unrealised and has a very low profile due to a lack of branding and promotion.

As part of the focus for the Hauraki Gulf Marine Park tenth anniversary, a strategy for revitalising the Park through the development of a distinct identity and a co-ordinated expansion of land in the Park is proposed. This report recommends that Waitakere parks and reserves of significance that have coastal links to the Hauraki Gulf be included in the Park.

RECOMMENDATIONS

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Hauraki Gulf Forum Recommendations report.
2. **Agree** that the guide ‘Governing the Gulf: Implementing the Hauraki Gulf Marine Park Act through Policies and Plans’ is adopted for use in the preparation of the Council’s policies, plans and in the consideration of any Resource Management Act 1991 consents in the catchment of the Hauraki Gulf.
3. **Agree** that the Council supports the proposal to develop a distinct identity for the Hauraki Gulf Marine Park based on shared interests.
4. **Agree** in principle to having the identified Waitakere parks and reserves with coastal links to the Hauraki Gulf included in the Hauraki Gulf Marine Park.
5. **Agree** that a report be brought back to the August 2009 meeting of the Policy and Strategy Committee recommending which Waitakere reserves and parks are included in the Hauraki Gulf Marine Park.
6. **Agree** that the Council representative to the Hauraki Gulf Forum convey the Council’s decisions to the Hauraki Gulf Forum.

BACKGROUND

1. The Forum was established under the HGMPA. The Forum has representatives of: the Ministries of Conservation, Fisheries and Maori Affairs; Auckland Regional Council; Environment Waikato; ten territorial authorities of the catchment of the Hauraki Gulf; and six tangata whenua representatives.
2. The purposes of the Forum are specified in section 15 of the HGMPA:
 - a. *To integrate the management and, where appropriate, to promote the conservation and management in a sustainable manner, of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, for the benefit and enjoyment of the people and communities of the Gulf and New Zealand;*
 - b. *To facilitate communication, co-operation, and co-ordination on matters relating to the statutory functions of the constituent parties in relation to the Hauraki Gulf, its islands, and catchments, and the Forum; and*
 - c. *To recognise the historic, traditional, cultural, and spiritual relationship of tangata whenua with the Hauraki Gulf, its islands, and, where appropriate, its catchments."*

The Guide

3. Part 1 of the HGMPA establishes that sections 7 and 8 must be treated as a New Zealand coastal policy statement and a national policy statement issued under the RMA. Consequently, RMA plans and policies for the Hauraki Gulf, its islands and catchments must give effect to sections 7 and 8 of the HGMPA. There has been debate within councils and the Environment Court regarding how this requirement should be met.
- A2-A67 4. The Forum has developed the Guide to assist councils in giving effect to the HGMPA in RMA policies and plans. The Guide identifies ways in which regional policy statements, regional plans and district plans can more effectively protect and enhance the Gulf. The Guide is attached at pages A2 to A67.
5. At its March 2009 meeting, the Forum recommended:
 - a. *That the Forum approves 'Governing the Gulf: Implementing the Hauraki Gulf Marine Park Act through Policies and Plans' for publication by the Hauraki Gulf Forum;*
 - b. *That the Chair and Deputy Chair be delegated to approve any minor and editorial changes before publication; and*
 - c. *That the Forum recommends adoption of the guide by constituent parties for use in the preparation of their policies and plans."*

The Park

6. The HGMPA also established the Park. The purposes of the Park are specific in section 32 of the HGMPA. They are:
 - a. *To recognise and protect in perpetuity the international and national significance of the land and the natural and historic resources within the Park;*

14. The inclusion of the first piece of private land to be added to the Park, on Waiheke Island, has recently been gazetted.
15. When land is included in the Park, its ownership and management do not change. The HGMPA requires that any such land be managed to recognise and give effect to the purposes of the Park. (See paragraph 6 above for the purpose of the Park).
16. The Forum has asked constituent parties to consider this matter and report back to the Forum meeting of 4 May 2009 to enable a joint position and strategy to be considered ahead of the Park's tenth anniversary in February 2010. This approach enables the opportunity to be considered in a coordinated manner by all the councils with coastal parks and reserves around the Gulf.

DECISION MAKING

The Guide

17. The Guide has been produced after extensive analysis and review. The project was facilitated by the Forum through jointly funding commissioned expertise and technical officer peer review.
18. The Guide clarifies the legal requirements for policies and plans produced under the RMA to give effect to the HGMPA. It reviews the application of case law, differentiates the HGMPA from the RMA, and defines the ways in which regional policy statements, regional plans and district plans can provide practical application of the HGMPA.
19. The Guide shows that regional policy statements play a crucial role in establishing a planning hierarchy under the HGMPA, as they are the only statutory planning document that can integrate management of the Hauraki Gulf's catchments, islands and coastal marine areas. They must also be given effect to in regional and district plans.
20. The elements required for an integrative regional planning framework are identified as including:
 - *An ecological capacity framework*, which identifies, spatially where possible, significant interrelationships and elements which can contribute to the ecological health and productivity of the Hauraki Gulf's coastal marine area and islands;
 - *A climate change response framework*, which identifies the potential impacts of climate change on ecological health and productivity of the Hauraki Gulf's coastal marine area and islands and preferred responses;
 - *Identification of priority issues and outcomes*, to focus management effort on issues which will have a significant impact on interrelationships and the 'capacity' of the Hauraki Gulf;
 - *An environmental monitoring programme* – to measure the effectiveness of the joint management effort in sustaining and enhancing the 'capacity' of the Hauraki Gulf; and
 - *Explicit linkages with other environmental management regimes* – so that it is clear how other management areas such as fisheries, conservation, heritage and bio security impact on the Hauraki Gulf's "capacity".

21. These elements are currently being considered in the development of the Auckland Regional Policy Statement. The Guide similarly identifies essential elements for effective regional coastal plans, regional plans and district plans produced under the HGMPA.
22. The Guide notes district plans primarily manage the impacts of land subdivision and development on the resources of the Hauraki Gulf. To implement the provisions of the HGMPA, district plans could be expected to address the following matters:
 - Manage the negative impacts of activities on the natural character, natural landscapes and amenity of the Hauraki Gulf's natural environment and encourage coastal development proposals to include restoration elements;
 - Reduce contaminants entering the Hauraki Gulf's coastal marine area through methods such as controlling earthworks and encouraging the use of "green" storm water infrastructure;
 - Ensure the protection of the Hauraki Gulf's historical and cultural heritage;
 - Make provision for public access to the Hauraki Gulf's coast and the ability of members of the public to use and enjoy the coastal marine area;
 - Address the likely consequences of sea-level rise to ensure the ongoing viability of natural coastal systems; and
 - Make provision for land-based elements of economic and recreational activities which require access to the Hauraki Gulf's coastal marine area.
23. The Guide also notes the HGMPA places high priority on recognising the relationship of tangata whenua with the Hauraki Gulf and on the need to protect, and where appropriate, enhance the resources of the Gulf which are of importance to tangata whenua, and sets out ways this can be achieved.
24. The Guide is not intended to define what the minimum requirement might be for councils to meet their legal obligations under the HGMPA. Rather it describes how councils can proactively implement the purpose and aspirations of the legislation to achieve better environmental outcomes for the Gulf.
25. This guide sets out a comprehensive analysis of how policies and plans can fulfil their requirements to give effect to the HGMPA. It is recommended that the Council adopt the Guide for use in the development of its policies and plans.

The Park

26. The upcoming tenth anniversary of the HGMPA presents an opportunity to reconsider the means to promote and strengthen the Park. Two related aspects of this are the identification of the Park, and the expansion of the Park through inclusion of existing reserves other than the conservation estate.
- A75 27. The Council administers a number of parks and reserves in the coastal area and suited to inclusion in the marine park. See the map showing these areas attached at page A75.
28. By adding land to the Park, the Council is acknowledging that its management is consistent with the purpose of the Park. These obligations are not significantly different to the general obligations of all land owners in the catchment of the Park.
29. The Forum has identified potential benefits that would come from developing a higher profile, expanded park including:

- Management and interpretative messages could be developed more easily and naturally between places and agencies in the Hauraki Gulf;
- Enhancement of public understanding and appreciation for the Hauraki Gulf and thereby reinforce the need for an integrated policy and planning framework approach (as now defined in the Guide); and
- Long term, encouraging new investments, acquisitions and joint management approaches.

A76-A81 30. The Council is committed to recognising the HGMPA in its policies and plans. Embracing the Park itself is a logical and sound complementary strategy. (See attached at pages A76 to A81 for a question and answer sheet to clarify process and issues regarding the vesting of additional land in the HGMP).

STRATEGIC CONTEXT

31. The Forum has a role under the HGMP to integrate the management of resources of the Hauraki Gulf, its islands and catchments and to facilitate co-ordination on matters relating to the statutory functions of the constituent parties of the Forum in relation to the Hauraki Gulf. Waitakere City Council is one of the constituent parties of the Forum as the local authority with statutory powers for part of the catchment of the Hauraki Gulf.
32. The work of the Forum aligns with the Strategic Platforms of Green Network and the Three Waters and the Council's Environment Strategy.
33. The applicable Community Outcomes that support the work of the Forum are:
 - Sustainable environment – Kauneke Tauwhiro Taia; and
 - Waiora – Environmental Protection.

CONSULTATION

34. Officers from the Council and other constituent parties of the Forum have been consulted in the development of the attached guide and in the development of this report.
35. Consultation has been undertaken with Strategic Planning, Parks Planning and Parks Assets regarding the inclusion of suitable Waitakere parks and reserves in the Park. Consultation has been undertaken with the Consents section of City Services regarding the adoption of the Guide.
36. Additional consultation with Te Kawerau a Maki and Ngati Whatua will need to be undertaken as part of the process of identifying which parks would be suitable for inclusion in the Park.

RESOURCES

37. There are no resource implications arising from this report. There will be cost implications for signage and information but it has not yet been determined how these will be paid for. They could be scheduled within planned signage replacements or the Forum could initiate a jointly funded project within its powers and functions, or seek Central Government funding.

IMPLEMENTATION ISSUES

38. A report detailing which reserves and parks would be suited for inclusion will be reported back the Policy and Strategy Committee by August 2009.

Report prepared by: Jenny Chilcott, Strategic Advisor: Sustainable Catchments and Technical Officer: Hauraki Gulf Forum and Renee Davies, Manager: Parks Planning.



7 WAITAKERE CITY COUNCIL SUBMISSION ON WASTE MINIMISATION IN NEW ZEALAND – A DISCUSSION DOCUMENT FROM THE MINISTRY FOR THE ENVIRONMENT

GLOSSARY

Policy and Strategy Committee	(the Committee)
Ministry for the Environment	(MfE)
Waste Minimisation Act 2008	(the Act)
New Zealand Waste Strategy 2002	(NZWS)
Waste Minimisation Fund	(WMF)
Waste Minimisation & Management Plans	(WMMPs)
Territorial Authorities	(TAs)
Research & Development	(R&D)

EXECUTIVE SUMMARY

The purpose of this report is to advise the Policy and Strategy Committee (the Committee) of the discussion document released by the Ministry for the Environment (MfE) on waste minimisation in New Zealand, and to seek the Committee's approval for the lodgement of a Council submission on the discussion document.

The objective of the discussion document is to seek feedback on policy proposed to implement the Waste Minimisation Act 2008 (the Act). The Act provides for a new legislative framework with new tools and responsibilities for managing and minimising waste in New Zealand.

The discussion document sets out some proposals for implementing the Act and revising New Zealand's waste policy. The document covers the following five topics:

- Revising targets for the New Zealand Waste Strategy 2002 (NZWS);
- Identifying products that are priorities for product stewardship;
- Identifying funding criteria for the Waste Minimisation Fund (WMF);
- Monitoring waste in New Zealand; and
- Improving the operation of the waste levy.

While the intent of the document can be supported in principle, a number of amendments are recommended to the content of the proposed New Zealand waste policy to improve certainty of outcomes, avoid unintended consequences and the potential for adverse effects.

A82-A115 The submission attached at pages A82 to A115 has been developed by Council and across the Auckland region waste officers working group. It follows MfE's proposed submission format and has endeavoured to answer most of the questions raised by MfE. This report contains a brief summary of the issues discussed in the submission.

A full copy of MfE's discussion document will be available for review in the Councillor's Lounge.

RECOMMENDATIONS

It is recommended that Policy and Strategy Committee resolve to:

1. **Receive** the Waitakere City Council Submission On Waste Minimisation In New Zealand – A Discussion Document From The Ministry For The Environment report.
- A82-A115 2. **Approve** that the submission on the Waste Minimisation in New Zealand – A discussion document from the Ministry for the Environment as attached at pages A82 to A115 be forwarded to the Ministry for the Environment on behalf of the Council.

BACKGROUND

1. In 2002, the NZWS set out the Government's long term vision for reducing waste, using resources efficiently, recovering resources from the waste stream, and managing residual waste better. It set many ambitious targets and, seven years down the track, the Government is seeking feedback on revised targets. The Council's strategic direction of zero waste has always aligned with the NZWS and the Council has endeavoured to work towards the targets set in the NZWS. Also, given that the Act requires councils to have regard to the NZWS in their waste management and minimisation plans, it is important that the Council submits on the proposed targets.
2. The other four parts of the discussion document cover the Government's preferred policy options to begin implementing the Act. The Council has been involved in the consultation and submission process for the Waste Minimisation (Solids) Bill since 2006. This was to ensure that the adopted legislation will facilitate Waitakere to progress its own zero waste direction and will require waste minimisation and diversion from landfill in areas outside local government control. As a result of all the work the Council has done in the past, the Act does include the key aspects such as the waste levy and product stewardship that the councils in the Auckland region supported. The opportunity now exists for the Council to submit on the proposed policy options as this would influence the implementation of the Act, which would impact on Council's waste management planning and service delivery.

DECISION MAKING

3. The Council has over a number of years been a leader in promoting waste management and minimisation initiatives. The Council has recognised its obligations under the Local Government Act 2002 and NZWS and has made real attempts to meet these obligations. It is important that Council submits to the Government on proposed changes to the national waste management and minimisation policy. Council officers in principle agree with issues discussed in the document, but need to raise a few issues to ensure that the policies adopted by Government will enable the Council to further progress its goal towards zero waste.

Issues

Part 1: Revising targets for the NZWS

4. The targets in the NZWS established national priorities for waste minimisation and management. Some targets have been achieved, and others have not been achieved due to lack of baseline data or lack of a legislative mechanism. MfE is proposing to replace the 30 existing targets with 14 specific, high-level targets that reflect the future direction for waste minimisation and management, and take account of the tools and responsibilities under the new Act.
5. The proposed targets are:

Total Waste Disposed Of

Target 1: By 2015, reduce the quantity of waste (tonnes) disposed to landfill per person per year by 20 per cent relative to an established 2010 baseline.

Target 2: By 2010, have systems in place for the ongoing monitoring of the composition of waste to landfill.

Organic Waste

Target 3: By 2012, have a system in place for the ongoing monitoring of the composition of organic waste, the amount disposed of at landfills and diverted from the waste stream.

Construction and Demolition Waste

Target 4: By 2012, have a system in place for the ongoing monitoring of the generation and composition of construction and demolition waste, the amount diverted from the waste stream and the amount disposed of.

Hazardous Waste

Target 5: By 2012, the MfE will have established a national tracking system for all hazardous waste.

Target 6: By 2011, the MfE will have investigated the need for, and propose if warranted, regulatory standards for storage, transport, recycling, recovery, treatment and disposal of hazardous wastes.

Target 7: By 2012, specific industries will develop at least three accredited product stewardship schemes that increase the recovery or recycling of hazardous components of waste.

Target 8: By 2014, specific industries will develop at least two other accredited product stewardship schemes that result in a reduction in hazardous substance production at source.

Contaminated Land

Target 9: By 2015, regional councils will have established satisfactory systems to record information on contaminated sites and will have assessed which sites pose a high environmental risk.

Target 10: By 2020, regional councils will have investigated all contaminated sites identified by 2015 as high risk, and will be implementing an action plan for their management and /or remediation.

Waste Disposal

Target 11: By 2015, all waste disposal facilities (including wastewater treatment plants, landfills, cleanfills and onsite wastewater systems) will be meeting existing regulatory standards and will be consented if this is a requirement.

Target 12: By 2010, the MfE will assess the need for a national environmental standard addressing environmental management of solid waste disposal facilities.

Monitoring and Reporting

Target 13: By 2012, the MfE will have implemented a waste monitoring and reporting programme to generate consistent data on national waste streams including waste to cleanfills and other disposal sites (eg. industrial landfills).

Target 14: By 2012, the MfE will work with local authorities to develop a national reporting template that councils will use to report to the MfE on progress against their waste management and minimisation plans and other waste related activities.

Summary points of the submission on Part 1 of the discussion document

6. The NZWS well defines the aspirational vision of 'towards zero waste' and includes a set of outcome oriented goals. Generally a strategy would contain a vision and goals, accompanied by a set of objectives that outline the specific strategies, policies and actions to support the achievement of its goals. Targets are used in strategies as quantifiable measurements that are designed as indicators for the achievement of goals. Objectives and actions are generally more detailed and include information on timeframe, resourcing / funding and responsibility.
7. There seems to be confusion in the NZWS and in the discussion document about the difference between targets and objectives / actions to support the achievement of a target. There is also little or no information given about the actions corresponding with the proposed targets, how these will be funded and carried out and who will be involved. This needs to be specified for each of the 'targets'.
8. This is particularly relevant in relation to Target 1, which is essentially the only quantifiable target that aims to indicate progress toward the overarching goals of the NZWS. Targets 2, 3, 4, 5, 12, 13, and 14 for example are each proposed actions to put in place monitoring systems that support the desired outcomes of the NZWS and its goals and targets but should not be considered targets in themselves. Several others are actions or goal statements rather than targets.
9. It is recommended that the Council should submit to the MfE that the targets within the NZWS be restructured, with targets being quantifiable measures to be used as indicators for performance in the priority waste streams. More information should be provided in relation to each of the 'targets' (or actions as they appear) regarding the party or parties responsible for undertaking the action and how the action will be funded. These should be formed into an accompanying 'action plan' structure that is regularly reviewed and progress monitored.
10. MfE's views on the existing priority waste streams as per the NZWS (total waste; organic waste; construction and demolition waste; hazardous waste and monitoring /reporting) can be supported but it needs to be noted that too much attention has been given to contaminated land and waste disposal in the document and the targets put forward, which detract from the waste minimisation focus of the NZWS.

11. It is recommended that the Council also submits that there is a need for targets for packaging waste and that this should be added to the list of 'priority waste streams and issues' in the NZWS. These targets are justified on the basis of volume/ tonnage generated, public concern, and the cost to ratepayers for supporting the systems for reducing and recycling these wastes (and diverted materials). The imposition of such targets for reduction and diversion will result in the desired change.
12. Information on diverted materials is necessary for councils to conduct their waste assessments under section 51 of the Act and to better monitor the performance of their Waste Management and Minimisation Plans (WMMPs). Therefore it is suggested that the Council recommends that a system be put in place by 2013, (after the initial monitoring of waste to landfill is established) for monitoring and reporting of diverted materials. This information should be made available to councils aggregated on a local / regional level. The costs and administration of this monitoring system for diverted materials should be the responsibility of the MfE and information provided to councils should be at no cost.

A82-A115

13. Specific detailed comments on each individual target are discussed in the submission attached at pages A82 to A115

Part 2: Identifying products that are priorities for product stewardship

14. Product stewardship schemes have the potential to address problems with products that are difficult and costly for consumers and councils to dispose of. Product stewardship moves the responsibility for waste to those involved in the production and supply of the product, and indirectly to the consumer by ensuring any residual waste costs are reflected in the purchase price. It therefore provides incentives for better product design and other measures to reduce waste and resource costs.
15. MfE is proposing three products to be fully investigated to see if a mandatory product stewardship scheme is warranted – agricultural chemicals, used oil and refrigerant gases. These are in line with the proposed revised targets and focus on products that cause environmental harm when they are disposed of.

Summary points of the submission on Part 2 of the discussion document

16. It is noted that the focus of the MfE's current product list is predominantly on harm without due consideration of volume and reduction of waste to landfill as is the wider focus of the Act and the NZWS.
17. Officers consider that any product stewardship schemes considered should be producer orientated, as those currently proposed appear to rely heavily on downstream, end of pipe" and ratepayer funded options rather than upstream solutions that promote reduction of waste.
18. MfE has not considered volume of waste as an assessment criterion for a mandatory product stewardship scheme in selecting the three proposed products. However, officers consider that the volume of harm may vary therefore this volume should be a consideration. Harm may also be dependent on timeframe as some products may be harmful in the short term but not so in the longer term.
19. It is suggested that the criteria should include effectiveness and waste minimisation volumes. Officers consider the choice of only three products by the MfE to be insufficient and questions why solid waste is not represented at all, as the Act is about reduction of waste to landfill. It is recommended that there should be a larger number of products with longer term aims and specified timing for these to occur.

20. Based on the criteria of potential to reduce harm and minimise waste and in consideration of the effectiveness of existing and future schemes, it is recommended that the Council proposes that the following five products are considered as mandatory priority products:

- Packaging;
- Tyres;
- E-waste – Electronic waste;
- Oil; and
- Agricultural chemicals.

A82-A115 21. Detailed background information analysis on the above mentioned recommended priority products are in the submission attached at pages A82 to A115.

Part 3: Identifying funding criteria for the Waste Minimisation Fund

22. The Act provides for a waste levy, currently set at \$10 per tonne of the waste disposed at the disposal facilities. This is intended to provide for the revenue for the WMF, to fund waste minimisation. MfE is seeking feedback on proposed criteria for assessing which proposals should receive funding from the WMF. In brief this criteria includes:

- a. Funding is for waste minimisation projects;
- b. Funding is for projects, not for ongoing financial support of existing activities;
- c. Funding will not be provided for projects where alternative, funding streams exist;
- d. Projects must implement new initiatives or expand on existing activities;
- e. There must be a degree of confidence that the applicant can deliver on the project and project can achieve its goals;
- f. Funding can be for operational or capital aspects of a project and part funding is preferred;
- g. Projects will be assessed on their strategic value; and
- h. Preference will be given to projects that collectively give the largest sustained net benefit in environmental quality from the funding available.

23. Also MfE have queried whether additional issues like scale, innovation, research and development (R&D), legacy waste, targeting a particular waste or waste streams and repayment conditions should be considered.

Summary points of the submission on Part 3

24. Officers support the primary criteria as proposed in Part 3 of the discussion document with some recommended changes / additions. Specifically:

- It is noted that the criteria as structured is flexible and could be shifted over time (e.g. adjusted every three years) to reflect changing needs and progress against the NZWS goals and targets. Officers consider that measurable success in the first three years of the waste disposal levy will most likely occur if projects funded are generally of a larger scale, focusing on big wins in terms of measurable minimisation of waste to landfill, such as through infrastructure projects to enhance recycling operations (e.g. organics and other diverted materials processing facilities);
- It is recommended that criteria h. be interpreted, or is supported with a new criteria that evaluates projects on a dollars per tonne of waste diverted basis, as this will ensure that the projects are also best value for money and will be best aligned to the MfE's proposed Target 1, which aims at measurable reduction of waste;
- The flexibility of the use of funds in terms of use for both capital and operational aspects of a project is welcomed by officers as it allows for variety of projects to be funded and hence is recommended that it should be supported by the Council;
- Officers consider that some submitters, particularly private industry operators will argue that no funding from the contestable share of the WMF should be allocated to territorial authorities (TAs), as TAs will already be receiving a small share on a population basis. While the interests behind this view are understood, TAs have always and will continue to play a very important role in promoting and achieving waste minimisation in New Zealand. TAs and their ratepayers have been responsible for initiating and providing an ongoing subsidy for recycling and resource recovery operations since their inception, e.g. kerbside recycling collections for packaging materials and composting infrastructure and cleaner production programmes. Without this support from TAs and in the absence of producer responsibility schemes, the recycling industry in NZ would collapse. While the allocated TA funding will go some way to assist councils in carrying out their many responsibilities under the Act and in implementing their waste minimisation services, there are clearly circumstances where additional funding support will be required for major infrastructure to be developed. Private industry stands to benefit from these projects either through direct partnership approach or in their contractual relationships with TAs or groups of TAs. For these reasons it is recommended that the Council submits to the Government to put the imperative for waste minimisation ahead of the motives of profit driven industries and ensure fair and transparent consideration of all applications for funding, including those from TAs; and
- The issue referred to above can be addressed with the addition of a criteria 'to consider 'partnerships', where projects will be assessed based on the degree and level of partnership demonstrated between industry stakeholders, such as through shared resources, funding or other demonstrated support for a project. This would apply to partnerships between multiple TAs, regional councils and/or private waste industry and community groups for example. Officers believe the addition of this criteria will better promote the desired outcomes from the WMF.

25. In terms of additional issues proposed the officers consider that:

- Scale – Effective waste minimisation projects can occur at all scales, the initial three year focus should be on larger projects to achieve greater reduction in waste. The criteria should be reviewed in the future to allow for smaller projects. Alternatively it is suggested that only a small amount of funding be set aside each year toward smaller projects and that appropriate pre-screening mechanisms be used to assist in the application process;

- Innovation – A separate criteria such as innovation is difficult to define, measure and assess and should not be included as a separate criteria. Innovation will be implicit in the applications as anything that improves or goes beyond existing programmes could inherently be construed as innovative;
- R&D – MfE needs to be clear about this area and the crossover with other funding options available like Foundation for Research, Science and Technology funding;
- Legacy waste – The Act does not allow for waste levy funding to be used on these wastes unless they are directly promoting or achieving waste minimisation. It is recommended that the MfE be clearer on materials that would apply if any WMFs were to be used for legacy wastes;
- Targeting particular wastes or waste streams – The national priority waste streams as identified in the NZWS should be incorporated into the criteria. This applies not just to ‘priority products’ that will be identified but to the priority waste streams and target areas eg organics, construction and demolition waste, hazardous waste and in that order. Applications should be considered against regional / local area WMMPs in terms of their alignment with existing services and programmes and key strategic priorities of the WMMPs where applicable. This will ensure that local circumstances and strategies are considered and that duplication of efforts is avoided; and
- Repayment conditions – The intent of any potential repayment / loan conditions with respect to potential profit generating ventures is recognised. Officers consider that specific repayment conditions could only be considered on a case by case basis, and that they may be difficult to administer and monitor. The aim should be to use money from the WMF to assist in the establishment of sustainable operations that are economically viable in themselves, thus repayment with low interest, or no-interest loans for example should be considered.

Part 4: Monitoring Waste in New Zealand

26. MfE proposes to complement waste levy data collection (tonnage disposed of) with consistent high level data on the composition of waste disposed of at the landfills. MfE proposes regulations requiring landfill operators to collect information on waste using a nationally consistent set of waste categories. This data is proposed to be aggregated by the facility operator and supplied to the MfE on a monthly basis. MfE is still refining the proposed waste categories.
27. It is also proposed that the composition data will be complemented with more detailed information gathered from additional landfill sampling. This more intensive sampling will be commissioned by the MfE and will involve some landfills in cooperative studies.

Summary points of the draft submission on Part 4

28. Officers support some aspects of the preferred option as outlined in Part 4 of the discussion document, with respect to the implementation of regulations for the monitoring of waste and waste composition at waste facilities.
29. However, officers consider that the proposal does not contain enough detail regarding the proposed waste composition categories, and the MfE should clarify that these categories are not composition oriented but source / origin based.

30. It is noted that these are anticipated to provide a proxy data for composition, and that composition estimates are to be made based on an underlying the MfE composition / Solid Waste Analysis Protocol monitoring regime to complement the source/origin based reporting. Few details were supplied as to the design of the supporting compositional monitoring scheme proposed and this needs to be clarified in terms of how this will be carried out and at whose cost, as councils do not have the capacity to provide this level of monitoring and are not able to fund this. Therefore, it is recommended that the Council submits that it should be made clear that the monitoring programme will be the responsibility of the MfE and is to be funded from their budget.
31. It is noted that the monitoring proposal outlined in Part 4 is lacking in that it does not directly address the requirement for targets and monitoring in relation to diverted material. It is suggested that the Council recommends that the monitoring programme be extended to include diverted materials and regulations to require reporting from materials handling and processing of diverted materials. Also a monitoring system for diverted material is to be put in place as soon as possible.
32. Towards this aim, the officers suggest that source / origin based monitoring should occur at a disposal facility (landfill) and Refuse Transfer Station and Resource Recovery Centre level as well, as this would allow for better local and regional data aggregation. During the MfE road-shows this concept was discussed and waste operators / Refuse Transfer Stations and landfill owners agreed that it would not be particularly difficult for operators to apply the origin / source based reporting system at the RTS level as well as at landfill. Therefore it is recommended that the Council submits that this be used as a method to provide better local and regional information to support section 51 of the Act, waste assessments and an understanding of waste arising from and flowing across districts.

Part 5: Improving the operation of the waste levy

33. The waste levy currently applies to all waste disposed of at municipal landfills, including materials used for environmental management purposes such as landfill cover material. MfE is proposing to make regulations to provide that cover material required for environmental management purposes (up to 10 per cent of the weight of the material deposited in the landfill) has a levy rate zero.
34. The effect of this proposal is that it will impact on the revenue from the levy. The reduction will be in proportions to the tonnage used. Some of this material, but not all, has been included in the waste tonnages included in the various landfill surveys, therefore the revenue from the levy in the first year will be lower than what is estimated.

Summary points of the submission on Part 5

35. It is noted that there is a difference in the quality of intermediate and long term cover when compared to daily cover which makes this issue difficult.
36. Officers consider that intermediate and long term cover material should be exempt from the levy and support regulations being developed for this purpose. It has been assumed that 'environmental management purposes' above means 'daily cover'. It is noted that there is a need to define terms such as daily cover, to clarify the types of materials that comprise daily cover.

37. Officers consider that daily cover should be generally subject to the levy, but that operators can apply for a waiver on a case specific basis, where they can demonstrate that they have had to import material specifically for daily cover operations, such as in the case of Claris Landfill at Great Barrier Island, Auckland.

Additional points from the submission

38. Infringement Offences: Officers consider that there is a need for the MfE to develop regulations for infringement offences. It is to be noted that the use of the waste bylaw and the Litter Act 1979 enforcement processes are ineffective due to the need of proving that a person had committed the offence as well as the onerous process used to prosecute or collect infringement notice fees. Regulations set by the MfE are sought for the following offences:
- Where skip bins, Mobile Garbage Bins and bags are left out all week for collection instead of just on the appropriate collection day;
 - For tyre dumping – while this is already covered under the Litter Act, this has not been effective means for dealing with this issue; and
 - Where tenants vacate landlords' properties leaving waste for collection (the TAs would like to see landlord responsibility for the removal and or payment for removal of this waste – formerly this was covered under the now repealed provision of the Ratings Power Act 1988).
39. It is therefore recommended that the Council submits to this effect.

Consideration of Community Views

40. No consultation has been undertaken with the community but as this is a public submission process, the public could submit if they had an interest in this matter.

STRATEGIC CONTEXT

41. The submission has been developed in light of existing Council policies and strategies most of which have been developed in conjunction with the community, including the Long Term Council Community Plan 2006-2016 and the Council's Waste Management Plan 2002 – Zeroing in on Waste.
42. Ensuring that the Council is steadily progressing towards its goal of zero waste and all waste is converted to resources most directly relates to the Council's Environment Strategy and Zero Waste Strategic Platform.
43. In terms of the Community Outcomes this initiative addresses:
- **Sustainable Environment** – increases sustainability and enables a healthy living environment with access to good quality water and air, and managing energy, waste and water innovatively and responsibly.
44. Also this is in line with community priority to keep moving to be a zero waste City with more alternative waste systems.

CONSULTATION

45. Consultation with Council's Solid Waste staff and the waste officers from the different TAs in the Auckland region has led to the development of the submission.

RESOURCES

46. There are no additional resource implications in submitting comments on the discussion document.

IMPLEMENTATION ISSUES

47. There are no implementation issues with making a submission, as this would allow improvement to the proposed policy with little to no risk or cost other than budgeted officer time.

Report prepared by: Parul Sood, Strategic Advisor Sustainability.



8 WAITAKERE CITY COUNCIL'S SOCIAL STRATEGY 2009

GLOSSARY

Waitakere City Council's Social Strategy	(the Social Strategy)
Centre for Research, Evaluation and Social Assessment	(CRESA)
Royal Commission on Auckland Governance Report	(the report)

EXECUTIVE SUMMARY

The purpose of this report is to present Waitakere City Council's Social Strategy (the Social Strategy) to the Policy and Strategy Committee for approval.

A116-A172 The Social Strategy sets out a framework of outcomes, strategic pathways and action areas that provide direction on how the work of Council could contribute more effectively to improving the social wellbeing of Waitakere's people and community. The Social Strategy has had input from Councillors, Council officers and key external stakeholders during its development. The Social Strategy is attached at pages A116 to A172.

RECOMMENDATIONS

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Waitakere City Council's Social Strategy 2009 report.
2. **Approve** the adoption of the Waitakere City Council's Social Strategy 2009.

BACKGROUND

1. The Council has had a long standing interest in ensuring the best possible social outcomes for people living and working in Waitakere. This was an important part of the eco city vision and Council's commitment to Agenda 21. The Council has contributed to community wellbeing in many ways over the years, both directly and indirectly. It has developed policies, built facilities, provided programmes and services and advocated for, and with, the community for more resourcing to achieve improved social outcomes for residents.

2. In April 2007, a report was presented to the City Development Committee suggesting that the Council could be more strategic about its role in relation to social wellbeing. It proposed the development of a framework that would set out how the Council could obtain the best possible social outcomes for its residents as it made decisions and allocated resources across the broad range of areas that it deals with. At this meeting, a decision was made to develop a Social Strategy for the Council. The City Development Committee resolved as follows:

- “1. **That** the Waitakere City Council’s Social Strategy report be received.
2. **That** the process and timeframe for developing Waitakere City Council’s Social Strategy be approved.
3. **That** the political sponsor of the Waitakere City Council’s Social Strategy be the Chairman of the City Development Committee or its equivalent.”

601/2007

3. A workshop was held in May 2007 with Councillors and officers to identify the broad social wellbeing outcomes that would provide the focus for the Social Strategy.
4. Following the May 2007 workshop, the Centre for Research, Evaluation and Social Assessment (CRESA), was contracted to assist with developing the Social Strategy. CRESA’s brief was to examine the various ways in which Council could contribute to the selected outcomes and develop a framework that would assist the Council in a more cohesive and integrated manner.
5. In June 2008, a draft Social Strategy was presented to the Policy and Strategy Committee meeting. The report sought the Committee’s endorsement of the key elements of the draft Social Strategy and requested that the Committee approve its release for further consultation. At this meeting, the Policy and Strategy Committee resolved to:

“The Policy and Strategy Committee resolved to:

1. **Receive** the Waitakere City Council Social Strategy report.
2. **Agree** to endorse the key elements of the Waitakere City Council draft Social Strategy.
3. **Agree** that a workshop be held to get Councillor input into the draft Social Strategy.
4. **Agree** that the draft Social Strategy only be released for public consultation after the proposed Councillor workshop in order to ensure that the draft Social Strategy incorporates any amendments arising from that workshop.
5. **Agree** that the final draft of the Social Strategy be brought back to the Policy and Strategy Committee in October 2008.”

901/2008

6. A workshop was held for Councillors following the June 2008 meeting and additional further discussions were held between Councillors, officers and other key stakeholders. While these discussions indicated broad support for the key elements and proposed structure of the draft Social Strategy, it was also suggested that some sections of the draft should be rewritten to better reflect the role and particular focus of Council.

7. The final draft of the Social Strategy has the same basic structure as the original draft and the social wellbeing outcomes and strategic pathways are substantially the same. The context, focus and action areas have changed significantly though, in order to make them more Waitakere specific and more Council specific. As these changes have been made, opportunities for feedback and input have been made available to a variety of different stakeholders.

DECISION MAKING

8. The Council has responsibilities to promote the social wellbeing of residents under a variety of legislation. The Local Government Act 2002, requires the Council to promote the social, economic, environmental and cultural wellbeing of its community, both in the present and for the future. It also directs the Council to consult in a meaningful way with residents and take into account their views on wellbeing when planning service delivery.

Issues

The Royal Commission on Auckland Governance

9. A final version of the Social Strategy was written in February 2009. This was before the Royal Commission on Auckland Governance Report (the report) was released and the government's response outlined. It was written with a future in mind, and from the viewpoint that there would be a Council with the power and ability to control resources and make decisions for and on behalf of the wellbeing of residents. The context, strategic focus and priority action areas of the Social Strategy were all selected on this basis.
10. Given central government's response to the report, it is impossible to tell at this stage how many of the pathways and actions in the Social Strategy this Council is actually going to be able to implement and for how long.
11. In the last week some of the action areas of the Social Strategy have been rewritten in an attempt to give it more relevance in the current climate. The action areas are more concrete with a focus on more immediate gains than was previously the case. There is also increased emphasis on the importance of building and strengthening Waitakere's community and local leadership so that they can advocate and lobby effectively on their own behalf if the Council is not there to do so.
12. If the Council were in the position of only having to respond to the report and recommendations of the Royal Commission, rather than the government's response as well, the situation in relation to the Social Strategy would be more straightforward. There is significant congruence between the approach to improving social wellbeing outlined in the report and the Social Strategy. In many respects the Social Strategy would provide a very good starting point for delivering on the social recommendations in the report.
13. The Commission emphasised the need for local government to:
 - Use the power of their core business to improve social outcomes;
 - Focus on localised place based approaches and the delivery of activities close to the ground;
 - Develop place specific data on the socio demographic characteristics of communities and neighbourhoods so that services and amenities can be matched to the needs of particular areas;

- Prioritise resources, service delivery and amenities to the most marginalised neighbourhoods, people and population groups;
 - Work with communities in ways that will empower them to take action on their own behalf;
 - Use new and creative ways of engaging with different groups;
 - Increase advocacy on behalf of poor communities;
 - Improve their research and monitoring capacity so they can prioritise the actions that will be most effective in improving social wellbeing; and
 - Carefully define the social outcomes or results it wants to achieve.
14. All these focus areas and ways of working are clearly articulated in the Social Strategy and were there well before the report came out. Presumably this is because both the Social Strategy and the report are based on the same commonly accepted national and international best practice.
15. The Social Strategy also gives prominence to the key social issues identified by the Royal Commission. The need for healthy affordable housing, giving young children the best possible start in life, and assisting young people with the sometimes difficult transition into adulthood, are all reflected in the outcome statements and strategic pathways of the Social Strategy, along with several other outcome areas that Waitakere people have said are critical.

Options Identified

16. At the date of writing this report it is not known whether the government will follow the Royal Commission's recommendations with regard to social issues.
17. It is not useful to speculate at this stage on how improved social wellbeing for people and communities would be achieved under the government's proposed model, as it is entirely lacking in any detail on people's social wellbeing.
18. Efforts have been made to slightly reorient the Social Strategy in a way that should make it more useful to the Council in the short term. Another way of making it useful might be the adoption of a small number of action areas of the Social Strategy as "flagship projects".

Consideration of Community Views

19. The views of Waitakere residents on the social outcomes they consider to be important have been obtained through the community outcomes process, as well as in regular surveys conducted by the Council. The community outcomes process involved focus groups, surveys, Maori hui and Pacific fono, as well as a business focus group. In addition, the Ministry of Social Development's Local Services Mapping report in 2006 identified social issues facing people in Waitakere. All of this material has been taken into account when developing the priorities for the Social Strategy. The specific aspirations of Maori are being identified through a separate process developed by Te Taumata Runanga; an initial report was presented to Te Taumata Runanga in April 2007.

STRATEGIC CONTEXT

20. The Auckland Sustainability Framework is a key regional document that identifies goals and direction for the future of the Auckland region. It is intended to provide guidance for all local authorities in the region and Waitakere has been a key player in its development. The Social Strategy is strongly aligned to this strategic document.

21. The Social Strategy is designed to reflect and provide a vehicle for action for the social wellbeing issues and outcomes identified in the Long Term Council Community Plan. Particularly relevant are the Strong Communities and Active Democracy Platforms as well as the First Call for Children and Lifelong Learning Priorities.

CONSULTATION

22. At different stages of its development the Social Strategy has been discussed with the Chief Executive Officer, Deputy Mayor, senior management, Council officers and through an internal reference group. It has been workshopped with Councillors, the Ethnic Board, the Pacific Board, Community Boards, Te Taumata Runanga, community organisations and Wellbeing Collaboration Project partners.

RESOURCES

23. Specific new resourcing has not been allocated to the Social Strategy's implementation. Resourcing has been committed to specific action areas. For example, \$75,000 has been allocated to Sustainable and Affordable Housing Initiatives in each of the first three years of the draft Long Term Council Community Plan 2009–2019.

IMPLEMENTATION ISSUES

24. Improved social wellbeing outcomes would be achieved through more integrated thinking and co ordinated action by the Council and other key players such as central government and the community. Everybody has a critical role to play and this is why it was a key recommendation of the Royal Commission on Auckland's Governance.
25. The implementation of this Social Strategy will require more than a "business as usual" approach and there will need to be a refocusing in some areas of the Council's work programme. The Social Strategy clearly articulates these areas and provides justification for why particular priority actions have been chosen.

Report prepared by: Sue Dodds, Team Leader: Social Development.



9 SUBMISSION TO THE NEW ZEALAND GOVERNMENT BROADBAND INVESTMENT INITIATIVE

GLOSSARY

Information Communications Technology	(ICT)
Local Fibre Company	(LFC)
Long Term Community Consultation Plan	(LTCCP)
Ministry of Economic Development	(MED)
Point-to-Point	(P2P)
Passive Optical Network	(PON)
Request for Proposal	(RFP)
Waitakere City Council	(WCC)
Waitakere Information Access Framework	(WIAF)

EXECUTIVE SUMMARY

The Government has released a draft proposal for the establishment of a Crown owned fibre investment company to partner with private business to roll out fibre optic connections to 75% of New Zealanders within ten years.

The paper was released on 31 March 2009 and had a closing date for submissions of 27 April 2009. Due to this tight time frame it has not been possible to bring the recommended submission to committee for endorsement prior to the closing date. This report presents the submission to the Policy and Strategy Committee for retrospective endorsement or, if necessary, amendment and formalisation.

A173-A179 A copy of the submission is attached at pages A173 to A177. A brief explanation of Fibre Optic Communications and Passive Optical Networks (PON), which is technical jargon to describe a range of fibre optic network construction methodologies, and is referred to in the submission, is attached at pages A178 to A179.

RECOMMENDATIONS

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Submission To The New Zealand Government Broadband Investment Initiative report.
2. **Agree** that, on behalf of Council, the Chairman of the Policy and Strategy Committee be authorised to endorse the submission to the Ministry of Economic Development on the "Broadband Investment Initiative"

BACKGROUND

1. The Government wishes to create a step-change in the provision of broadband services by delivering on a goal of ultra-fast broadband for the majority of New Zealanders.
2. The Government has released a draft proposal on the establishment of a Crown owned investment company to partner with private business to roll out fibre optic cable to 75% of New Zealanders within ten years.
3. The paper was released on 31 March 2009 and had a closing date for submissions of 27 April 2009. Due to this tight time frame it has not been possible to bring the recommended submission to committee for endorsement prior to the closing date. This report presents the submission to the Policy and Strategy Committee for retrospective endorsement or, if necessary, amendment and formalisation.

DECISION MAKING

Broadband Investment Initiative

4. The New Zealand Government Broadband Investment Initiative seeks to establish a Crown-owned investment company that will invest alongside private sector investors in one or more Local Fibre Companies (LFC's) charged with providing ultra-fast broadband services to the countries 25 largest cities and towns (comprising 75% of the population).

5. The primary focus of the initiative is to wholesale open-access¹, dark-fibre² infrastructure. The dark-fibre will be wholesaled to multiple providers who will add the electronics and the applications. Multiple companies are expected to sell a range of competing services across the fibre network.
6. The initial goal is to make fibre available to “*priority users such as businesses, schools and health services plus Greenfield developments and certain tranches of residential areas*”.³ These initial users will be connected within the first six years of this ten year programme.
7. Partners that own or operate telecommunications retail operations (i.e. Internet Service Providers) are excluded from the process unless they divest themselves of their retail interests or accept non-majority voting rights on the board of the LFC.
8. The Ministry of Economic Development (MED) will be reporting on how best to facilitate the use of telephone and electricity poles to deliver fibre overhead and via local-authority ducts (where they exist).
9. The Government intends to issue Requests for Proposal (RFPs) for the 25 areas in mid August 2009 with initial decisions on partnerships made in January 2010. Proposals will be accepted for one or any number of the areas.
10. The Government has allocated \$1.5 billion appropriated over six years and to be invested in partnership with the private sector over ten years. There are wide ranging estimates of the cost to roll out such a network ranging from \$3 to \$10 billion dollars.
11. The Government is prepared to accept what they are calling “*concessionary equity rights*”. This effectively means they will accept a lower rate of return over the initial period (up to ten years) of their investment to assist the business case for private investors.
12. The MED has requested submissions on the initiative to be received by 27 April 2009. A submission by Waitakere City Council (WCC) has been lodged to meet the timeframe and a formal endorsement, to be passed to the MED, is sought from the Policy and Strategy Committee.

Issues

13. The submission from WCC broadly supports the initiative and provides comment on a number of clauses in the draft proposal.
14. The geographical area for “Auckland” is undefined but assumed to be urban since a separate rural fund is proposed by the government. Delivering to rural areas, from the same fund, may severely compromise coverage to primary targets. WCC proposes that the area be defined as the Metropolitan Urban Limit. This would ensure coverage of the poorly served areas of Laingholm and the northern strategic growth areas.

¹ Open access requires that charges for access to the dark-fibre are non-discriminatory.

² “Dark Fibre” is fibre that is not made active by terminating electronics. It therefore permits a range of potentially differing networking technologies to be deployed. See attached at pages A178 to A179 for further information.

³ “New Zealand Government Broadband Investment Initiative Draft Proposal for comment”, 31 March 2009, page 1.

15. It is proposed that coverage milestones be established for each region. WCC suggests that specific targets are needed, rather than percentage coverage. This is to ensure that single areas (say Manukau City) are not covered before others, and that the wider Auckland region receives benefits in a broadly similar timeframe.
16. The Government's initiative proposes to consider regional Auckland as one of the 25 towns and cities. That is, Auckland will be considered as a single region for the purposes of the RFP and will have a single LFC supplying the infrastructure. However, the LFC may comprise more than one private partner. WCC contends that this may encourage monopolist pricing and that the network may not be upgraded in line with technological developments. WCC believes that partnerships between incumbents are unlikely to occur without considerable facilitation and encouragement from the Government.
17. The total Government fund for New Zealand is \$1.5 billion and a maximum government shareholding of 50% is anticipated in the LFC. It would be reasonable to expect that the Auckland region would receive a third of the Government investment fund (based on population). This implies a private investor would be required to contribute in excess of \$500 million to the partnership. In the current Auckland market there are only two or three companies that have the expertise and the financial capability to propose such a partnership.
18. If the Auckland providers were unable or unwilling to come to a consensus on partnering together with the Government, then the market is likely to be dominated by one player with the others becoming niche suppliers. The Government has stated it will not regulate price and will rely on the market to ensure equitable pricing. WCC has some doubt that this will occur.
19. The selection process will be aimed at selecting the partner proposing the maximum additional fibre. There would appear to be no consideration for any existing network and this has the potential to lead to a two-tier pricing model (based on existing investment and new, subsidised investment).
20. The Government proposes to allow further proposals at later dates, either in stages or as commercial and technological developments occur. This adds considerable risk to private investors and may lead to over-build of existing networks or complex commercial arrangements in the future.
- A178-A179* 21. PONs are permitted but a preference for Point-to-Point (P2P) is indicated. A more detailed explanation of a PON is provided attached at pages A178 to A179, but essentially it is a network that is shared by up to 64 users. As such, there is some potential compromise on the level of service as opposed to P2P, where users have individual and (if required) differing levels of service.
22. There are several references in the proposal to delivering fibre overhead on telephone and power poles and the Government is investigating whether legislative changes will be required to enable this. WCC currently requires that all cabling be placed underground.
- A173-A177* 23. A copy of the submission is attached at pages A173 to A177, and a presentation on its content will be made at the Policy and Strategy Committee meeting.
24. There is no specific requirement for Local Government financial contribution and there is no funding proposed in the Long Term Council Community Plan (LTCCP) 2009-2019.

STRATEGIC CONTEXT

25. The role of WCC in broadband is set out in the Waitakere Information Access Framework (WIAF), established to improve Information Communications Technology (ICT) infrastructure and services necessary to support Council's goals and priorities for developing Waitakere as an eco city. The programme of work includes providing improvements to ICT infrastructure within the City to facilitate ongoing sustainable economic growth, and to enable businesses and communities to take maximum advantage of communications technologies and to access information to improve their own, and the City's, levels of social and economic wellbeing.
26. This programme fits within Council's long term strategic platform for achieving integrated transport and communications, and contributes to Council's strategic goals for Strong Communities and a Strong Innovative Economy.
27. The Government's Broadband Investment Initiative delivers directly to the WIAF goal of ICT infrastructure throughout the city.

CONSULTATION

28. Council has been working on its WIAF for a number of years. This is a public document that has been consulted on through the Council's strategy adoption process and a number of annual plan processes. The submission is in accordance with the strategy.

RESOURCES

29. Staff time is allocated within the WIAF but there is no funding to pursue initiatives within the draft LTCCP 2009-2019.

IMPLEMENTATION ISSUES

30. There are no implementation issues.

Report prepared by: Dean Drake – Communications Infrastructure Manager: Strategic Projects



10 PROPOSED LOCAL AREA PLANS - UPDATES

Provision is made in the agenda for a 30-minute update from Council officers on the Proposed Local Area Plans - Updates.



11 ROYAL COMMISSION - ISSUES AND UPDATES

Provision is made in the agenda for a 30-minute update from Council officers on the Royal Commission of Inquiry into Auckland Governance.

