

Mā tō tātou takiwā
For our District

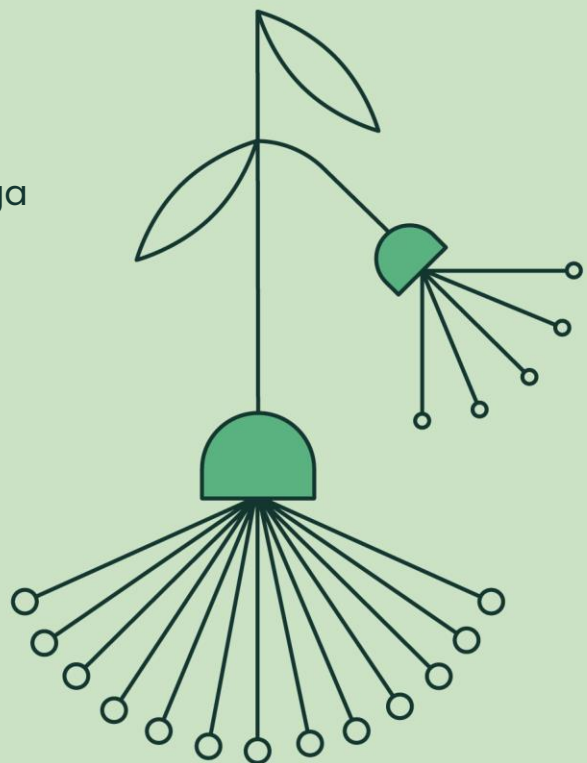
Annual Plan and Long Term Plan Committee

Komiti Kaupapa Tiro Whakamua

APLTP22-3

Thursday, 9 June 2022, 9.30am

Council Chambers, Barks Corner, Tauranga



Annual Plan and Long Term Plan Committee

Membership:

Chairperson	Deputy Mayor John Scrimgeour
Deputy Chairperson	Cr James Denyer
Members	Cr Grant Dally Cr Mark Dean Cr Murray Grainger Cr Monique Gray Cr Anne Henry Cr Kevin Marsh Cr Margaret Murray-Benge Cr Allan Sole Cr Don Thwaites Mayor Garry Webber
Quorum	6
Frequency	Quarterly

Role:

- To manage the process of development of the Annual Plan, Long Term Plan and amendments, including the determination of the nature and extent of community engagement approaches to be employed.

Scope:

To undertake on behalf of Council all processes and actions precedent to the final adoption of the Annual Plan, Long Term Plan and any amendments including, but not limited to:

- the development of consultation documents and supporting documentation,
- community engagement approaches and associated special consultative processes (if required), and

- the review of policies and strategies required to be adopted and consulted on under the Local Government Act 2002 including the financial strategy, treasury management strategies and the infrastructure strategy.
- To listen to and receive the presentation of views by people and engage in spoken interaction with people pursuant to section 83(1)(d) of the Local Government Act 2002 in relation to any processes Council undertakes to consult on under the special consultative procedure, as required by the Local Government Act 2002 or any other Act.
- To engage with Council's external auditors regarding the audit work programme for the Long Term Plan and agree the terms and arrangements of the external audit.
- To review the effectiveness of the Long-Term Plan audit or any audit relating to an amendment to the Long-Term Plan.

Power to act:

- To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed, including the adoption for the purposes of consultation under the Local Government Act 2002 of the consultation document and supporting documentation.
- To receive external and internal audit reports in relation to the Long Term Plan and any amendments to the Long Term Plan.
- To approve the Auditor's engagement and arrangement letters in relation to the Long-Term Plan and any amendments to the Long Term Plan.

Power to recommend:

- To Council and/or any Committee as it deems appropriate.

Power to sub-delegate:

- The Committee may delegate any of its functions, duties or powers to a subcommittee, working group or other subordinate decision-making body subject to the restrictions on its delegations and provided that any sub-delegation includes a statement of purpose and specification of task.

Notice is hereby given that a Annual Plan and Long Term Plan
Committee Meeting will be held in the Council Chambers, Barkes
Corner, Tauranga on:
Thursday, 9 June 2022 at 9.30am

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1 PRESENT**2 IN ATTENDANCE****3 APOLOGIES****4 CONSIDERATION OF LATE ITEMS****5 DECLARATIONS OF INTEREST**

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest that they may have.

6 PUBLIC EXCLUDED ITEMS**7 PUBLIC FORUM**

A period of up to 30 minutes is set aside for a public forum. Members of the public may attend to address the Board for up to five minutes on items that fall within the delegations of the Board provided the matters are not subject to legal proceedings, or to a process providing for the hearing of submissions. Speakers may be questioned through the Chairperson by members, but questions must be confined to obtaining information or clarification on matters raised by the speaker. The Chairperson has discretion in regard to time extensions.

Such presentations do not form part of the formal business of the meeting, a brief record will be kept of matters raised during any public forum section of the meeting with matters for action to be referred through the customer contact centre request system, while those requiring further investigation will be referred to the Chief Executive.

8 PRESENTATIONS

9 REPORTS

9.1 ANNUAL PLAN 2022/23 – DELIBERATIONS

File Number: A4559091

Author: Matthew Leighton, Senior Policy Analyst

Authoriser: Rachael Davie, General Manager Strategy and Community

EXECUTIVE SUMMARY

1. The purpose of this report is to facilitate decisions on the Annual Plan 2022/23 and, following considerations of submissions and other matters raised, to recommend to Council the adoption of the Annual Plan 2022/23 and Fees and Charges 2022/23.

RECOMMENDATION

1. That the Senior Policy Analyst's report dated 9 June 2022 titled 'Annual Plan 2022/23 – Deliberations' be received.
2. That the report relates to an issue that is considered to be of **medium** significance in terms of Council's Significance and Engagement Policy.
3. That all written and verbal feedback be received, from the consultation process 21 March to 21 April 2022, as set out in the documents titled 'Pukehina Development Rate – Submissions Pack', 'Annual Plan 2022/23 – Submissions Pack' and 'Fees and Charges 2022/23 – Submissions Pack', and circulated separately with this agenda.

Annual Plan 2022/23

4. That in relation to the matters arising from Council/Committee decisions in relation to the Annual Plan 2022/23, the Committee resolves:

Pukehina Development Rate, Topic One – Future of the Pukehina Development Rate

- a. [Option 1, 2, 3 or 4];

Pukehina Development Rate, Topic Two – Refunding the reserve balance

- b. [Option 1 or 2];

Capital Programme Changes

- c. [Option 1 or 2];

External Debt and Cost of Capital

- d. [Option 1 or 2];

Structure Plan Review

- e. [Option 1 or 2];

Ōmokoroa Reserves Acquisition Cost Increase

- f. [Option 1 or 2];

Other Annual Plan Submission Points

- g. [Option 1 and 2].

Fees and Charges 2022/23

5. That in relation to the matters arising from Council/Committee decisions in relation to the Fees and Charges 2022/23, the Committee resolves:

Reduction of FINCOs for community housing and Papakāinga

- [Option 1 or 2];

Fees and Charges including general Financial Contributions

- [Option 1, 2 or 3].

6. That it be recommended to Council that the Annual Plan 2022/23 and Fees and Charges 2022/23 be amended in accordance with the Long Term and Annual Plan Committee resolutions contained in the minutes of APLTP22-3 dated 9 June 2022, and that the amended Annual Plan 2022/23 and Fees and Charges 2022/23 be adopted.
7. That the Committee notes that the decision story will be prepared as the formal response to submitters, for adoption by Council alongside the Annual Plan 2022/23, and that the decision story will be in general accordance with the Long Term and Annual Plan Committee resolutions contained in the minutes of APLTP22-3 dated 9 June 2022.

Annual Plan 2022/23

2. Council consulted on the Annual Plan 2022/23 between 21 March and 21 April 2022. 143 submissions were received. 139 related to the Pukehina Development rate. Submissions are set out in Attachments B, C and D.
3. The scope of the Annual Plan was limited to the Pukehina Development Rate as this was the only material or significant change being considered.
4. No material or significant changes sought through submissions on any other matter (beside the Pukehina Development Rate) can be addressed by Council through the Annual Plan. The general approach will be to defer these matters to more appropriate operational processes as suitable, or to the Annual Plan 2023/24.

ISSUES AND OPTIONS PAPERS

5. Attachment A consolidates the Issues and Options papers that consider the matters raised through the Annual Plan and Fees and Charges process.
6. Six Annual Plan related issues and options papers are presented for consideration. These address submissions or issues arisen/new information since the draft Annual Plan was prepared. The recommended approaches to these are not considered material or significant changes alone. The discussion of Financials below considers the cumulative impact.

Pukehina Development Rate (a. Future of rate; b. Use of existing reserve)

7. This responds to the key consultation topic of the Annual Plan. It considers the future use of the rate, and in response to several submissions, the use of the reserve.

Capital Programme Changes

8. This outlines changes to timing of projects to better reflect delivery expectations and contractor availability. Allowance has also been made for changing interest rates. These changes are not considered significant or material in themselves.

External Debt and Cost of Capital

9. This considers the debt and capital cost of changes to the capital work programme and the impact of changing interest rates.

Structure Plan Review

10. Structure plans have been updated to reflect land purchase costs as a result of market movement and cost escalations as a result of inflation in the construction sector (between 7–15% in some instances). These are driving Financial Contributions increases. The proposed updated Structure Plans are provided in Attachment G.

Ōmokoroa Reserves Acquisition Cost Increase

11. This is to reflect land purchase costs as a result of market movement. This contributes to Financial Contributions increases.

Other community submission points

12. This addresses submissions outside of the scope of the current Annual Plan consultation.

DRAFT FEES AND CHARGES

13. The Draft Fees and Charges 2022/23 were consulted on concurrently alongside the Annual Plan. The key item for consultation was the changes to the Financial Contributions for community housing and Papakāinga.
14. Nine submissions were received. Two submitters (Stratum Consultants/North 12 Limited Partnership #9; Grey Power #10) were heard in support of their submissions.
15. Separate Issues and Options Papers (See Attachment A) have been prepared to address:

- Financial Contributions Reductions for community housing and Papakāinga
- Other Fees and Charges (including other Financial Contribution matters).

16. The Draft Schedule of Fees and Charges, as prepared for consultation, are presented as Attachment F to this report. Changes will be made to the fees and charges and indicative financial contributions depending on the resolutions passed through this meeting.

FINANCIAL OVERVIEW

17. The Annual Plan 2022/23 Consultation Document included a 3.96% rates increase for existing ratepayers, and a \$59m capital programme.
18. The Issues and Options Papers presented within this workshop would bring the 2022/23 capital programme to \$67m.
19. Staff have modelled the rating impacts should the Issues and Options be approved. Based on this assumption, the average rates increase for 2022/23 would be 3.92%.
20. Attachment E presents the reworked draft Annual Plan, based on an assumption regarding the Issues and Options. This will be changed depending on the resolutions passed through this meeting, prior to the Council adoption.

SIGNIFICANCE AND ENGAGEMENT

21. The Local Government Act 2002 requires a formal assessment of the significance of matters and decisions in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.
22. The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.
23. In terms of the Significance and Engagement Policy this decision is considered to be of **medium** significance. This is due to the legislative requirements for the Annual Plan, the clear localised community interest and differing views on the future of the Pukehina Development Rate and because it may require further consultation to reverse decisions. The draft Schedule of Fees and Charges also has legislative requirements for consultation.

ENGAGEMENT, CONSULTATION AND COMMUNICATION

24. As discussed above, consultation has been undertaken. Targeted engagement was focused on the Pukehina Beach Community.
25. Further communications are planned once decisions are made and the Annual Plan 2022/23 and Fees and Charges 2022/23 are adopted by Council.

Interested/Affected Parties	Completed/Planned Engagement/Consultation/Communication		
Pukehina community	<p>The Annual Plan consultation was primarily targeted to the Pukehina community, because the Pukehina Development Rate is the only item in scope for consultation.</p> <p>Consultation ran from 21 March – 21 April 2022. The key elements were:</p> <ul style="list-style-type: none"> (a) Consultation Document and hardcopy submission form provided to all residents and ratepayers in the Pukehina rating area; (b) Consultation Document and hardcopy submission form available at all libraries and service centres; (c) Consultation Document and Supporting Information available online; (d) Online submission form; (e) In person drop-in event at Pukehina Fishing Club – 10am-12pm, 2 April 2022. <p>Final Council decisions on the Annual Plan will be communicated via a decision document made available online and sent (either by email or hardcopy) to submitters. Individual responses are not proposed. Targeted communications on adoption will also be undertaken.</p>	Planned	Completed
Targeted stakeholders	<p>Targeted engagement on the Draft Schedule of Fees and Charges undertaken on specific fees where considered necessary. Te Ihu o te Waka o Te Arawa, Te Kāhui Mana Whenua o Tauranga Moana, community housing providers, and land trusts in the Papakāinga space will be informed of the proposed changes to Financial Contributions.</p> <p>Changes will be communicated to submitters and stakeholders as suitable.</p>		

General Public	<p>The Annual Plan Consultation Document and Supporting Information made publicly available online.</p> <p>The Draft Schedule of Fees and Charges was also made publicly available on our website and in our libraries/services centres.</p> <p>No material or significant changes sought through submissions on any other matter (besides the Pukehina Development Rate) can be addressed by Council through the Annual Plan. The general approach will be to defer these matters to the Annual Plan 2023/24 (which commences in September 2022).</p> <p>Decision document and final Annual Plan to be made publicly available and media release to accompany the adoption of the Annual Plan.</p>	
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26. As previously agreed by the Committee, decisions will be communicated via a decision document made available online and sent (either by email or hardcopy) to submitters. Individual responses are not proposed.
27. No material or significant changes sought through submissions on any other matter can be approved by Council. The general approach will be to defer these matters to more appropriate process or to the Annual Plan 2023/24 (which commences in September 2022).

ISSUES AND OPTIONS ASSESSMENT

28. Attachment A consolidates the Issues and Options papers that consider the matters raised through the Annual Plan and Fees and Charges process.
29. The options to address the substantive matter of this paper are discussed below.

Option A That in relation to the matters arising from Council/Committee decisions on the Annual Plan 2022/23 and the Fees and Charges 2022/23, the Committee proposes specific resolutions to address these and recommends that the Annual Plan 2022/23 and Fees and Charges 2022/23 be adopted by Council.	
Assessment of advantages and disadvantages including impact on each of the four well-beings <ul style="list-style-type: none"> • Economic • Social • Cultural 	Advantages Elected members can consider the practicable options, advantages and disadvantages of each option and the financial implications of the options

<ul style="list-style-type: none"> Environmental 	Staff are given clear direction on the amendments required to complete the Annual Plan for adoption within legislative timeframes.
Costs (including present and future costs, direct, indirect and contingent costs).	The financial implications of each option are outlined in the Issues and Options Papers as per Attachment A as well as the proposed funding source
Option B That in relation to the matters arising from Council/Committee decisions on the Annual Plan 2022/23 and the Fees and Charges 2022/23, the Committee <u>does not</u> propose specific resolutions to address these and <u>does not</u> recommend that the Annual Plan 2022/23 and Fees and Charges 2022/23 be adopted by Council.	
Assessment of advantages and disadvantages including impact on each of the four well-beings <ul style="list-style-type: none"> Economic Social Cultural Environmental 	<i>Advantages</i> Further information may be requested for consideration prior to decision making. <i>Disadvantages</i> Unresolved matters will jeopardise completion of the Annual Plan within legislative timeframes. The Annual Plan is required by the Local Government Act 2002 to be adopted no later than 30 June 2022.
Costs (including present and future costs, direct, indirect and contingent costs).	Financial implications may be unclear.

STATUTORY COMPLIANCE

30. The recommendations of this report meet the requirements of:















- (a) the Local Government Act 2002, including sections 82, 83, 95, 95A and 150; and
- (b) the Local Government Rating Act 2002.

FUNDING/BUDGET IMPLICATIONS

Budget Funding Information	Relevant Detail
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Annual Plan and draft Schedule of Fees and Charges development costs	All costs associated with the production of the Annual Plan Consultation Document and draft Schedule of Fees and Charges have been budgeted for.
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ATTACHMENTS

1. **Attachment A – Consolidated Issues and Options Papers**  
2. **Attachment B – Pukehina Development Rate – Full Submission Pack**  
3. **Attachment C – Other Annual Plan Submissions – Full Submission Pack**  
4. **Attachment D – Fees and Charges – Full Submission Pack**  
5. **Attachment E – Annual Plan 2022/23 – DRAFT**  
6. **Attachment F – Draft Fees and Charges (as per consultation)**  
7. **Attachment G – Proposed Updated Structure Plan Schedules**  

Attachment A – Consolidated Issues and Options Papers

Annual Plan 2022/23 and Fees and Charges 2022/23

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Annual Plan 2022/23

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<i>Ōmokoroa Reserves Acquisition Cost Increase</i>	<i>Pg 32</i>
<i>Other Annual Plan Submission Points</i>	<i>Pg 36</i>

Fees and Charges 2022/23

<i>Reduction of FINCOs for community housing and Papakāinga</i>	<i>Pg 42</i>
<i>Fees and Charges including general Financial Contributions</i>	<i>Pg 60</i>

Annual Plan 2022/23

Pukehina Development Rate

Issues and Options Paper



Issue and Options (IOP)		
	Number	Description
Topic	AP23	Annual Plan 2022/23
Issue	01	Pukehina Development Rate
Related strategies	Revenue and Financing Policy	

Staff Narrative

The future of the Pukehina Development Rate was the sole substantive matter for consultation through the Annual Plan 2022/23. The key question was should we continue, pause, stop, or repurpose the Pukehina Development Rate?

Background

Council has been collecting the Pukehina Development Rate for the past 21 years. This rate is charged at \$20 per ratepayer, within the defined area of benefit, of which there are currently 632 properties. The rate has been collected for the purpose of contributing towards a future sewerage scheme for the Pukehina area. The current balance of the fund is \$483,501.71.

For further background, see Attachment A, which includes:

- History of the Pukehina Development Rate
- Differentiation between the Pukehina Development Rate and Fund
- Summary of Legal Advice
- Information on the Pukehina Beach Ratepayers & Residents Association
- Potential involvement of the Three Waters Reform
- Legislative Context

Issue and Trends

On 4 November 2021, Council agreed to undertake community consultation with the Pukehina community regarding the Development Rate, alongside the Annual Plan 2022/2023. Consultation ran from 21 March to 21 April 2022.

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Consultation was undertaken with the Pukehina community through a variety of different engagement channels. Every ratepayer in Pukehina was contacted via postcard, providing information on the consultation, and asking for feedback. Council used its Have Your Say website to collect online feedback and a community information session was held on 2 April 2022 at the Pukehina Fishing Club.

Overall, 138 submissions were received on the future of the Pukehina Development Rate. The feedback received on the options is summarised in the table below.

Options	Count	%
Option 1 (Council's preferred option) – Continue to pay.	29	21%
Option 2 – Pause.	24	17%
Option 3 – Stop.	42	30%
Option 4 – Repurpose.	43	31%
Total	138	100%

Consultation on the Pukehina Development Rate was focussed on the potential to cease collecting the development rate and/or to change the purpose of the Pukehina Development Reserve and not related to the accumulated funds. However, Council received 19 submissions relating to refunding the balance of the Pukehina Development Fund to the ratepayers of Pukehina.

The options are presented to address these two matters:

- Topic One – Future of the Pukehina Development Rate
- Topic Two – Refunding the reserve balance (\$483,500)

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Options - TOPIC ONE – Future of the PDR	
1	Continue to pay (Council's preferred option in the Consultation Document) Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
2	Pause Council pauses collecting the PDR for the next two years.
3	Stop Council stops collecting the PDR.
4	Repurpose Council continues with the collection of the PDR but repurposes it for recreation purposes.

Options - TOPIC TWO – Refunding the reserve balance	
1	Retain accumulated funds Council retains the accumulated funds from the Pukehina Development Rate.
2	Refund the balance Council refunds the entire balance of the Pukehina Development Fund only to those who are current property owners in Pukehina.

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TOPIC ONE – Option 1 (Council’s preferred option): That Council continues to collect the Pukehina Development Rate at \$20 per rateable property for wastewater purposes (status quo).

Advantages

- Raises \$12,640 a year that could help to offset potential future wastewater scheme costs.
- Consistent with the contribution of previous ratepayers.

Disadvantages

- Uncertainty if Government’s Three Waters reform would guarantee use of the funds collected for Pukehina, noting that it is expected that any funds collected for this purpose will be required to be transferred to Entity B.

Option 1: Implications for Work Programme/Budgets

y/e June	2022/23 \$000
Capital cost <i>e.g. Asset</i>	
Capex funding	N/A
• Rates	
• Fin Contribution	
• External	
• Other (<i>specify</i>)	
Opex cost <i>e.g. grants, service delivery, maintenance</i>	
Opex funding	
• Rates	
• External	
• Other (<i>specify</i>)	

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TOPIC ONE – Option 2: That Council pauses collection of the Pukehina Development Rate for the next two years.**Advantages**

- The Pukehina community would not need to pay the rate for the next two years.
- More time to see how the Government's Three Waters reform will affect the future of the fund.

Disadvantages

- Not consistent with what previous ratepayers have contributed over the past 21 years.
- The balance of the Development Fund would not increase through rating contributions.
- A future decision-making process will be required.

Option 2: Implications for Work Programme/Budgets

y/e June	2022/23 \$000
Capital cost <i>e.g. Asset</i>	
Capex funding	
• Rates	(12.64)
• Fin Contribution	
• External	
• Other (<i>specify</i>)	
Opex cost <i>e.g. grants, service delivery, maintenance</i>	
Opex funding	
• Rates	
• External	
• Other (<i>specify</i>)	

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TOPIC ONE – Option 3: That Council stops collecting the Pukehina Development Rate.	
Advantages <ul style="list-style-type: none"> The Pukehina community would not need to pay the rate in the future. 	Disadvantages <ul style="list-style-type: none"> Not consistent with what previous ratepayers have contributed over the past 21 years. The balance of the Development Fund would not increase from rating contributions. No further funds would be collected that could be potentially used to lower the future cost of wastewater projects.
Option 3: Implications for Work Programme/Budgets	
y/e June	2022/23 \$000
Capital cost <i>e.g. Asset</i>	
Capex funding	
• Rates	(12.64)
• Fin Contribution	
• External	
• Other (<i>specify</i>)	
Opex cost <i>e.g. grants, service delivery, maintenance</i>	
Opex funding	
• Rates	
• External	
• Other (<i>specify</i>)	

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TOPIC ONE – Option 4: That Council continues with the collection of the Pukehina Development Rate but repurposes it for recreation purposes.	
Advantages <ul style="list-style-type: none"> Raises \$12,640 a year that could contribute to recreation projects in Pukehina. Over the next five years there could be \$70,150 available for local recreational projects (from rates and accrued interest). 	Disadvantages <ul style="list-style-type: none"> No further funds would be collected that could be used to lower the future cost of wastewater projects. Further decision making would be required to identify the specific recreation projects that the funds would be allocated to.
Option 4: Implications for Work Programme/Budgets	
y/e June	2022/23 \$000
Capital cost <i>e.g. Asset</i>	
Capex funding	N/A
• Rates	
• Fin Contribution	
• External	
• Other (<i>specify</i>)	
Opex cost <i>e.g. grants, service delivery, maintenance</i>	
Opex funding	
• Rates	
• External	
• Other (<i>specify</i>)	

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TOPIC TWO – Option 1: That Council retains the accumulated funds from the Pukehina Development Rate.**Advantages**

- Balance of the Fund is not lost and will continue to gain interest.
- Could potentially help to offset future wastewater scheme costs, although it is not guaranteed to be attributed to Pukehina.
- If Council can retain ownership of the Fund through the Three Waters process, Council can revisit this conversation with the community following the new Three Waters Entities being established.

Disadvantages

- Council expects to be required to hand the balance of the Fund over to the new Three Waters Entities depending on final decisions from Central Government regarding water reform.
- Pukehina ratepayers will not be reimbursed by Council for their contributions to the fund over the last 21 years.

Option 1: Implications for Work Programme/Budgets

y/e June	2022/23 \$000
Capital cost <i>e.g. Asset</i>	
Capex funding	N/A
• Rates	
• Fin Contribution	
• External	
• Other (<i>specify</i>)	
Opex cost <i>e.g. grants, service delivery, maintenance</i>	
Opex funding	
• Rates	
• External	
• Other (<i>specify</i>)	

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TOPIC TWO – Option 2: That the balance of the Pukehina Development Fund is refunded only to those who are current property owners in Pukehina.	
Advantages <ul style="list-style-type: none"> Pukehina ratepayers would receive a refund of approximately \$765 per rateable property (based on contribution of \$20 per year plus accumulated interest). 	Disadvantages <ul style="list-style-type: none"> Would be administratively complex and require significant staff time. (estimate \$10,000 to undertake the refund process). Balance of the Fund would not be available in the future to offset potential future wastewater scheme costs. Engagement with Central Government would be recommended prior to proceeding with any refund process, as per the terms of our MOU, as the reserve is a waters asset identified in information provided to the ongoing Three Waters reform. Further consultation with the Pukehina community would be required, as the reserve balance was explicitly out of scope through the recent consultation undertaken.
Option 2: Implications for Work Programme/Budgets	
y/e June	2022/23 \$000
Capital cost e.g. Asset	
Capex funding	
• Rates	
• Fin Contribution	
• External	
• Other (<i>specify</i>)	
Opex cost e.g. grants, service delivery, maintenance	
Opex funding	
• Rates	10
• External	
• Other (<i>Pukehina Development Fund Reserve</i>)	483.5

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Recommended Decision <i>(to be completed by staff prior to decision-making meeting)</i>
<i>Topic One – Future of the Pukehina Development Rate</i>
<i>Topic Two – Refunding the reserve balance (\$483,500)</i>
Decision
Reason

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Attachment A – Background

Through the Long Term Plan 2021–2031, Council received a submission from the Pukehina Beach Ratepayers and Residents Association requesting that Council consider consultation on changing the purpose of the Pukehina Development Fund.

Through the Long Term Plan Council resolved the following:

- That Council consult with the Pukehina Beach ratepayers during the 2021/2022 financial year regarding:
 - a) Continuing or ceasing the rate;
 - b) Repurposing the rate and reserve balance

AND

- That the outcome of the consultation be implemented in the 2022/2023 Annual Plan.

It should be noted that Council also collects the Pukehina Beach Protection Rate. The Pukehina Beach Protection targeted rate part funds Pukehina Beach protection in defined areas of benefit. The different categories of land are based on location of land. The Protection Rate is charged at \$46.02 for properties on the coastal side of Pukehina Parade and \$8.23 for the remaining properties in Pukehina Beach. The current balance of the fund is \$307,351. This rate is outside the scope of this paper and the consultation that has been undertaken.

Commencement of the Development Rate

In 2000, the Pukehina Ratepayers Association (now known as the Pukehina Beach Ratepayers & Residents Association) requested that Council start charging a targeted rate for the purpose of helping to subsidise the costs of a new sewerage scheme for the area, anticipated to be required in the near future.

Long Term Council Community Plan 2009–2019

Through the Long Term Council Community Plan 2009–2019 (LTCCP 2009–2019), Council began investigating the provision of a wastewater system to service

Maketu, Little Waihi and Pukehina Beach, to address environmental issues caused by the inadequacy of existing septic tank systems. Effects had been observed in the Maketu Estuary and Little Waihi Estuary environments.

Council proposed to service all three communities, estimated to cost \$30 million. Subsidies of \$10.5 million from Central Government and \$1.6 million from Regional Council would be received, leaving a shortfall of \$17.9 million to be funded by affected property owners. Estimated full Uniform Annual Charge for the scheme would be \$1,055 per rateable property. Pukehina properties would pay an increased development levy of \$159 in 2009/10 and \$319 in 2010/11. The scheme would become operational in 2012.

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23 submissions were received in total. 14 submitters opposed inclusion of Pukehina Beach in the proposed three communities Wastewater Scheme. 2 submitters opposed the scheme in total. 3 submitters suggested alternative schemes and 4 submitters supported the full extent of the scheme.

Many of the submitters who opposed the inclusion of Pukehina in the scheme advised that the indicative charges would be unaffordable. The cost to service Maketu and Little Waihi alone was estimated at \$15.8 million. On the basis of this feedback received through the LTCCP 2009-2019, Council decided that a new on-site septic tank for the primary treatment of solids must be installed at each property in Pukehina, and all wastewater from Maketu and Little Waihi would be reticulated to a treatment plant in Arawa Avenue with land based disposal. Since Pukehina properties would not be serviced, there was no increase in the Pukehina Development Rate, which remained at \$20 per property.

2015 Pukehina Beach Ratepayers & Residents Association Minutes

Minutes of the Pukehina Beach Ratepayers & Residents Association show that in 2015, Council advised those residents and ratepayers of Pukehina that a sewerage system would be unlikely to happen in the area. The Pukehina Beach Ratepayers & Residents Association at their subsequent AGMs have voted in favour of continuing to contribute towards the Pukehina Development Fund.

2018 Legal Advice

In September 2018, Council received legal advice from Simpson Grierson on the matter. The advice outlined that a rate and reserve's purpose can be changed by Council decision, but it is recommended public consultation be undertaken to inform the decision-making. The legal advice stated that Councils are only able to use funds for the purpose they were collected. Council is required¹ to state in its funding impact statement the activities or groups of activities for which a rate is collected.

In setting a rate, a Council is effectively raising a mandatory tax from the community on the basis of the stated purpose for the funds. More broadly, Councils must consider the views of its community when making decisions and to not change the direction in any material way without consultation. The legal advice stated that Council cannot hold funds collected for a purpose that it no longer intends to spend on that purpose. The legal advice identified the following three options:

1. Apply the funds to a very similar purpose (if there is one);
2. Determine a new purpose; or
3. Refund the money to the persons who paid it.

The legal advice recommended that Council consult the Pukehina community before making a decision.

¹ Section 16 of the Local Government (Rating) Act 2002 and clauses 15(4)(a) and 20(4)(a) of Schedule 10 of the Local Government Act 2002.

One of the options is for the balance of the Fund to be refunded. However, seeking to refund sums to the persons who have contributed over a number of years is complicated. The legal advice flags that this practice it is not straightforward. Many of those who have contributed to the Fund over the last 21 years may have sold their properties and moved out of the area or may have passed away. As a result, this option was discounted as a 'practicable option' and not included in the consultation document.

2021 Pukehina Beach Ratepayers & Residents Association Submission

On 2 January 2021, the Pukehina Beach Ratepayers & Residents Association (PBRRA) held their AGM whereby they voted on whether Council should consult ratepayers to decide whether the development rate should continue to be charged, if the fund should be discontinued, or if there was an opportunity to use the current accumulated funds for other infrastructure projects. 46 voted in favour of consultation and six voted against. Following this decision, the PBRRA submitted to Council, through the Long Term Plan 2021-2031, for Council-led consultation on the potential to cease collecting the development rate and/or to change the purpose of the Pukehina Development Reserve.

There are 632 rateable properties paying the Pukehina Development Rate. The PBRRA have advised that at present they have 185 registered members, 11 of which serve on their Committee. The PBRRA approximately represents 25-30% of the Pukehina Beach community.

The PBRRA does represent a number of residents and ratepayers from Pukehina Beach, however, the majority of residents and ratepayers are not members of the Association. Therefore, the views of Association are theirs alone and not necessarily the shared views of the entire community.

Further Legal Advice to inform Annual Plan process

Council received legal advice from Cooney Lees Morgan on a couple of matters. The legal advice stated that it would be reasonable for Council to consult on the option of continuing to collect the rate for its current purpose. Despite uncertainty as to the future wastewater requirements for the Pukehina area, there remains a possibility that at some stage in the medium-term (following the Bay of Plenty Regional Council's implementation of the National Policy Statement for Freshwater Management), some form of wastewater infrastructure or upgrades to existing systems may be required.

The legal advice recommended that it would be more reasonable for the Council to continue to collect the targeted rate until such time as the BOPRC reports back in 2024 on its proposals to implement the NPSFM. At that time the Council and the Pukehina ratepayers will have greater certainty as to whether or not the Fund can be spent in the area for its original intended purpose.

In relation to the Three Waters Reform, at this stage in time, the Three Waters Reform and the transfer of assets and funds to the proposed future Three Waters Entities, is still too uncertain. The Water Services Entity Bill has not been introduced

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as yet and we would have to speculate as to its contents. On its own, this may not provide a sound basis for decision making in relation to the Fund.

However, from a relationship perspective with Central Government, there is a risk that refunding the balance would open Council to criticism that it had breached the good faith obligation elements of the Memorandum of Understanding signed by Council in the first stages of the Three Waters Reform. Council would also have to be clear that it had removed the accumulated balance from the financial information that has been provided as part of the initial information collection by Central Government and used for the reform modelling. The legal advice goes on to outline that any decision by Council in relation to the accumulated funds should ensure it complies with the “no surprises” approach if it considers the MOU to still be in place. Consultation and engagement with Central Government on this matter would be necessary prior to refunding or repurposing the accumulated fund.

The legal advice also states that if we wish to refund or repurpose the existing accumulated funds, that this would require further community consultation. The accumulated funds were specifically out of scope of the consultation undertaken by Council (and as requested by PBRRA) through this Annual Plan process.

The legal advice also addressed the potential of refunding the balance of the Fund to only current property owners by way of a rates credit, and not specifically to those who have contributed to the Fund over the last 21 years. The legal advice outlines, that Council can refund the current ratepayer but cannot do this as a rates credit.

Legislative Context

The Local Government (Rating) Act 2002 allows for local authorities to set targeted rates. The targeted rate may be set on a uniform basis for all rateable land in a defined area of benefit. Council can only use the funds for the purpose they were collected. In setting a rate, Council is effectively raising a mandatory tax from the community on the basis of the stated purpose for the funds. Therefore, Council must consider the views of the community when making its decision and to not change the direction in any material way without undertaking community consultation. This could include ceasing collection of the rate, re-purposing the collection of the rate (and accumulated funds), or refunding the accumulated funds to those who contributed.

The Local Government Act 2002 outlines that if sources of funding for local authorities include a targeted rate, then a funding impact statement must specify the activities or groups of activities for which the targeted rate is to be set. The Long Term Plan 2021-31 includes this information.

Three Waters Reform

From 1 July 2024, Government will transfer the management of drinking water, wastewater, and stormwater from 67 councils to four public-owned entities. Under this reform, Council envisages that the existing Pukehina Development Fund will be allocated to this entity as it was collected for a wastewater scheme for the area.

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Council agreed to undertake community consultation to focus on the future of the Pukehina Development Rate rather than the current balance of the Fund part to due to the current Three Waters reform direction (on 30 September 2021) where it is expected that the existing and future proceeds may transfer to a new water entity.

Current information supplied to Council from the Department of Internal Affairs National Transition Unit states that: *"It is anticipated that a detailed definition of what constitutes a 'Three Waters' asset will be provided in subsequent legislation. The current working definition is that an asset will be a 'Three Waters' asset and be within scope to transfer if it is owned by a local government organisation and relates wholly to the provision of a Three Waters service."*²

Pukehina Development Rate and Fund

When Council committed to undertake community consultation with the Pukehina community it was agreed that the consultation would focus on the future of the Pukehina Development Rate and not the current balance of the Fund. This position was supported by the Pukehina Beach Ratepayers and Residents Association (PBRRA) presenting at the public forum of the Thursday 4 November 2021 Long Term and Annual Plan Committee meeting. They acknowledged that now is not the time to discuss the accumulated funds and that consultation should be limited to the collection of the rate moving forward.

Since undertaking consultation, Council has received a number of submissions on the future of the Pukehina Development Fund balance, despite this not being consulted on. Due to the submissions received, the issues and options have been spilt into two sections for Elected Members consideration:

- The future of the Pukehina Development Rate.
- Considerations around what should happen to the current balance of the Pukehina Development Fund.

² Department of Internal Affairs Three Waters Reform Programme. Legal Due Diligence – Request for Information. 19 April 2022.

Annual Plan 2022/23 Capital Programme Changes

Internal Submission Paper



Internal submission – Capital Programme Changes	
	Description
Activity	Various
Issue	Changes to proposed 2022/23 Capital Budgets
Project No	Various
Related strategies	N/A

Staff Narrative

Background

Council is preparing the 2022/23 Annual Plan. Through the preparation of the draft plan and budgets it became apparent that there were no significant or material changes proposed compared to Year 2 of Council’s adopted 2021-31 Long Term Plan, and that the draft 2022/23 Annual Plan did not require full consultation.

Since the draft 2022/23 Annual Plan budget was adopted on the 8th March 2022, staff have reviewed their capital budgets with regards to changes in either timing or budgets amounts. This internal submission summarises these changes requested.

Changes to Capital Budgets

Overall, the changes requested will add an additional \$1.92 million to the 2022/23 Capital Budget.

Within these requested changes, \$1.14 million relates to the bringing forward of future adopted budgets within Elder Housing in order to enable the early development of Council’s pensioner housing initiatives.

The summary of changes is as follows:

Activity	Amount	Rationale
3 Waters	\$632k	Mixture of timing changes and cost escalation.
Property	\$1.24m	Predominantly bringing forward Elder Housing budget into 2023.
Reserves & Facilities	\$55k	Cost escalation.

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It is noted that these budget change requests do not include projects within Council's Structure Plans. These changes are requested in a separate Internal Submission and are proposed to increase 2022/23 structure plan budgets by \$4.7m.

A full listing of proposed changes to capital projects are included in Appendix A.

Impact on Council's Significance & Engagement Policy

As Council decided that the draft 2022/23 Annual Plan budgets did not differ from the adopted Long Term Plan in a significant or material way and assessed that full community consultation was not required, Council must also assess any additional changes against the criteria set out in the Significance and Engagement Policy.

Staff have performed an assessment on these proposed capital budget changes and have established that these changes (both individually and collectively) do not constitute a significant or material change under the policy and can be approved without triggering the requirement for further consultation under Council's Significance and Engagement Policy.

Options	
1	Approve changes to Council capital budgets That Council approves the proposed changes to the 2022/23 capital budgets.
2	Do not approve the changes to Council capital budgets That Council does not approve the proposed changes to the 2022/23 capital budgets.

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Option 1: Approve changes to Council capital budgets That Council approves the proposed changes to the 2022/23 capital budgets.	
Advantages <ul style="list-style-type: none"> Allows for known changes in timing or cost to be accurately reflected in Council's 2022/23 capital budgets. 	Disadvantages <ul style="list-style-type: none"> Increases the total capital programme above the levels included in the draft 2022/23 Annual Plan budget.
Option 1: Implications for Work Programme/Budgets	
y/e June	2022/23 \$000
Capital cost e.g. Asset	
Capex funding	
• Loans	\$1,823
• Reserves	\$100
• External	
• Other (specify)	
Opex cost e.g. grants, service delivery, maintenance	
Opex funding	
• Rates	
• External	
• Other (specify)	

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Option 2: Do not approve the changes to Council capital budgets	
That Council does not approve the proposed changes to the 2022/23 capital budgets.	
Advantages <ul style="list-style-type: none"> Retains the 2022/23 capital budgets at the level published in the draft 2022/23 Annual Plan. 	Disadvantages <ul style="list-style-type: none"> Known changes to timing or cost will not be reflected in Council's 2022/23 capital budget.
Option 1: Implications for Work Programme/Budgets	
y/e June	2022/23 \$000
Capital cost <i>e.g. Asset</i>	
Capex funding	
• Rates	N/A
• Fin Contribution	N/A
• External	N/A
• Other (<i>specify</i>)	N/A
Opex cost <i>e.g. grants, service delivery, maintenance</i>	
Opex funding	N/A
• Rates	N/A
• External	N/A
• Other (<i>specify</i>)	N/A

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Recommended Decision**Option 1: Approve changes to Council capital budgets**

That Council approves the proposed changes to the 2022/23 capital budgets.

Decision

(To be completed in the decision making meeting)

Reason

(To be completed in the decision making meeting)

Date approved: 5 May 2022

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APPENDIX A

Cost Centre	Project Number	Description	Draft 2022/23 Budget	Proposed Adjustment	Proposed Final 2022/23 Budget	Comment
40*01*01	243622	Water – Western Katikati Structure Plan	-	119,880	119,880	Bringing budget forward
40*01*02	243310	Water – Central Reticulation Improvements	90,000	55,000	145,000	Bringing budget forward
40*01*02	243320	Water – Central Additional Bore	309,900	478,100	788,000	Additional funding to be brought forward from future years to support finalising of new bore.
40*01*02	243340	Water – Central site security and electrical intru-	300,000	845,000	1,145,000	*Note: \$200K was brought forward during annual plan review. Increased funding required for compliance
40*01*03	243002	Water – Eastern Reticulation Improvements	450,000	-	183,000	717,000 Re–budget to 204 to align better with work program
40*01*03	243033	Eastern Water Consents and Compliance Rene-	77,475	-	77,475	- Re budget to 2024. Project delayed for better alignment of work program. Further planning needed in 2022/23 FY
40*01*03	243034	Water – Muttons Treatment Plant – Renewal	516,500	-	516,500	- Re–budget to 2025 for better alignment with work program. Project delayed due to resourcing
40*01*03	287112	Water – Eastern Alternative Supply	1,136,300	-	536,300	600,000 Rebudget to 2024. Project delays due to issues with BOPRC approval. Revised budget to better align with work program.
40*01*03	287118	Water – Eastern Structure Plan Implementation	136,356	-	136,356	- Rebuget to 2024. To align with Structure Plan works
60*01*01	168603	Waihi Beach Wastewater Treatment	100,000	300,000	400,000	Bring funding forward to align renewals work with SAS lagoon repairs and improvements (project 353201)
60*01*01	353201	Wastewater – Waihi Beach SAS Lagoon Repairs	-	800,000	800,000	Bringing budget forward
60*01*02	225744	Katikati WWTP Upgrades	1,500,000	-	300,000	1,200,000 Rebudget to 2024 for better alignment with work prgoram
60*01*02	323402	Katikati Infiltration Investigation	51,650	-	51,650	- Savings. Budget not required
60*01*03	317301	Omokoroa Structure Plan – Wastewater	1,042,490	-	961,086	81,404 Re–budget to 2025 for better alignment with work program. Assume CFWD of \$3M from 2022 FY will be approved.
60*01*04	225632	Te Puke Wastewater Treatment Plant Upgrade	2,159,294	1,849,883	4,549,000	Rebudget to 2024 to align better with work programme.
61*01*01	226353	Waihi Beach 2 Mile Creek West Bank	1,892,400	-	592,400	1,300,000 Reduce cost alignment of work program to fit better with contract tender price. Re– Budget to 2025
61*01*01	226413	Katikati Upgrades Highfield Dr	83,042	190,958	274,000	Bringing budget forward
61*01*01	226636	Te Puke Upgrades Princess St, Saunders Pl	170,445	-	170,445	- Rebudget to 2024 due to potential delays from land owner agreements
61*01*01	226655	Te Puke upgrades Galway Place	61,980	-	61,980	- Rebudget to 2024 to align better with workprgoram
61*01*01	317201	Omokoroa Structure Plan – Stormwater Industri	1,739,511	-	119,462	1,620,049 Rebudget to 2025 to better align with work program. Assumes CWFD will be approved.
61*01*01	340101	Stormwater – District Wide Modelling	103,300	-	53,300	50,000 Rebudget to 2024 to align better with work progma
61*03*01	332401	Minden Stormwater Investigation	51,650	-	51,650	- Rebudget to 2024 due to lack of internal resources.
		Other Minor Projects (Change AP23 <\$50K)	6,722,250	-	194,614	5,537,813
			18,694,543	632,603	19,327,146	
42*04*01	280001	Property – Pensioner Housing Capital	693,900	1,136,100	1,830,000	(Katikati x 7 units) Beach road 1.8m planned for 2022 (675 b/f from 2023 and 75 from 2024) another 865K to be b/f from 2025 to 23.
80*04*07	259905	Office Refurbishment	102,900	100,000	202,900	Roof waterproofing / gutter replacement Barkses Ctr
			5,112,936	1,236,100	7,349,036	
44*01*01		Various Reserves & Facilities Mngmt	10,515,362.64	55,000.00	10,570,362.64	CPI Adjustment

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Annual Plan 2022/23

External Debt & Cost of Capital

Internal Submission Paper



Internal submission – Capital Programme Changes	
	Description
Activity	N/A
Issue	External Debt & Cost of Capital
Project No	N/A
Related strategies	Financial Strategy

Staff Narrative
<p>Background</p> <p>Since Council adopted the draft 2022/23 Annual Plan on 8 March 2022, staff have had the opportunity to refine 2022/23 budget requirements, and better understand how Council's 2021/22 actual spending will impact the start of the new financial year.</p> <p>Council started the 2021/22 year with total external debt of \$90 million, with planned capital expenditure budgeted to take Council's external borrowing to \$103 million by 30 June 2022. Due to various issues, Council is projecting that it will not deliver the entire capital programme which will result in Council's opening debt for the 2022/23 financial year being lower than forecast at the time the draft 2022/23 Annual Plan was adopted.</p> <p>Changes to Council's Debt Forecasts for 2022/23</p> <p><u>Opening 2022/23 Debt</u></p> <p>Council's external debt is forecast to be \$80 million on 30 June 2022, down from the \$103 million in this year's budget. This \$23 million decrease will be factored into the starting position for the 2022/23 Annual Plan.</p>

Changes to 2022/23 Budgets

There have been a number of changes requested for 2023 capital budgets through the 2022/23 Annual Plan internal submission process including:

- Proposed Increases to 2023 Capital Budgets \$2.9 million
- Proposed Increases to 2023 Structure Plans \$4.7 million.

While not all of these projects are loan-funded, the 2022/23 debt implications of approving these changes is \$6.5 million.

Debt Levels in the 2022/23 Annual Plan

Council's forecast debt for 2022/23 must be revised for the lower starting position and the proposed increases in the capital programme.

Total external Council debt for 2022/23 is therefore re-forecast to be \$110 million, down from \$120 million in the draft 2022/23 Annual Plan.

It is noted that this debt forecast is dependent on achievement of the 2022/23 Annual Plan capital budgets.

Changes to Council's Forecast Cost of Capital

Council adopted a set of strategic assumptions in the 2021-31 Long Term Plan, including the interest rate assumption which was set at 3.80%, matching Council's actual cost of capital. Since the adoption of the 2021-31 Long Term Plan, markets have shifted significantly as a result of domestic and international events and interest rates have subsequently increased.

While Council sets its fixed and floating components of debt in accordance with the Treasury Policy, the floating aspects of Council's debt will attract higher interest costs as the Reserve Bank raises interest rates through 2022/23. While the extent of these increases are not yet known, staff believe it is prudent to increase Council's interest rate strategic assumption for 2022/23 in order to provide cover over these forecast increases.

This Internal Submission recommends that Council raises the interest rate assumption in the 2022/23 Annual Plan from 3.80% to 4.25%.

Impact on Council Rating for 2022/23

Council's cost of capital is driven by the total amount of borrowing and the mixture of fixed and floating rates applicable to the loans. While this internal submission requests increasing Council's interest rate assumption from 3.80% to 4.25%, due to the fact that debt levels are lower

than projected in the draft 2022/23 Annual Plan budget the change would effectively be rates neutral for 2022/23.

Options	
1	Approve changes to Council's cost of capital assumption That Council approves the proposed change to the 2022/23 cost of capital assumption.
2	Do not approve the changes to Council cost of capital assumption That Council does not approve the proposed change to the 2022/23 cost of capital assumption.

Option 1: Approve changes to Council capital budgets That Council approves the proposed change to the 2022/23 cost of capital assumption.	
Advantages <ul style="list-style-type: none"> Aligns Council's strategic assumptions with forecast market reality 	Disadvantages <ul style="list-style-type: none"> May commit Council to collecting higher rates in the future if Council's borrowing levels increase above forecast.
Option 1: Implications for Work Programme/Budgets	
y/e June	2022/23 \$000
Capital cost <i>e.g. Asset</i>	
Capex funding	
• Rates	N/A
• Fin Contribution	N/A
• External	N/A
• Other (<i>specify</i>)	N/A
Opex cost <i>e.g. grants, service delivery, maintenance</i>	
Opex funding	
• Rates	N/A
• External	N/A
• Other (<i>specify</i>)	N/A

Option 2: Do not approve the changes to Council capital budgets	
That Council does not approve the proposed change to the 2022/23 cost of capital assumption.	
Advantages <ul style="list-style-type: none"> Council may achieve a rating decrease in required rates for 2022/23 based on a lower opening debt position, and interest rates kept at current rates. The amount would be dependent on the borrowing profile through 2022/23. 	Disadvantages <ul style="list-style-type: none"> Council's strategic assumptions will not be in line with forecast market reality. Actual 2022/23 interest expense may be above budget.
Option 1: Implications for Work Programme/Budgets	
y/e June	2022/23 \$000
Capital cost e.g. Asset	
Capex funding	
• Rates	(\$280)
• Fin Contribution	N/A
• External	N/A
• Other (specify)	N/A
Opex cost e.g. grants, service delivery, maintenance	
Opex funding	N/A
• Rates	N/A
• External	N/A
• Other (specify)	N/A

Recommended Decision**Option 1: Approve changes to Council capital budgets**

That Council approves the proposed change to the 2022/23 cost of capital assumption.

Decision**Reason**

Annual Plan 2022–2023

Structure Plan Review

Project Re-budget



Internal submission	
	Description
Activity	Structure Plan
Issue	Structure Plan Review 2022–2023
Project No	
Related strategies	Transportation Activity, Water Supply Activity, Stormwater Activity, Wastewater Activity Asset Management Plans

Staff Narrative
<p>Background</p> <p>The 2022–2023 Structure Plan including the schedule of projects, estimates, funding sources and timing for construction has been reviewed and updated in April 2022. The changes are highlighted on the attached schedules.</p> <p>The Structure Plan schedules includes transportation and utilities infrastructure pertaining to the four geographical areas:</p> <ul style="list-style-type: none"> • Ōmokoroa • Waihi Beach • Te Puke • Katikati <p>The schedules of projects for the Structure Plan have been updated based on changes to land development timing and population growth forecasts. The updated structure plan is consistent with the draft AP and only minor adjustments have been made to the schedules.</p> <p>The Structure Plan updates consider:</p> <ul style="list-style-type: none"> • Current Developer Plans for each area • Market rates for cost adjustment • Funding sources e.g. District Rates and Financial Contributions • Confirmed external funding from CIP and Waka Kotahi (NZTA) • Construction timing based on project progress i.e. investigation, design, completed or deferred.

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The new schedules will be incorporated in the 2022-2023 Annual Plan (AP).

The construction market currently has a large workload and a number of the Ōmokoroa projects have been spread in order to match timing with resourcing.

Budgets can be brought forward if the projects are ready to proceed.

Key changes to the structure plans are:

- Update to land purchase costs as a result of market movement
- Cost escalations as a result of inflation in the construction sector (between 7-15% in some instances)

2022/23 Change		Total Change over 10 Years
Wastewater		
Waihi Beach	\$ 34,100	\$ 62,525
Katikati	\$ -	\$ 104,305
Te Puke	\$ -	\$ 33,927
Omokoroa	\$ 103,173	\$ 103,173
Katikati	\$ 37,132	\$ 37,132
Stormwater		
Katikati	\$ -	\$ 314,300
Omokoroa	\$ 7,047	\$ 1,331,627
Te Puke	\$ -	\$ 201,300
Water Supply		
Eastern	-\$ 46,885	-\$ 1,885
Central	\$ 586,228	\$ 665,680
Western	\$ -	\$ 26,400
Roading		
Waihi Beach	\$ -	-\$ 926,227
Katikati	\$ 895,900	\$ 2,187,643
Omokoroa	\$ 3,086,311	-\$ 1,916,116

It is noted that these changes will drive increases in Council's 2022/23 financial contributions, which staff are preparing for the upcoming Annual Plan Workshop.

Options

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1	That the updated Structure Plans for Ōmokoroa, Waihi Beach, Te Puke and Katikati as submitted in the attached schedule of projects for inclusion in 2022-2023 AP be approved.
2	That Council does not approve the updated Structure Plans for Ōmokoroa, Waihi Beach, Te Puke and Katikati as submitted in the attached schedule of projects.

Recommended Decision
Option 1 That the updated Structure Plans for Ōmokoroa, Waihi Beach, Te Puke and Katikati as submitted in the attached schedule of projects for inclusion in 2022-2023 AP be approved.
Decision
Reason

A4570720

Annual Plan 2022–2023

Ōmokoroa Reserves Acquisition Cost Increase

Acquisition Cost Increase



Internal submission	
	Description
Activity	Recreation and Leisure
Issue	Reserves Acquisition Cost Increase
Project No	345401, 244912
Related strategies	Ōmokoroa Structure Plan, Recreation and Open Place Strategy

Staff Narrative
<p>Background</p> <p>The 2022–2023 Structure Plan including the schedule of projects, estimates, funding sources and timing for construction has been reviewed and updated in April 2022.</p> <p>Per LTP 2021–31 Resolution APLTP21–3.58 Council increased the budget for Ōmokoroa Active Reserves for Ōmokoroa Structure Plan Stage 3 reserve land purchases. The increase of \$4M for the Active Reserve was based on 10 ha (approx.) at an anticipated \$10M.</p> <p>2.6 Ha of the required Active Reserve land was purchased by Council in 2018 (\$2M) by Council's Strategic Property Activity. The sales price per hectare has risen sharply to the current estimate of \$24M anticipated to be required for the future land purchases. The current budget available is \$10.3M</p> <p>Increasing the budget \$14M to \$24M increases the Reserves Financial Contribution from 2022 \$11,141 to \$14,156 based on a distribution of increased budget over the next 9 years.</p> <p>For information and separate, Council has an available budget of \$6m within Project 244912 Reserves District Wide Acquisition for purchase of Ōmokoroa Neighbourhood Reserves per Stage 3 of the Ōmokoroa Structure Plan. The Reserves budgets include projects throughout the district</p> <p>The changes proposed through this Issues and Options Paper does not impact the 2022–23 Capital programme, but does impact Financial Contributions.</p>

Options	
1	That Council approves increasing the budget for Ōmokoroa Active Reserves purchase by \$14M to \$24M.
2	That Council does not approve increasing the budget for Ōmokoroa Active Reserves purchase by \$14M to \$24M.

Option 1: Approve changes to Council capital budgets That Council approves increasing Ōmokoroa Active Reserves Acquisitions budget by \$14M to \$24M.	
Advantages <ul style="list-style-type: none"> Allows for known changes in timing or cost to be accurately reflected in Council's capital budgets. 	Disadvantages <ul style="list-style-type: none"> Increases the total capital programme above the levels included in the LTP budget. Increase the Reserves Financial Contribution for 2022-23 to \$14,156 per lot
Option 1: Implications for Work Programme/Budgets	
y/e June	2022/23 \$000
Capital cost e.g. Asset	
Capex funding	N/A
Opex cost e.g. grants, service delivery, maintenance	
Opex funding	N/A
Option 2: Do not approve the changes to Council capital budgets That Council does not approve increasing Ōmokoroa Active Reserves Acquisitions budget by \$14M to \$24M.	
Advantages <ul style="list-style-type: none"> Retains the 2022/23 capital budgets at the level published in the draft LTP. 	Disadvantages <ul style="list-style-type: none"> Known changes to timing or cost will not be reflected in Council's 2022/23 capital budget. Inability to purchase required land for Active Reserves in Ōmokoroa
Option 1: Implications for Work Programme/Budgets	
y/e June	2022/23 \$000
Capital cost e.g. Asset	
Capex funding	N/A
Opex cost e.g. grants, service delivery, maintenance	
Opex funding	N/A

Recommended Decision
Option 1: Approve changes to Council capital budgets That Council approves increasing Ōmokoroa Active Reserves Acquisitions budget by \$14M to \$24M.

Decision
Reason

A4590146

Annual Plan 2022/23 Other Annual Plan Submissions

Issues and Options Paper



Issue and Options (IOP)		
	Number	Description
Topic	AP23	Annual Plan 2022/23
Issue	02	Other community submission points
Related strategies	Long Term Plan 2021-2031	

Staff Narrative

Background

Council consulted on the Annual Plan 2022/23 between 21 March and 21 April 2022. The scope of the Annual Plan was limited to the Pukehina Development Rate as this was the only material or significant change being considered.

Council received four submissions outside of this scope.

These are presented for consideration.

Submissions Received

Four submitters made comments outside of the scope of the Pukehina Development Rate consultation.

Copies of these submissions are provided in the separate attachment and summarised below.

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Issue and Trends – Other submission points

Topic	Chinese Language week	Te Puna Memorial Hall Committee	Ngai Tamawhariua	Covid-19
Number of comments	1	1	1	1
Summary of comments	Support sort for Chinese language week. Mayoral video, staff contact and \$2000 funding requested.	Requests clarification of rating policy and proposed works programmes for the two halls.	Updated LTP submission, that seeks: <ol style="list-style-type: none"> 1. Access to land for papakāinga development. 2. Communication of developments around urupā 3. Updates on the availability of possible sites for new papakāinga 4. Engagement around future governance and management of our geothermal springs. 	Seeks Council consideration of six recommendations regarding 'Truth, Freedom, Rights and Responsibilities in the age of COVID-19'.

Staff comment

These matters are outside of the scope of the current Annual Plan consultation and are best addressed by other processes. These are largely operational in nature and will utilise existing processes and resources.

The recommendations made through the letter "Truth, Freedom, Rights and Responsibilities in the age of COVID-19" are outside of the scope of the Annual Plan and no further action is recommended in response to these.

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Options	
1	That submissions from 'New Zealand Chinese Language Week', 'Te Puna Memorial Hall Committee' and 'Ngai Tamawhariua' be deferred to existing operational processes.
AND	
2	That no further action be taken in response to the submission from 'Greg Rzesniowiecki'.

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Option 1: That submissions from 'New Zealand Chinese Language Week', 'Te Puna Memorial Hall Committee' and 'Ngai Tamawhariua' be deferred to existing operational processes.	
Advantages <ul style="list-style-type: none"> • Enables direct conversations with submitters as appropriate. • Utilises current processes and resources. • Responds more appropriately to submitter requests. 	Disadvantages <ul style="list-style-type: none"> • No 'formal' Council resolution through the Annual Plan process
Option 1: Implications for Work Programme/Budgets	
y/e June	2022/23 \$000
Capital cost <i>e.g. Asset</i>	
Capex funding	NA
Opex cost <i>e.g. grants, service delivery, maintenance</i>	
Opex funding	NA

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Option 2: That no further action be taken in response to the submission from 'Greg Rzesniowiecki'.	
Advantages <ul style="list-style-type: none"> • Council is not best placed to assess the national response to Covid-19. • Council resource is focused on more appropriate matters. 	Disadvantages <ul style="list-style-type: none"> • Does not respond to submitter's concerns.
Option 1: Implications for Work Programme/Budgets	
y/e June	2022/23 \$000
Capital cost <i>e.g. Asset</i>	
Capex funding	NA
Opex cost <i>e.g. grants, service delivery, maintenance</i>	
Opex funding	NA

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Recommended Decision (to be completed by staff prior to decision-making meeting)	
1	<i>That submissions from 'New Zealand Chinese Language Week', 'Te Puna Memorial Hall Committee' and 'Ngāi Tamawhariua' be deferred to existing operational processes.</i>
	<i>AND</i>
2	<i>That no further action be taken in response to the submission from 'Greg Rzesniowiecki'.</i>

Decision
Reason

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Annual Plan 2022–23

Reduction of FINCOs for community housing and Papakāinga

Issues and Options Paper



Issue and Options (IOP)		
	Number	Description
Topic	FEE 22	Activity specific feedback
Issue	01	Reduction of FINCOs for community housing and Papakāinga
Related strategies	WBOPDC Housing Action Plan	

Staff Narrative

Background

Through the Long Term Plan 2021–2031, Council made a decision to review its approach to fees and charges for Papakāinga and social / affordable housing, including how it charges financial contributions (FINCO's) for these types of developments.

Context

WBOPDC Housing Action Plan

WBOPDC has a Housing Action Plan, that has a vision that "All Western Bay Residents are Well-Housed."

One of the key actions in the Housing Action Plan is:

11. explore incentives to enable assisted rental and assisted ownership models to be developed (such as FINCO waivers).

This review of fees and charges for Papakāinga and community housing developments responds to this action.

WBOPDC District Plan

The District Plan (Section 11.3(d)) enables Council to reduce or waive FINCO's in order to avoid or mitigate an identified detriment to the wider community or an identified detriment to a particular sector of the community that warrants attention in the better fulfilment of a Resource Management Act (RMA) purpose. The process requires the applicant to make a submission to either the Annual Plan or Long Term Plan, for Council to assess on a case-by-case basis. The Baptist Church made a submission to the Long Term Plan 2021–31 requesting a reduction on the basis that the FINCO's assessed for their development do not accurately reflect the infrastructure usage of 5 people aged 65+ years, with limited financial means.

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Barriers for delivery of Papakāinga and community housing

Despite the potential for Papakāinga development, many existing plans and aspirations are yet to be realised. The complexity and challenges have been documented through several studies over the years¹. In summary, the key challenges are:

- Difficulty in raising finance – banks are reluctant to lend for building on Māori land, as the land cannot be used as security against the loan.
- Gaining consent to build where there are many owners – on average, each Māori land title has 86 owners. Contacting all owners can be costly and time consuming, and reaching agreement is challenging.
- Planning restrictions – Māori land is often zoned rural, which limits how it can be developed for Papakāinga. The District Plan provisions for Papakāinga can be considered through the District Plan review.
- Rates arrears – owners may be reluctant to progress Papakāinga development because they fear they will become responsible for outstanding rates debts.
- Infrastructure – particularly in rural areas, land is often not well serviced. The costs to provide the necessary infrastructure for Papakāinga development can be prohibitive, and delay development.

In the case of community housing, the sector is constrained by its access to capital. While access to the IRRS and 25-year agreements show good cash flow, they do not unlock the upfront capital needed to build. In addition, caps on the IRRS mean the potential returns on investment are not commensurate with market level expectations.

Existing FINCO Reduction provision

In the Schedule of Fees and Charges Schedule for 2021/22, a reduction of 50% of FINCOs for Papakāinga is included, for Papakāinga developments that have either been through the Papakāinga Toolkit process or have obtained funding from the Kāinga Whenua Loan Scheme or the Kāinga Whenua Infrastructure Grant to contribute towards the costs of FINCOs.

Review and proposal adopted for 2022/23 Schedule of Fees and Charges

After undertaking a review of the current situation, Council developed the following proposal, to be included in the proposed 2022/23 Schedule of Fees and Charges:

- All developments where FINCOS apply will be charged a FINCO for one Household Equivalent (HHE). This is the base charge.
- Community Housing Providers will receive a **100% reduction in FINCOS** for additional dwellings (over and above the base charge of one HHE), for applications up to a maximum of 10 dwellings.
- Papakāinga will receive a **100% reduction in FINCOS** for additional dwellings (over and above the base charge of one HHE), for applications up to a maximum of 10 dwellings

¹ See Government Planning and Support for housing on Maori Land, Office of the Auditor General, 2011

The following criteria apply:

- A waiver / reduction will be provided to community housing providers and Papakāinga.
- Kainga Ora are excluded from any waiver / reduction.
- Organisations that are not registered Community Housing Providers (CHPs) will need to provide alternative evidence that the housing they are developing will be held as assisted rental or assisted ownership in the longer term.
- For development of community housing, a restrictive covenant specifying the use of the housing for community housing will be lodged against the title. This will be managed through the resource consent or building consent process.
- Additional dwellings (i.e. applications for more than 10 dwellings) will have the FINCOS for the additional dwellings assessed in accordance with the District Plan.
- Papakāinga is defined as homes on whenua Māori, where homes will be owned and occupied by the owners of the whenua, and whanau who whakapapa to the land have the opportunity to live according to Te Ao Māori.

Submissions

- 10 submissions were received on the proposal.
- Six submitters support reductions.
- One supported reductions overall but sought a reduction to the the number of dwellings for Papakāinga.
- One opposed the proposal as they wanted the number of dwellings reduced.
- Two submitters opposed the proposal.

Of those that submitted, some changes were requested. These are set out under the following topics. The recommendations set out in each section are aggregated to form "option one" at the end of this paper, which is to modify the proposal based on the feedback received and in accordance with staff advice. "Option two" is to proceed with the proposal without modification. Staff will seek direction on the presented options from the Committee at its workshop, and can prepare any additional options required for the deliberations meeting (i.e. if Council wish to pursue some recommendations and not others).

TOPIC ONE: Restrictive Covenant for community housing

One of the criteria for receiving a reduction in FINCO's is that a restrictive covenant would be placed on the new titles created, requiring the land to be used for the purposes of community housing. If the land use changes and any part of the land is used for anything other than community housing, the FINCO's would need to be paid.

The proposal does not specify a timeframe for how long the covenant would apply.

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Accessible Properties Ltd raised several questions and potential issues with the use of a restrictive covenant, including:

- Impact and acceptability by funding partners, including banks, government and other parties with an interest and/or potentially an encumbrance on the title.
- How long the covenant would apply for, i.e. if in perpetuity, at what point can a CHP sell, replace or upgrade if a property is no longer fit for purpose, or for example a CHP's contract to supply social housing expires.
- How would the covenant be released and under what circumstances would FINCO fee be repayable, e.g. if sold at a later date to a tenant under an assisted home ownership type scheme?

Accessible Properties also asked whether the covenant would only be registered against new unit titles that are exempt from fees, i.e. not lodged against the existing dwelling or equivalent replacement, or against the 1st exempt unit.

Classic Builders requested a timeframe to be placed on the covenant. They suggested the covenant apply for 10 years, as this aligns with:

1. The term of lease arrangements recently negotiated for private investors leasing properties to community housing providers, and
2. Council's long term planning period (10 years).

Discussion

Specifying a timeframe of 10 years for the restrictive covenant is considered fair. This guarantees the provision of community housing, but also enables flexibility for providers that they can manage their portfolio to address changing needs and circumstances in the future.

The intended proposal was for the covenant to only apply to titles / dwellings that were subject to the FINCO reduction. This can be clarified in the wording of the proposal.

Recommended approach

These matters can be addressed by:

- Providing a definition of community housing in the criteria, defining it as housing provided and / or operated by a not-for-profit group, as long term social, assisted rental or assisted ownership housing, and
- Setting the term of the restrictive covenant at 10 years. This creates the opportunity for the housing to be provided in the short term and aligns with the cost recovery period for FINCOs. and
- Clarifying the covenant only applies to properties subject to the FINCO reduction (i.e. the first dwelling and dwellings paying the FINCO equivalent, would be exempt from the covenant).

TOPIC TWO: Properties that are leased to community housing providers

Classic Builders raised that in some instances, community housing is purpose-built for a provider and they are granted a long-term lease, but the development is not owned by the provider.

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They requested the FINCO reduction policy apply in these circumstances as well, citing previous development proposals deemed financially unfeasible, where the FINCO reduction would have made the difference and the development could have proceeded.

Accessible Properties also requested the FINCO reduction be provided where homes are being used by the Community Housing Provider for the intended purpose regardless of the ownership structure, which could be with an associated entity or partner organisation.

Discussion

Community Housing Providers struggle to raise capital for builds. A lease to operate model is therefore an option that can see more community housing provided, without the need for capital outlay by the community housing provider.

Recommended approach

The definition of community housing can be refined to include housing that is owned and/or operated by a community housing provider for the long term. This would then mean that developments where a lease is proposed could be considered for the FINCO reduction. The restrictive covenant would also apply to safeguard the use of the development as community housing.

TOPIC THREE: Ensuring housing is used for community housing.

Colab submitted that it is important to include a clear definition of what constitutes community housing, and that there is evidence that once established the housing operates accordingly.

Discussion

The restrictive covenant ensures that developments that receive the FINCO reduction must continue to use the development for community housing.

The terms of the covenant will include the ability for Council officers to monitor compliance with the covenant.

TOPIC FOUR: FINCO reductions for small units (1 & 2 bedroom)

Accessible Properties raised that the proposal may mean a unit that currently meets the criteria for a minor dwelling (i.e. is 60m² or smaller) and would therefore pay 0.5 of a FINCO, may now be required to pay a full FINCO, as the reduction only applies to subsequent dwellings and not to the first dwelling.

Discussion

Staff have reviewed the FINCO provisions for minor dwellings set out in the District Plan. It is confirmed that regardless of the FINCO reduction proposal, the development of a single minor dwelling (i.e. a unit that is 60m² or smaller) would be charged a FINCO equal to 0.5 of a household equivalent.

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Recommended approach

This can be clarified in the proposal by stating that the proposal is for all developments of two or more dwellings. Development of one minor dwelling would therefore not be covered by the proposal and the district plan provisions would apply.

TOPIC FIVE: Changing the number of dwellings the proposal applies to

One submitter requested that the number of dwellings the reduction applies to be reduced from 10, to a maximum of 5 dwellings. They also suggested there be a maximum of three reductions given per developer.

One submitter suggested that for Papakāinga developments the size of the dwellings should be minimal e.g. one bedroom, one bathroom, and no more than 5 per hapu.

Accessible Properties requested the limit of 10 dwellings be removed or at least refined, to encourage development of smaller units

Discussion

The proposal for the FINCO reduction to apply to a maximum of 10 dwellings was reached after considering:

- The types / size of development we are likely to see in our communities (based on recent consent applications and proposals we were aware of)
- Alignment with district plan provisions (for Papakāinga)
- Striking a reasonable balance between removing a potential barrier to development, incentivising comprehensive development, and the costs of providing infrastructure for those developments.

Recommended approach

It is considered the reduction applying to a maximum of 10 dwellings is the right balance for now. All fees and charges, including providing a reduction in FINCOS are reviewed annually. If there is evidence of the need for a change that can be considered through the next annual plan review.

TOPIC SIX: Consideration of communal facilities as part of Papakāinga developments

In their combined submission Te Kāhui Mana Whenua o Tauranga Moana and Te Ihu o Te Waka o Te Arawa requested consideration of extending the FINCO reduction for Papakāinga to include communal facilities and gathering places that may be developed as part of a Papakāinga.

Discussion

In considering development of housing on multiply-owned Māori land, the district plan requires a site plan to be provided, which can also include the location of community facilities (as part of the Papakāinga site plan).

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Recommended approach

To remain consistent with this approach which sees the inclusion of community facilities as part of Papakāinga, the reduction of FINCOs could also apply to community facilities. This could be done by assessing community facilities as household equivalents for the purposes of FINCOs, and providing the reduction as though the community facility were a dwelling. For example, this would enable the development of 9 dwellings and a shared communal facility as the "10th dwelling", to which the 100% FINCO reduction would apply.

TOPIC SEVEN: Staged developments

In their combined submission Te Kāhui Mana Whenua o Tauranga Moana and Te Ihu o Te Waka o Te Arawa sought clarification on how the FINCO reduction would apply to a staged development. For example, if a development was split so that five dwellings were consented first and then another five consented later, but as part of the same Papakāinga, would a full FINCO be charged twice.

Discussion

This situation would depend on how the consent was lodged. If a master plan was prepared for the site and it was clear the development was to be progressed in two stages, then staff could consider the FINCO reduction as applying as though it was one development of up to 10 dwellings. The current waiver proposal incentivises master planned approaches (even if proceeding over several stages).

However, if the applications were clearly separate, then staff would need to consider that and how the reduction would be applied.

Recommended approach

No change to the proposal is suggested. However, it does need to be clarified that the FINCO reduction applies per application.

TOPIC EIGHT: Other Matters RaisedTe Kāhui Mana Whenua o Tauranga Moana and Te Ihu o Te Waka o Te Arawa

In their combined submission the forums supported the FINCO reduction proposal, but also encouraged Council to work more closely with central government agencies and in partnership with iwi / hapū and Māori land trusts to make meaningful progress addressing these challenges so the aspirations for Māori housing can be realised.

They requested a multi-agency roadshow to inform whānau, trusts, hapū and iwi about funding, consenting and things they need to consider when developing whenua (land).

They also noted the District Plan review will be a critical part of the picture in terms of enabling Papakāinga and would like to see Council look to support one or two Papakāinga developments through to the end stage of having houses built.

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Tauranga & Western Bay of Plenty Grey Power

Tauranga & Western Bay of Plenty Grey Power raised the housing challenges being faced particularly by older people in the Western Bay, and requested Council consider a range of incentives to encourage development of smaller dwellings specifically for older people and investment into housing for older people.

Submissions opposing the proposal

One submitter opposed the proposal as they do not consider it a core council issue.

One submitter (Federated Farmers) stated that whilst they can appreciate the intent of the reduction, they do not believe it is the responsibility of Council to establish social equity. They acknowledge the District Plan does enable reductions and waivers; however, they state any reductions should be rigorously calculated against impacts on council services and funding.

Discussion

As set out in the context for this proposal and acknowledged by Federated Farmers, the District Plan (Section 11.3(d)) enables Council to reduce or waive FINCO's to avoid or mitigate an identified detriment to the wider community or an identified detriment to a particular sector of the community that warrants attention in the better fulfilment for a Resource Management Act (RMA) purpose.

In developing this proposal Council has recognised the barriers to development of both community housing and Papakāinga, including financial implications. The opportunity to receive a reduction applies only for the 2022/23 financial year and will be reviewed through the next annual plan.

Recommended Approach

The opportunity to receive a reduction will only apply for the 2022/23 financial year. Council will review its position through the next annual plan. Ongoing monitoring of the uptake and implementation of the reduction will be undertaken to inform the review.

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Options**1**

That the proposal and criteria for FINCOs reductions for community housing and Papakāinga is adopted for inclusion in the Schedule of Fees and Charges 2022/23, subject to the following changes (in italics and underlined):

FINCOs reductions for Papakāinga and Community Housing

- All applications for developments of two or more dwellings, where FINCOS apply will be charged a FINCO for one Household Equivalent (HHE). This is the base charge.
- Community Housing Providers will receive a 100% reduction in FINCOS for additional dwellings (over and above the base charge of one HHE), for applications up to a maximum of 10 dwellings.
- Papakāinga will receive a 100% reduction in FINCOS for additional dwellings (over and above the base charge of one HHE), for applications up to a maximum of 10 dwellings

The following criteria and definitions apply:

- Kainga Ora are excluded from any waiver / reduction.
- Organisations that are not registered Community Housing Providers (CHPs) will need to provide alternative evidence that the housing they are developing will be held as assisted rental or assisted ownership in the longer term.
- For development of community housing, a 10-year restrictive covenant specifying the use of the housing for community housing will be lodged against the title. This will be managed through the resource consent or building consent process.
- Additional dwellings (i.e. applications for more than 10 dwellings) will have the FINCOS for the additional dwellings assessed in accordance with the District Plan.
- Papakāinga is defined as homes and associated community facilities developed to support those homes on whenua Māori, where homes will be owned and occupied by the owners of the whenua, and whanau who whakapapa to the land have the opportunity to live according to Te Ao Māori.
- Community Housing is defined as housing provided and/or operated by a not-for-profit group, as long term social, assisted rental or assisted ownership housing.

AND

That Council will monitor the number of applications received and implementation of the reduction and review its position for the 2022/24 financial year.

That Council will work with Te Kāhui Mana Whenua o Tauranga Moana and Te Ihu o Te Waka o Te Arawa on advancing Māori housing aspirations, including through roadshows and engagement on the District Plan review

That Council through the Housing Action Plan implementation, and working with the SmartGrowth Housing Working Group, explores and implements ways to address the housing challenges faced by older people.

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| 2 | <p>That the proposal and criteria for FINCOS reductions for community housing and Papakāinga is <u>adopted without modification</u>. This means:</p> <ul style="list-style-type: none">• The reduction applies only to housing owned by a community housing provider• The reduction applies only to dwellings as part of a Papakāinga development and does not include associated community facilities• The restrictive covenant is in perpetuity. <p>AND</p> <p>That Council will monitor the number of applications received and implementation of the reduction and review its position for the 2022/24 financial year.</p> <p>That Council will work with Te Kāhui Mana Whenua o Tauranga Moana and Te Ihu o Te Waka o Te Arawa on advancing Māori housing aspirations, including through roadshows and engagement on the District Plan review</p> <p>That Council through the Housing Action Plan implementation, and working with the SmartGrowth Housing Working Group, explores and implements ways to address the housing challenges faced by older people.</p> |
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A3455323

OPTION ONE: That the proposal and criteria for FINCOs reductions for community housing and Papakāinga is adopted for inclusion in the Schedule of Fees and Charges 2022/23, subject to the following changes (in italics and underlined):

FINCOs reductions for Papakāinga and Community Housing

- All developments of *two or more dwellings*, where FINCOS apply will be charged a FINCO for one Household Equivalent (HHE). This is the base charge.
- Community Housing Providers will receive a 100% reduction in FINCOS for additional dwellings (over and above the base charge of one HHE), for applications up to a maximum of 10 dwellings.
- Papakāinga will receive a 100% reduction in FINCOS for additional dwellings (over and above the base charge of one HHE), for applications up to a maximum of 10 dwellings

The following criteria and definitions apply:

- Kainga Ora are excluded from any waiver / reduction.
- Organisations that are not registered Community Housing Providers (CHPs) will need to provide alternative evidence that the housing they are developing will be held as assisted rental or assisted ownership in the longer term.
- For development of community housing, a *10-year* restrictive covenant specifying the use of the housing for community housing will be lodged against the title. This will be managed through the resource consent or building consent process.
- Additional dwellings (i.e. applications for more than 10 dwellings) will have the FINCOS for the additional dwellings assessed in accordance with the District Plan.
- Papakāinga is defined as homes *and associated community facilities developed to support those homes* on whenua Māori, where homes will be owned and occupied by the owners of the whenua, and whanau who whakapapa to the land have the opportunity to live according to Te Ao Māori.
- *Community Housing is defined as housing provided and/or operated by a not-for-profit group, as long term social, assisted rental or assisted ownership housing.*

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AND

That Council will monitor the number of applications received and implementation of the reduction, and review its position for the 2022/24 financial year.

That Council will work with Te Kāhui Mana Whenua o Tauranga Moana and Te Ihu o Te Waka o Te Arawa on advancing Māori housing aspirations, including through roadshows and engagement on the District Plan review

That Council through the Housing Action Plan implementation, and working with the SmartGrowth Housing Working Group, explores and implements ways to address the particular housing challenges faced by older people.

Advantages

- Responds to submission points seeking clarity on how reductions will be granted.
- Improves flexibility for both community housing developments and Papakāinga, which should support them to progress plans.
- No additional costs to Council are anticipated from these changes.

Disadvantages

- Increased flexibility / scope can lead to more complexity in assessing applications.
- Putting a time limit on the restrictive covenant could mean after that date, the purpose of the housing changes. This is considered a low risk.

Option 1: Implications for Work Programme/Budgets

Assumptions:

- Financials are based on applications being received for 17 Household Equivalent lots in the 2022/23 financial year, all in Te Puke / Maketu ward. This is so that the total capex for each activity can be calculated to a reasonable level of accuracy.
- This assumes a waiver of approximately \$650,000 in FINCOs, (17 HHEs) against a total capex programme of approximately \$87.4 million.

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<ul style="list-style-type: none"> The shortfall in FINCO's may be made up through additional lots created or because the developments use less capacity in the networks, resulting in capacity remaining available and being reallocated to other dwellings. If the shortfall remains at the end of the planning period, it may need to be made up from rates funding. 										
y/e June	2022/23 \$000	2023/24 \$000	2024/25 \$000	2025/26 \$000	2026/27 \$000	2027/28 \$000	2028/29 \$000	2026/27 \$000	2027/28 \$000	Comments
Capital cost e.g. Asset										
Capex funding										
• Rates										
• Fin Contribution	-\$65	-\$65	-\$65	-\$65	-\$65	-\$65	-\$65	-\$65	-\$65	
• External										
• Other (specify)										
Opex cost e.g. grants, service delivery, maintenance										Additional costs include administration, processing and legal costs associated with applying the criteria and preparing covenants. These can be managed within existing budgets.

A3455323

OPTION TWO: That the proposal and criteria for FINCOS reductions for community housing and Papakāinga is adopted without modification. This means:

- The reduction applies only to housing owned by a community housing provider
- The reduction applies only to dwellings as part of a Papakāinga development and does not include associated community facilities
- The restrictive covenant is in perpetuity.

AND

That Council will monitor the number of applications received and implementation of the reduction and review its position for the 2022/24 financial year.

That Council will work with Te Kāhui Mana Whenua o Tauranga Moana and Te Ihu o Te Waka o Te Arawa on advancing Māori housing aspirations, including through roadshows and engagement on the District Plan review

That Council through the Housing Action Plan implementation, and working with the SmartGrowth Housing Working Group, explores and implements ways to address the housing challenges faced by older people.

Advantages

- Maintaining a restrictive covenant in perpetuity is an additional 'safeguard' for the community for the investment provided.

Disadvantages

- Does not respond to submission points.
- The covenant in perpetuity may limit options for providers.

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Option 2: Implications for Work Programme/Budgets

Note: The budget implications for Option 2 are the same as for Option 1.

Assumptions:

- Financials are based on applications being received for 17 Household Equivalent lots in the 2022/23 financial year, all in Te Puke / Maketu ward. This is so that the total capex for each activity can be calculated to a reasonable level of accuracy.
- This assumes a waiver of approximately \$650,000 in FINCOs, (17 HHEs) against a total capex programme of approximately \$87.4 million.
- The shortfall in FINCO's may be made up through additional lots created or because the developments use less capacity in the networks, resulting in capacity remaining available and being reallocated to other dwellings.
- If the shortfall remains at the end of the planning period, it may need to be made up from rates funding.

y/e June	2022/23 \$000	2023/24 \$000	2024/25 \$000	2025/26 \$000	2026/27 \$000	2027/28 \$000	2028/29 \$000	2026/27 \$000	2027/28 \$000	Comments
Capital cost e.g. Asset										
Capex funding										
• Rates										
• Fin Contribution	-\$65	-\$65	-\$65	-\$65	-\$65	-\$65	-\$65	-\$65	-\$65	
• External										
• Other (specify)										

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Opex cost <i>e.g. grants, service delivery, maintenance</i>										Additional costs include administration, processing and legal costs associated with applying the criteria and preparing covenants. These can be managed within existing budgets.
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Recommended Decision

OPTION ONE: That the proposal and criteria for FINCOs reductions for community housing and Papakāinga is adopted for inclusion in the Schedule of Fees and Charges 2022/23, subject to the following changes (in italics and underlined):

FINCOs reductions for Papakāinga and Community Housing

- All developments of *two or more dwellings*, where FINCOS apply will be charged a FINCO for one Household Equivalent (HHE). This is the base charge.
- Community Housing Providers will receive a 100% reduction in FINCOS for additional dwellings (over and above the base charge of one HHE), for applications up to a maximum of 10 dwellings.
- Papakāinga will receive a 100% reduction in FINCOS for additional dwellings (over and above the base charge of one HHE), for applications up to a maximum of 10 dwellings

The following criteria and definitions apply:

- Kainga Ora are excluded from any waiver / reduction.
- Organisations that are not registered Community Housing Providers (CHPs) will need to provide alternative evidence that the housing they are developing will be held as assisted rental or assisted ownership in the longer term.
- For development of community housing, a *10-year* restrictive covenant specifying the use of the housing for community housing will be lodged against the title. This will be managed through the resource consent or building consent process.
- Additional dwellings (i.e. applications for more than 10 dwellings) will have the FINCOS for the additional dwellings assessed in accordance with the District Plan.
- Papakāinga is defined as homes *and associated community facilities developed to support those homes* on whenua Māori, where homes will be owned and occupied by the owners of the whenua, and whanau who whakapapa to the land have the opportunity to live according to Te Ao Māori.
- *Community Housing is defined as housing provided and/or operated by a not-for-profit group, as long term social, assisted rental or assisted ownership housing.*

AND

That Council will monitor the number of applications received and implementation of the reduction and review its position for the 2022/24 financial year.

That Council will work with Te Kāhui Mana Whenua o Tauranga Moana and Te Ihu o Te Waka o Te Arawa on advancing Māori housing aspirations, including through roadshows and engagement on the District Plan review

That Council through the Housing Action Plan implementation, and working with the SmartGrowth Housing Working Group, explores and implements ways to address the particular housing challenges faced by older people.

A3455323

Decision
Reason

A3455323

Annual Plan 2022/23

Fees and Charges including general Financial Contributions

Issue and Options (IOP)		
	Number	Description
Topic	FEE22	Fees and Charges 2022/23
Issue	02	Fees and Charges including general Financial Contributions
Related strategies		Revenue and Financing Policy

Staff Narrative

Background

The Draft Fees and Charges 2022/23 were consulted on concurrently with the Annual Plan.

The key item for consultation was the changes to the Financial Contributions (FINCOs) for community housing and Papakāinga – this is covered in a separate IOP. Other key changes were signalled for Animal Services, Building Services, Compliance, Resource Consents, Elder Housing, Kerbside Collection and Waste Licencing fees.

Submissions Received

Six submitters made comments relating to Fees and Charges. These were largely from individuals and received via our have your say website, one from Federated Farmers and one from Public Libraries Aotearoa.

Three submitters made comments regarding FINCOs unrelated to community housing. These came from North 12 Limited Partnership (currently developing sites off Dunlop Road, Te Puke), Southern Cross Horticulture and Federated Farmers.

Copies of these submissions are attached to the paper and summarised below:

A4522455

Issue and Trends – Fees and Charges

Topic	Number of Comments	Summary of Comments
Building Fees	2	Lower cost and speed up. Neutral position on increases.
Resource Consent Fees	2	Lower cost and speed up. Neutral position on increases. Seek free pre-application meetings that are capped at 1 hour.
Animal Control	1	Supportive of changes.
Elder Housing	2	Lower cost and increase support/ housing.
Kerbside Collection	4	Rebate for food scrap collection sought. Service changes. Removal of PAYT systems. Seeks further information on organic waste recovery and farm waste recycling.
Waste Licencing	1	Lowers charges.
Libraries	1	Removal of overdue fines.
Other	2	Changes to user pays approach – e.g. Pools and kerbside rubbish.

Issue and Trends – FINCOs

Topic	Number of Comments	Summary of Comments
Rural Roding	1	Reduce Rural Roding FINCO and spread cost over ratepayers
Cost	1	FINCOs should be kept to a minimum and should fairly reflect the need to mitigate effects of development.
General Changes	1	Seeks justification and explanation of changes to FINCOs.

A4522455

Library Fees and Charges

Public Libraries Aotearoa have proposed that the current fines for late returns on library books and other items be removed. The removal of fines will provide the opportunity to make literacy and learning equitable for all in the community. Each year library members stop using the library services if they owe more than \$10.

The current fee structure is applied to those between 18 and 65, which can impact students, those retraining and unemployed. Fines are not applied to children and teens (0-17 years) and those over 65.

The removal of library fines has progressed throughout the country, with 17 Councils making the change in the last three years, with regional neighbours also considering this change.

The removal of these fees would result in lost revenue of approximately \$7,000 per annum. This is not considered material or significant. For the 2021/22 financial year the budget is \$7650 and fees received for 10 months to 30 April 2022 is \$4,031. For the period 2019 to 2021 library fine income has reduced from \$11,679 (2019) to \$7654 (2021) reflecting a 34% decrease. This could be attributed to the introduction of the library app in 2019 and the convenience it provides for renewing loans, alongside the increased use of the e-collection which has grown by 24% on the previous year.

Staff comment

In response to the submissions received and matters raised through this paper, Council may decide to amend the draft Fees and Charges 2022/23 prior to adoption by Council.

The costs of fees and charges, such as those for building fees and resource consent fees, are calculated to recover the cost of the service from those that use it. This approach is determined through Council's Revenue and Financing Policy. Changes to the kerbside waste collection service approach are outside of the scope of this consultation.

Federated Farmers

Direct engagement with Federated Farmers in response to some of the matters raised can be progressed by staff.

Libraries

Removal of fines for late return items that are applied to the 18 – 65 demographic would ensure equity for all library users. The loss of income (budget \$7,600 p.a.) is not considered material. It is recommended that the library fine for late return items be removed from the draft Fees and Charges.

Changes to the Fees and charges are not recommended in response to submissions received, except for the removal of Library fines.

A4522455

Financial Contributions

EY are currently engaged to review our Financial Contributions model.

The construction and planning markets are currently experiencing high levels of cost escalation and resource shortages. Staff have worked to assess the impact these issues will have on our Structure Plan cost forecasts and a separate Internal Submission has been prepared to give an update on the revised Structure Plan budgets. Some cost escalation calculations have been significant and approval of these revised budgets will have a material impact on the final 2022/23 Financial Contribution charges.

Options	
1	That the Fees and Charges 2022/23 are amended to remove library fines for late items and are recommended for adoption.
2	That the Fees and Charges 2022/23 are not amended for library fines for late items and are recommended for adoption.
3	That the Fees and Charges 2022/23 are amended by: Xxx; Xxx; Xxx; and are recommended for adoption.

A4522455

Option 1: That the Fees and Charges 2022/23 are amended to remove library fines for late items and are recommended for adoption**Advantages**

- Accessibility for library users in the 18-64 demographic
- Equity – no library users would be fined for late returns
- Cost benefit – staff time and administration for approx. \$7k income
- Capitalising on the Library App which has resulted in a decline of fine income since its introduction
- Promote continued use of the library facilities and their place in the community
- Library users would not stop using the library due to unpaid fines for late items

Disadvantages

- Loss of fine income
- No fines may encourage late return of items

Option 1: Implications for Work Programme/Budgets

y/e June	2022/23 \$000
Capital cost <i>e.g. Asset</i>	
Capex funding	NA
Opex cost <i>e.g. grants, service delivery, maintenance</i>	
Opex funding	
• Rates	
• External	
• Other (specify) <i>Library fines</i>	-\$7,650

A4522455

Option 2: That the Fees and Charges 2022/23 are not amended for library fines for late items and are recommended for adoption	
Advantages <ul style="list-style-type: none"> Income stream maintained 	Disadvantages <ul style="list-style-type: none"> Staff time/admin cost for minimal return Library users cease using the library due to outstanding fines for late items
Option 1: Implications for Work Programme/Budgets	
y/e June	2022/23 \$000
Capital cost <i>e.g. Asset</i>	
Capex funding	NA
Opex cost <i>e.g. grants, service delivery, maintenance</i>	
Opex funding	
<ul style="list-style-type: none"> Rates External Other (<i>specify</i>) 	
<i>Fines</i>	\$7,650

A4522455

Option 3: That the Fees and Charges 2022/23 are amended by: Xxx; Xxx; Xxx; and are recommended for adoption.	
Advantages <ul style="list-style-type: none"> Further changes may be recommended by Committee in response to submissions received. 	Disadvantages <ul style="list-style-type: none"> Changes may not best reflect the cost of service or income budgeted.
Option 1: Implications for Work Programme/Budgets	
y/e June	2022/23 \$000
Capital cost e.g. Asset	
Capex funding	
• Rates	
• Fin Contribution	
• External	
• Other (specify)	
Opex cost e.g. grants, service delivery, maintenance	
Opex funding	
• Rates	
• External	
• Other (specify)	

A4522455

Recommended Decision (to be completed by staff prior to decision-making meeting)

Option 1 - That the Fees and Charges 2022/23 are amended to remove library fines for late items and are recommended for adoption.

Decision

Reason

A4522455

APPENDIX A

Submissions received

First name:	Surname:	Email:	Do you have any comments on changes you would like considered to: Building services fees and charges (Other (please specify))	Do you have any comments on changes you would like considered to: Resource consent fees and charges (Other (please specify))	Do you have any comments on changes you would like considered to: Elder housing rent (Other (please specify))	Do you have any comments on changes you would like considered to: Kerbside collection fees and charges (Other (please specify))	Do you have any comments on changes you would like considered to: Waste licencing fees and charges (Other (please specify))	Do you have any comments on changes you would like considered to: Anything else to do with fees and charges? (Other (please specify))
Kevin	Turanga	kevinturanga@gmail.com	Lower the cost for consent and increase the time frame for a consent to be approved.	Fees to be lowered and speed of approval increased.	Drastically lower the cost for our elderly and Increase their support. Families of the Cared to be accountable for this cost also.		Waste charges should be lowered.	We get charged for a swimming pool that we don't use. This should be through a 'user-pay' system only (not by all ratepayers). If we have to be charged then we should be able to use it for free. Not pay for something and then charged again to use it.
Wendy	Wilson-Jenks	oh4sunshine@gmail.com				When are you resuming scrap bin pick ups?? I hope you intend giving a rates rebate for this lack of service that we are directly paying for and not receiving...		

A4522455

APPENDIX A

Linda	Mitchell	triumphs.nz@gmail.com				The ability to pick & choose bins service you want with an agreed reduction in service cost in line with choices. A greenwaste option would be fantastic too!	
French	Kiwi	frenchkiwinz@gmail.com		Far too high	Supply more affordable housing for elderly	Poor service for high fees.. already paying rates for rubbish collection and still have to purchase a tag per collection.. It is double dipping and doesn't suit holiday makers or weekenders	Rates are too high and keep going up meanwhile services received are abating and becoming obsolete (i.e library foot traffic plummeting) Rubbish collection is based on private system of pay & collect (tags) despite being included in the Rates. Either up the rubbish collection rate to cover collection or drop the Tag system or the "buy a special colored rubbish bag"!

Please also see submissions from

- North 12 Partnership,
- Southern Cross Horticulture,
- Federated Farmers,
- and Public Libraries Aotearoa

in the submission pack circulated alongside this agenda.

A4522455



Mā tō tātou hāpori
For our community

Pukehina Development Rate
Submissions Pack

Submitter ID	First name	Surname	Organisation	Page No
1	R & S	Heslop		5
2	Allan	Guscott		6
3	V	Winters	Pukehina Farms Ltd	7
4	I. E.	Richards		8
5	Jeff	Williams		9
6	Andrew	Elrick		10
7	D. J.	Halcombe		11
8	J	Andrew		12
9	Karen and Richard	Shrimpton		13
10	Michelle	Williams		14
11	Susan	Stephens		15
12	Joelene and Daniel	Kayavala		16
13	A	Perry		17
14	Alan	Sutherland		18
15	D. A.	Russo		19
16	G. M.	Archer		20
17	Hella	Riebeck		21
18	Hosanna	Mitcalfe		22
19	J	Christmas		23
20	Justyne	Bartells		24
21	Noel and Tineke	Palmer		25
22	Kelvin	Payne		26
23	R	Forrester		27
24	D. B.	McGrath		28
25	Darren	Raggett		29
26	Janet	Layard-Liesching		30
27	Jason	Driver		31
28	Karen	Raggett		32
29	M	Howard		33
30	P & L	Kingham		34
31	S	Rendell		35
32	Ann	Jamieson		36
33	Chris and Jocelyn	Luxford		37
34	Terry and Dianna	Brook		38
35		Pamment		39
36			E. M. Chapman Family Trust	40
37	A	Assen		41
38	Barbara	King		42
39	John	Cameron		43
40	Nicole	Leinert		44
41	P & J	Fitzgerald		45
42	Sylvia	Cameron		46
43	Tracey	Erickson		47
44			Strathboss Kiwifruit Ltd	48
45	Jonathan	Tindall		49
46	Daniel	Edgecombe		50
47	J & M	Graat		51
48	John and Caroline	Hoogstraten		52
49	Joyce	Brooks		53
50	S	Bright		54
51	TJ & PW	Scot		55
52	Jenny	Martyn		56
53	Ken	Trudgen		57
54	Leanne	Dunne		60
55	Steven	Hughes		61
56	Peter	Shattock		62
57	Roz Hunt	Michael Hall		63
58	Sexton Family Trust			64
59	Thomas	Russell		65
60	Wade	McKenzie		66
61	Janet	Ballingall		67

Submitter ID	First name	Surname	Organisation	Page No
62	A	Hudson		68
63	G & SJ	Jenkins		69
64	Stephen	Simpson		70
65	Kathy	Haakma		71
66	Nicola	King		72
67	Sue	Stevens		73
68	Michael	Piper		74
69	Anonymous			76
70	Anonymous			77
71	Anonymous			78
72	Anonymous			79
73	Anonymous			80
74	Anonymous			81
75	Anonymous			82
76	Anonymous			83
77	Anonymous			84
78	Anonymous			85
79	Anonymous			86
80	Anonymous			87
81	Anonymous			88
82	Anonymous			89
83	Anonymous			90
84	Anonymous			91
85	Anonymous			92
86	Dayle	Smith		93
87	Ernie & Kathy	Haahna		94
88	Frankie & Andrew			95
89	Graham	Foote		96
90	Kevein & Lorne	Sullivan		97
91	Kim	Beechan		98
92	Kirsty	Garrett		99
93	Linda	Mitchell		100
94	Lynne	Slattery		101
95	Peter	Bayer		102
96	Richard	Glover		103
97	Ross	Burns		104
98	Samuel	White		105
99	Sue	Lawson		106
100	Ahane	Kingston		107
101	Alf	Rose		108
102	Andrew	Crisp		109
103	Bev	Nairn		110
104	Bruce	Wilkinson		111
105	Bruce	Haycock		112
106	Bryan	Elrick		113
107	Cherie	Culph		114
108	Chris	Sutton		115
109	Chris	Caldwell	Australian Clutch Services NZ	116
110	Claire	Marshall		117
111	Elizabeth	Woodward		118
112	Elizabeth	Foster		119
113	French	Kiwi		120
114	James	Wilkins		121
115	Jo	Pearson		122
116	Jocelyn and	Eichler		123
117	Judy	Treloar		124
118	Julie	Cross		125
119	Karen	Parsons		126
120	Kylie	Sanders		127
121	Larissa	Park		128
122	Leanne	Armstrong		129

Submitter ID	First name	Surname	Organisation	Page No
123	Les	Marshall		130
124	Maria	Boddington		131
125	Michael	Beattie		132
126	Michael	Elrick		133
127	Pam	Roa		134
128	Rod and Wendy	Davenhill		135
129	Ronald	Taylor		136
130	Sally	Sutton		137
131	Shona	Hill		138
132	Steven	Greer		139
133	Steven	Stark		140
134	Stu	Mallasch		141
135	Teresa	Patterson		142
136	William	Rankin		143
137	Yvonne	Carter		144
138	Name not provided			145
139	Name not provided			146
140	Janelle	Havenga		147
141	Kevin	Hughes		147

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Internal Post

28 MAR 2022

TAURANGA MAIL CENTRE

Submission 01

Reply



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TO:

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District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

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28 MAR 2022

VESLOP
DISTRICT COUNCIL

Have your say (choose one and Freepost back)

- ☒ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR)
at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR
but repurposes it for recreation purposes.

Comments:

Name:

R. & S. HESLOP;

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

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Tauranga 3143

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29 MAR 2022

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DISTRICT COUNCIL

Submission 02

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Allan Guscott

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
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TO:

Western Bay of Plenty
District Council

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Tauranga Mail Centre,
Tauranga 3143



Submission 03

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
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- ☐ **Option 2 - Pause**
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- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: *If continued it would be just another rates collected. We already have 4 parks + reserves levy*

Name: *V. Winter - Pukehina Farms Ltd*

Email: *[Redacted]*

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westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

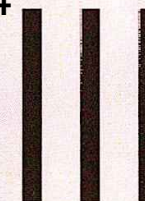
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Submission 04

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☒ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

J. E. RICHARDS

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

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Tauranga 3143

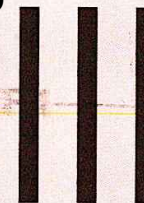
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30 MAR 2022

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DISTRICT COUNCIL

Submission 05

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
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- ☐ **Option 3 - Stop**
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- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

JEFF WILLIAMS

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

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WESTERN BAY OF
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TO:

Western Bay of Plenty
District Council

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Submission 06

Reply



Have your say (choose one and Freepost back)

- ☒ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: My Concern is how much this
campaign is costing the rate payer

Name: Andrew Elrick

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

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TO:

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DISTRICT COUNCIL**

Submission 07

Reply



Have your say

 (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☒ **Option 2 - Pause**
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

D. J. HALCOMBE

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty
District Council**

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31 MAR 2022

**WESTERN BOP
DISTRICT COUNCIL**

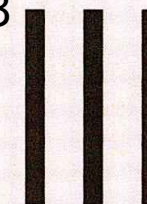
TO:

Western Bay of Plenty
District Council

Private Bag 12803,
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Tauranga 3143

Submission 08

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☒ **Option 2 - Pause**
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Reconsider when known
what the new water company's are
doing.

Name:

J Andrew

Email or address:

[Redacted]

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

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**Western
Bay of Plenty
District Council**

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31 MAR 2022

**WESTERN BAY OF
PLENTY DISTRICT COUNCIL**

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

NOTE:-

Ratepayers will have original scheme costs because wastewater scheme did not go ahead.

Funds were initially sought for wastewater collection and should not be used for anything else - or go into general coffers.

Submission 09

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

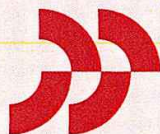
Comments: Funds already collected proportionately returned to ratepayers who have paid into

Name: KAREN SHRIMPSON & RICHARD SHRIMPSON

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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Otamarakau ki te Uru

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WESTERN BOP
DISTRICT COUNCIL

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

Submission 10

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Pukehina needs a foot path
one side has one the other does not

Name:

Michelle Williams

Email or address:

[Redacted]

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty
District Council**

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Western Bay of Plenty
DISTRICT COUNCIL

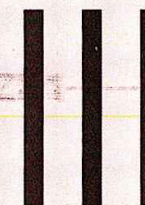
TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

Submission 11

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☒ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: WE WOULD SUPPORT OPTION 1 IF THE USE OF FUNDS COLLECTED WAS GUARANTEED FOR PUKEHINA USE.

Name: SUZAN STEPHENS

Email or address: [REDACTED]

For full information read the Annual Plan 2022/23 Consultation Document, or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
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**WESTERN BOP
DISTRICT COUNCIL**

TO:

Western Bay of Plenty
District Council

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Submission 12

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: DONATE TO BUILDING NEW SURF CLUB

Name: JOE FENZ + DANIEL KAYAKALA

Email or address: [REDACTED]

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**Western
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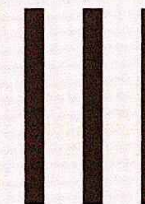
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TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

Submission 13



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Pukehina will definitely
need a sewerage scheme soon

Name:

A. Perry

Email or address:

[Redacted]

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

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TO:

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District Council

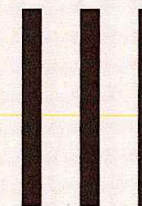
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WESTERN BOP
DISTRICT COUNCIL

Submission 14



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name: *Alan Sutherland*

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
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District Council

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Submission 15

Reply



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Have your say (choose one and Freepost back)

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Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

\$483,500 should be repaid
to rate payers

Name:

D. A. RUSSO

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824

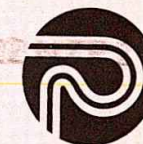


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Submission 16

Reply



TO:

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WESTERN BOP
DISTRICT COUNCIL**Have your say** (choose one and Freepost back)

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Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

G. M. Archer

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824

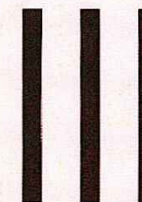


**Western
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District Council

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Submission 17



TO:

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DISTRICT COUNCIL**

Have your say (choose one and Freepost back)

**Option 1 - Continue to pay**

Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).

**Option 2 - Pause**

Council pauses collecting the PDR for the next two years.

**Option 3 - Stop**

Council stops collecting the PDR.

**Option 4 - Repurpose**

Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

A sewage system must be built eventually. Too many permanent residents now.

Name:

Helen Beebe

Email or address:

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Submission 18

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WESTERN BOP
DISTRICT COUNCIL

Have your say (choose one and Freepost back)

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- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name: Hosanna Mitcalfe

Email or address:

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ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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TO:

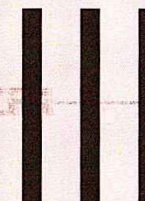
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143



Submission 19

Reply



Have your say (choose one and Freepost back)

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Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
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- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose** — towards surf club.
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Would prefer Council to
repay money to the rate payers

Name:

J. Christmas

Email or address:

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**Western
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District Council

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TO:

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District Council

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Tauranga 3143

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**WESTERN BOP
DISTRICT COUNCIL**

A Submission 20

Reply



Have your say

 (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
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- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Why cant \$ go on our hall
in Pukehina Beach

Name:

Justyne Bartells

Email or address:

[Redacted]

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ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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Submission 21

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TO:

Western Bay of Plenty
District Council

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WESTERN BOP
DISTRICT COUNCIL**Have your say** (choose one and Freepost back)

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Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR
but repurposes it for recreation purposes.

Comments: IF funds are kept in Account called
P. Debt Rate (PDR), Three waters should not access

Name: Noel & Tineke Palmer.

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

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**Western
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District CouncilTe Kaunihera a rohe mai i
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Submission 22

Reply



TO:

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District CouncilPrivate Bag 12803,
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WESTERN BOP
DISTRICT COUNCIL**Have your say** (choose one and Freepost back)

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- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Payne

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



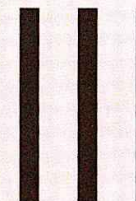
**Western
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District Council

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Submission 23

Reply



TO:

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District Council

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**WESTERN BOP
DISTRICT COUNCIL****Have your say** (choose one and Freepost back)

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- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Pay our rates back.
Yeah Right!!

Name:

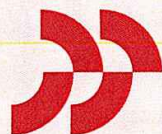
R Forrester

Email or address:

[Redacted]

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**Western
Bay of Plenty**
District Council

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TO:

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District Council

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Tauranga Mail Centre,
Tauranga 3143

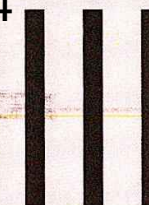
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4 APR 2022

**WESTERN BOP
DISTRICT COUNCIL**

Submission 24

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: CURRENT SEPTIC IS WORKING WELL? KEEP
CURRENT FUNDS FOR STORMWATER MAINTENANCE/ DEVELOPMENT.
IN FUTURE COUNCIL WILL INTRODUCE TAXES AS REQUIRED.

Name: D. B. Mc GRATH

Email or address: _____

For full information
or go online: havey

ReplyPaid Authority 824



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**WESTERN BOP
DISTRICT COUNCIL**

Submission 25

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

A handwritten signature in blue ink, appearing to read 'James Ragnett'.

Email or address:

A grey rectangular box redacting the email or address information.

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
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TO:

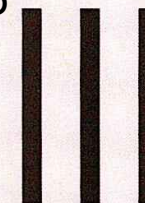
Western Bay of Plenty
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DISTRICT COUNCIL**

Submission 26

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name: TANET LAYARD-LIESCHING

Email or address:

For full information
or go online: [havey](#)

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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TO:

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District Council

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Tauranga 3143

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4 APR 2022

WESTERN BOP
DISTRICT COUNCIL

Submission 27

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Jason Driver

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
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**Western
Bay of Plenty**
District Council

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TO:

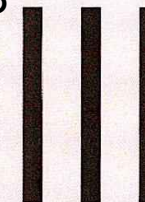
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WESTERN BOP
DISTRICT COUNCIL

Submission 28

Reply



Have your say (choose one and Freepost back)

- ☒ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR)
at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR
but repurposes it for recreation purposes.

Comments:

Name:

Karen Raggatt

Email or address:

For full information
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

Te Kaunihera a rohe mai i
Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

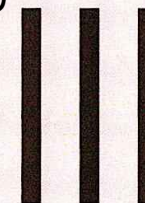
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4 APR 2022

**WESTERN BOP
DISTRICT COUNCIL**

Submission 29

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
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- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: _____

Name: _____

M HOWARD

Email or address: _____

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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TO:

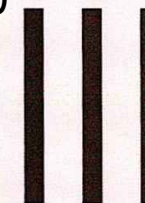
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143



Submission 30

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
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- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

divide current pool of
savings between vital
Name: emergency services based
Email or address: at Pukehina.

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

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**Western
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**WESTERN BOP
DISTRICT COUNCIL**

Submission 31

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

S Rendell

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

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**Western
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TO:

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District Council

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Tauranga Mail Centre,
Tauranga 3143



Submission 32

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Strongly against 3 waters - WBOP
charging big rates in several districts for new
systems already - don't want to give
them away

Name:

Ann Jamieson

Email or address:

[Redacted]

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



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TO:

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Tauranga 3143

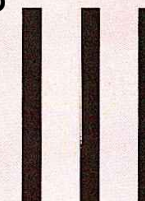
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6 APR 2022

WESTERN BOP
DISTRICT COUNCIL

Submission 33

Reply The logo for the 'Reply' service, featuring a stylized 'R' inside a circle.



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: *Would love to see this invested in surf club - great to see young people being physically active & serving community*

Name:

Chris & Jocelyn Luxford

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
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TO:

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District Council

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Submission 34

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

USE FUNDS FOR FROM THE HALL !!

Name:

TERRY & DIANNE BROOK

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



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westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

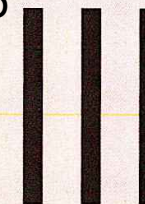
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143



Submission 35

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
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- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

for several metal roads
in the area.

Name:

Timment

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



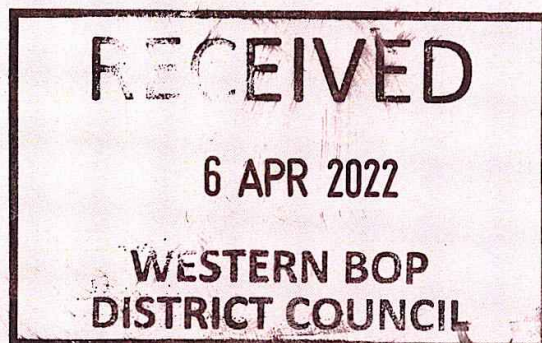
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Otamarakau ki te Uru

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TO:

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District Council

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Tauranga Mail Centre,
Tauranga 3143



Submission 36



Have your say (choose one and Freepost back)

- ☒ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name: E.M. Chapman Family Trust.Email or address: [REDACTED]

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ReplyPaid Authority 824



**Western
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District Council

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TO:

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District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

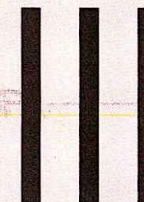
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WESTERN BAY OF PLENTY
DISTRICT COUNCIL

Submission 37

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Repurpose into dune care or
wetlands or native plantings.

Name:

A Assen

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



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westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

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District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143



Submission 38

Reply



Have your say (choose one and Freepost back)

- ☒ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: _____

Name: _____

Barbara King

Email or address: _____

For full information
or go online: haveyoursay.govt.nz

ReplyPaid Authority 824



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Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

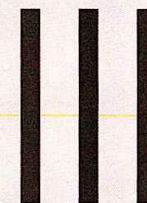
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143



Submission 39

Reply



Have your say (choose one and Freepost back)

- ☒ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

John Cameron

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143



Submission 40

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name: Nicole Leinert

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

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**Western
Bay of Plenty**
District Council

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District Council

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Tauranga 3143

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WESTERN BAY OF
DISTRICT COUNCIL

Submission 41



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: RETURN MONEY TO
RATE PAYERS

Name: P & J Fitzgerald

Email or address: [REDACTED]

For full information read the Annual Plan 2022/23 Consultation Document, or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



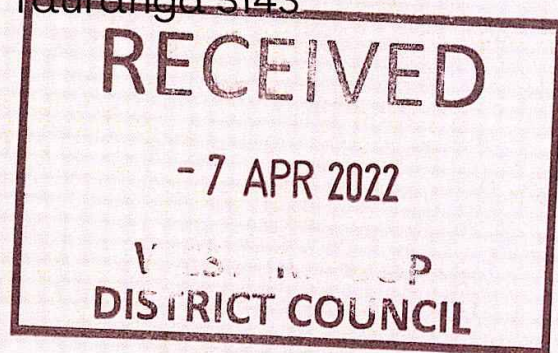
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Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143



Submission 42



Have your say (choose one and Freepost back)

- ☒ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Sylvia Cameron

Email or address:

A grey rectangular box redacting the email address.

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

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**Western
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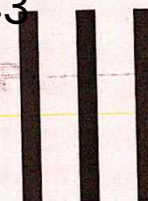
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- 7 APR 2022

W B P
DISTRICT COUNCIL

Submission 43

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Tracey Eickson

Email or address

A grey rectangular box redacting the email address.

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WESTERN BAY
DISTRICT COUNCIL

Submission 44

Reply



Have your say (choose one and Freepost back)

- ☒ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Strathross Kuirau Ltd

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

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**Western
Bay of Plenty**
District CouncilTe Kaunihera a rohe mai i
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Submission 45

Reply



TO:

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District CouncilPrivate Bag 12803,
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Tauranga 3143

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8 APR 2022

WESTERN BOP
DISTRICT COUNCIL**Have your say** (choose one and Freepost back)**Option 1 - Continue to pay**Council continues to collect the Pukehina Development Rate (PDR)
at \$20 per rateable property for wastewater purposes (status quo).**Option 2 - Pause**

Council pauses collecting the PDR for the next two years.

**Option 3 - Stop**

Council stops collecting the PDR.

**Option 4 - Repurpose**Council continues with the collection of the PDR
but repurposes it for recreation purposes.

Comments:

Name:

Jonathan Tindall

Email or address:

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ReplyPaid Authority 824



**Western
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District Council

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District Council

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Tauranga 3143

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WESTERN BOP
DISTRICT COUNCIL

Submission 46



Have your say (choose one and Freepost back)

- ☒ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Daniel Edgecombe

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



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Ngā Kuri-a-Whārei ki
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westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

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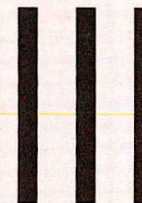
Western Bay of Plenty
District Council

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Tauranga Mail Centre,
Tauranga 3143



Submission 47

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: Good idea: - to have available for
some current community projects/needs

Name: J+M Araat

Email or address: [REDACTED]

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
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WESTERN BOP
DISTRICT COUNCIL

Submission 48



Have your say (choose one and Freepost back)

- ☒ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: SEWERAGE SHOULD HAVE
BEEN FIRST THEN WATER.

Name: JOHN & CAROLINE HOOGESTRATEN

Email or address

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

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**Western
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TO:

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District Council

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Tauranga Mail Centre,
Tauranga 3143



Submission 49

Reply



824



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Option 5 Stop & repurpose
existing funds

Name:

Jayne Brooks

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



Te Kaunihera a rohe mai i
Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143



Submission 50

Reply



Have your say (choose one and Freepost back)

- ☒ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

S. Bright

Email or address:

[Redacted]

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

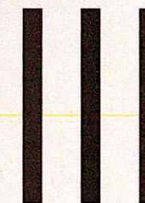
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

RECEIVED**14 APR 2022****WESTERN BOP
DISTRICT COUNCIL**

Submission 51

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

*Uncertainty over when and where it
might be needed makes continued collection pointless.*

Name: *TJ - PW Scott*

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

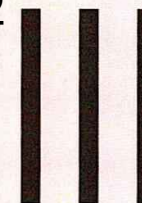
TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

RECEIVED**20 APR 2022****WESTERN BAY OF
DISTRICT COUNCIL**

Submission 52



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
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Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

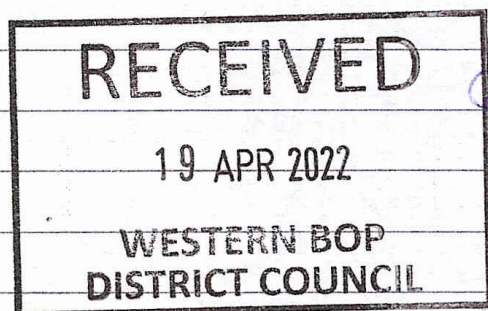
Wairāi guarantees \$483,500 is
definitively set aside for Pukehina
when transferred to 3 waters.

Name:

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

Submission 53



669 Pukehina Parade
R.D. 9 - Te Puke 3189

To whom it may concern

We are responding to the Consultation Document sent to us as Ratepayers at Pukehina Beach from the Western Bay of Plenty District Council regarding the Pukehina Development Fund.

We have been Ratepayers since December 1994.

We believe that in the light of a waste water scheme ever being realised in our Community, we believe the rates paid into this fund should be returned to the ratepayers.

This is money that the ratepayers paid in to Council coffers. Countless dollars have been paid to various consultants looking at various waterschemes and to no avail.

As houses are renovated and new builds all require an upgrade of Septic Tank systems, Pukehina's waste is not a threat to the environment.

We were also appalled that the Council would seek feedback from past or future ratepayers.

Past ratepayers no longer pay the rate and future ratepayers are not yet paying the rate and therefore should have no input to this community decision.

W. Callum

Ken Trudgen +

Maira McCallum.

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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Otamarakau ki te Uru

Reply



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TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: option 5 - refund !!

Name: Ken Tredger

Email or address: [REDACTED]

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

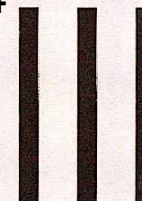
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

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DISTRICT COUNCIL**

Submission 54

Reply

**Have your say** (choose one and Freepost back)

- ☒ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR)
at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR
but repurposes it for recreation purposes.

Comments:

It's essential

Name:

Leanne Dune

Email or address:

For full information
or go online: havey

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

Te Kaunihera a rohe mai i
Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

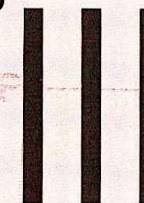
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

RECEIVED**20 APR 2022****WESTERN BOP
DISTRICT COUNCIL**

Submission 55

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Money collected should go back
to Pukehina not to Three Waters!

Name:

Steven Hyppher

Email or address:

For full information
or go online:

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

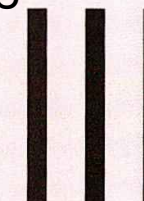
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

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DISTRICT COUNCIL**

Submission 56

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

*fund should go back
to Ratepayer Fund*

Name:

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

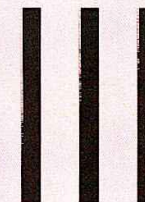
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143



Submission 57

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

PDF to go to rate payers
as they deem fit. If suitable should

Name:

Roz Hunt & Michael Thorne

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

A handwritten signature in black ink, appearing to be 'Roz Hunt'.

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

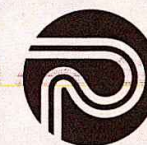
RECEIVED

21 APR 2022

WESTERN BOP
DISTRICT COUNCIL

Submission 58

Reply



Have your say (choose one and Freepost back)

**Option 1 - Continue to pay**

Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).

**Option 2 - Pause**

Council pauses collecting the PDR for the next two years.

**Option 3 - Stop**

Council stops collecting the PDR.

**Option 4 - Repurpose**

Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

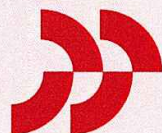
Name:

Sexton family trust

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

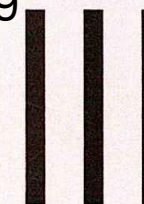
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143



Submission 59

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: LET RATEPAYERS DECIDE
WHAT TO DO WITH IT

Name: THOMAS RUSSELL

Email or address: [REDACTED]

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

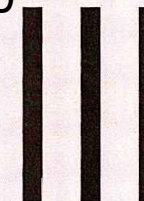
RECEIVED

21 APR 2022

**WESTERN BOP
DISTRICT COUNCIL**

Submission 60

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR)
at \$20 per rateable property for wastewater purposes (status quo).
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- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR
but repurposes it for recreation purposes.

Comments:

Money should go to
PRRA for use

Name:

Wade McKenzie

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



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TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

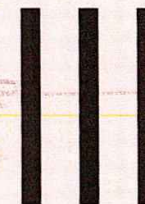
RECEIVED

22 APR 2022

**WESTERN BOP
DISTRICT COUNCIL**

Submission 61

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name: Janet Ballingall

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

RECEIVED

28 APR 2022

**WESTERN BOP
DISTRICT COUNCIL**

Submission 62

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
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- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: *I can see the existing money getting used outside Pukehina which is dissapointing.*

Name: *A. HUISON*

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document, or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

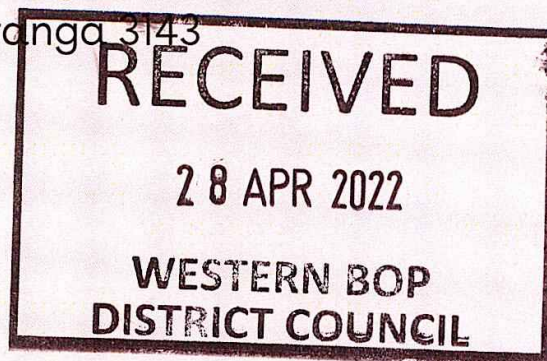
Te Kaunihera a rohe mai i
Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

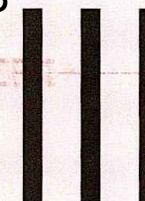
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143



Submission 63

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
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Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Return to rate payer

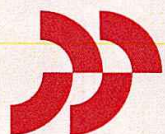
Name:

G. S. Jenkins

Email or address:

For full information
or go online: havey

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

Te Kaunihera a rohe mai i
Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

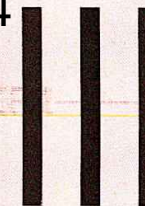
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143



Submission 64

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:


Stephen Simpson

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022


Submission 65

ReplyPaid Authority 824

 **Western Bay of Plenty District Council**

Te Kaunihera a rohe mai i
Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

Reply 

Have your say (choose one and Freepost back)

☐ **Option 1 - Continue to pay**
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☐ **Option 2 - Pause**
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☒ **Option 3 - Stop**
Council stops collecting the PDR.


☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

TO:
Western Bay of Plenty District Council
Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

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29 APR 2022
WESTERN BAY OF PLENTY DISTRICT COUNCIL

Comments: Stop & Refund to ratepayers.

Name: Kathy Hagkema

Email or address: 

For full information read the Annual Plan 2022/23 Consultation Document, or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824

**Western
Bay of Plenty
District Council**Te Kaunihera a rohe mai i
Ngā Kuri-a-Whātehi ki
Ōtamahakau ki te Uru

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2 MAY 2022
**WESTERN BOP
DISTRICT COUNCIL**

TO:

Western Bay of Plenty
District CouncilPrivate Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

Submission 66

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
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- ☒ **Option 2 - Pause**
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- ☐ **Option 3 - Stop**
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- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Nicola King

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

Te Kaunihera a rohe mai i
Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

RECEIVED**26 APR 2022****WESTERN BOP
DISTRICT COUNCIL**

Submission 67

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

It seems unfair if all the contributions to date are transferred to 3 waters for other purposes

Name:

Sue Stevens

Email or address:

For full information
or go online: havey

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

Te Kaunihera a rohe mai i
Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

RECEIVED

20 APR 2022

WESTERN BOP
DISTRICT COUNCIL

Submission 68

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

*Should be used for
estuary remediation + walkway*

Name:

MICHAEL PIPEL

Email or address:

team@piper-exter.co.nz

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

Pukehina Development Rate

Verbal Submission

Submission ID: 68

Name: Michael Piper

Submission method: Verbal

Option selected:

Comments: We haven't been asked if the rate is kept, that it should be increased.

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143



Submission 69



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Email or address:

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ReplyPaid Authority 824



Western
Bay of Plenty
District Council

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31 MAR 2022

WESTERN BAY OF
PLENTY
DISTRICT COUNCIL

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

Submission 70

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
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ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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31 MAR 2022

**WESTERN BAY OF
PLENTY
DISTRICT COUNCIL**

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

Submission 71

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
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- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

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**Western
Bay of Plenty**
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TO:

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District Council

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Tauranga Mail Centre,
Tauranga 3143

RECEIVED

1 APR 2022

WESTERN BOP
DISTRICT COUNCIL

Submission 72

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

HALL COSTS ?

Name:

Email or address:

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ReplyPaid Authority 824



**Western
Bay of Plenty**
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westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

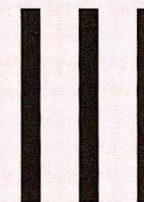
Western Bay of Plenty
District Council

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Tauranga Mail Centre
Tauranga 3143

RECEIVED**4 APR 2022****WESTERN BOP
DISTRICT COUNCIL**

Submission

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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TO:

Western Bay of Plenty
District Council

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Tauranga Mail Centre,
Tauranga 3143



Submission 74

Reply #811

Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Email or address:

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ReplyPaid Authority 824



**Western
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Tauranga 3143

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DISTRICT COUNCIL**

Submission 75

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☒ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments: _____

Name: _____

Email or address: _____

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ReplyPaid Authority 824



**Western
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Tauranga 3143

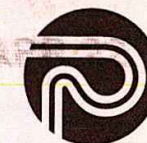
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8 APR 2022

**WESTERN BOP
DISTRICT COUNCIL**

Submission 76

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☒ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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TO:

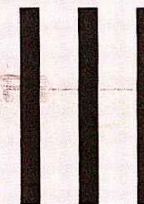
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

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DISTRICT COUNCIL**

Submission 77

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Email or address:

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ReplyPaid Authority 824



**Western
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TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre
Tauranga 3143



Submission 78



Have your say (choose one and Freepost back)

- ☒ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

*Don't ask again - this
obscene waste of money doesn't
help the fund.*

Name:

Email or address:

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or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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TO:

Western Bay of Plenty
District Council

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Tauranga Mail Centre,
Tauranga 3143

RECEIVED

11 APR 2022

WESTERN BOP
DISTRICT COUNCIL

Submission 79



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

RECEIVED**13 APR 2022****WESTERN BOP
DISTRICT COUNCIL**

Submission 80

Reply

**Have your say** (choose one and Freepost back)**Option 1 - Continue to pay**

Council continues to collect the Pukehina Development Rate (PDR)
at \$20 per rateable property for wastewater purposes (status quo).

**Option 2 - Pause**

Council pauses collecting the PDR for the next two years.

**Option 3 - Stop**

Council stops collecting the PDR.

**Option 4 - Repurpose**

Council continues with the collection of the PDR
but repurposes it for recreation purposes.

Comments:

Name:

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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TO:

Western Bay of Plenty
District Council

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Tauranga Mail Centre,
Tauranga 3143

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14 APR 2022

**WESTERN BOP
DISTRICT COUNCIL**

Submission 81

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR)
at \$20 per rateable property for wastewater purposes (status quo).
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Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR
but repurposes it for recreation purposes.

Comments:

Name:

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

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Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

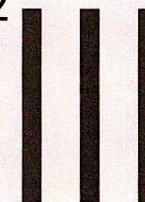
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

RECEIVED**14 APR 2022****WESTERN BOP
DISTRICT COUNCIL**

Submission 82

Reply



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

*How about refunding to property
owners as purpose for which*

Name:

collected is no longer going to

Email or address:

be done.

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



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Ngā Kuri-a-Whārei ki
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TO:

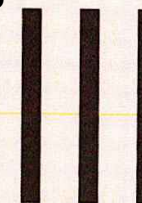
Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

RECEIVED**20 APR 2022****WESTERN BOP
DISTRICT COUNCIL**

Submission 83

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
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- ☒ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



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TO:

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Tauranga 3143

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21 APR 2022

WESTERN BAY OF PLENTY
DISTRICT COUNCIL

Submission 84



Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
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Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824

**Western
Bay of Plenty**
District CouncilTe Kaunihera a rohe mai i
Ngā Kuri-a-Whāreī ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

TO:

Western Bay of Plenty
District CouncilPrivate Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

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- 4 MAY 2022

WESTERN BOP
DISTRICT COUNCIL

Submission 85

Reply

**Have your say** (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☐ **Option 3 - Stop**
Council stops collecting the PDR.
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Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

Pukehina Development Rate

Online and verbal submissions

Submission ID: 86

Name: Dayle Smith

Submission method: Verbal

Option selected: Option 4 – Repurpose

Comments: Would like PBRRA to have a say in what the repurposed funds would be spent on specifically.

Pukehina Development Rate

Online and verbal submissions

Submission ID: 87

Name: Ernie & Kathy Haahna

Submission method: Verbal

Option selected: Option 3 – Stop

Comments: Refund to ratepayers

Pukehina Development Rate

Online and verbal submissions

Submission ID: 88

Name: Frankie & Andrew

Submission method: Verbal

Option selected: Option 2 – Pause

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 89

Name: Graham Foote

Submission method: Verbal

Option selected: Option 4 – Repurpose

Comments: Further development and maintenance of Pukehina's wetland.

Pukehina Development Rate

Online and verbal submissions

Submission ID: 90

Name: Kevein & Lorne Sullivan

Submission method: Verbal

Option selected: Option 4 – Repurpose

Comments: Maintain wetland and build a walkway. Assets for the beach.

Pukehina Development Rate

Online and verbal submissions

Submission ID: 91

Name: Kim Beechan

Submission method: Verbal

Option selected: Option 4 – Repurpose

Comments: Repurpose existing funds into completing walkway and cycleway in Pukehina. Stop contributing to wastewater collection.

Pukehina Development Rate

Online and verbal submissions

Submission ID: 92

Name: Kirsty Garrett

Submission method: Verbal

Option selected: Option 3 – Stop

Comments: Stop paying into fund. Refund accumulated funds by way of rates credit or repurpose existing funds for community projects. If not, why not?

Pukehina Development Rate

Online and verbal submissions

Submission ID: 93

Name: Linda Mitchell

Submission method: Verbal

Option selected: Option 2 – Pause

Comments: See what will happen with 3 Waters.

Pukehina Development Rate

Online and verbal submissions

Submission ID: 94

Name: Lynne Slattery

Submission method: Verbal

Option selected: Option 3 – Stop

Comments: Refund to ratepayers or subsidise future rates.

Pukehina Development Rate

Online and verbal submissions

Submission ID: 95

Name: Peter Bayer

Submission method: Verbal

Option selected: Option 3 – Stop

Comments: Refund to ratepayers

Pukehina Development Rate

Online and verbal submissions

Submission ID: 96

Name: Richard Glover

Submission method: Verbal

Option selected: Option 4 – Repurpose

Comments: Repurpose for community projects. Eg. Community garden, development of Midway Park, Pukehina Hall. Money already collected over the last 21 years should be tagged to Pukehina. They are community funds. Could be used to subsidise septic tank clean outs.

Pukehina Development Rate

Online and verbal submissions

Submission ID: 97

Name: Ross Burns

Submission method: Verbal

Option selected: Option 2 – Pause

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 98

Name: Samuel White

Submission method: Verbal

Option selected: Option 1 – Continue to pay

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 99

Name: Sue Lawson

Submission method: Verbal

Option selected: Option 2 – Pause

Comments: Wait till current issues are resolved.

Pukehina Development Rate

Online and verbal submissions

Submission ID: 100

Name: Ahane Kingston

Submission method: Online

Option selected: Option 4 – Repurpose

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 101

Name: Alf Rose

Submission method: Online and verbal

Option selected: Option 2 – Pause

Comments: A 2-year pause on the PDR will enable more information regarding wastewater management, specifically reticulated sewerage, and hopefully gain the WBOPDC a 'seat at the table' to protect funds already collected and intended for wastewater purposes.

Verbal – Council to advocate for fund already collected to be tagged to Pukehina. We need to wait for more information about 3 Waters and the Regional Council's requirements.

Pukehina Development Rate

Online and verbal submissions

Submission ID: 102

Name: Andrew Crisp

Submission method: Online

Option selected: Option 2 – Pause

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 103

Name: Bev Nairn

Submission method: Online

Option selected: Option 4 – Repurpose

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 104

Name: Bruce Wilkinson

Submission method: Online

Option selected: Option 2 – Pause

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 105

Name: Bruce Haycock

Submission method: Online

Option selected: Option 1 – Continue to pay

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 106

Name: Bryan Elrick

Submission method: Online

Option selected: Option 4 – Repurpose

Comments: Yes that the money already collected in part goes to fixing the mess made at the boat ramp namely installing posts or boardwalk outside the recently erected rock wall, and possibly a jetty along one side of the ramp. At present there is nowhere safe to tether a craft, and boaties are then faced with negotiating large rocks to retrieve their craft, myself and others would gladly meet someone there to discuss options

Pukehina Development Rate

Online and verbal submissions

Submission ID: 107

Name: Cherie Culph

Submission method: Online

Option selected: Option 3 – Stop

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 108

Name: Chris Sutton

Submission method: Online

Option selected: Option 4 – Repurpose

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 109

Name: Chris Caldwell Australian Clutch Services NZ

Submission method: Online

Option selected: Option 4 – Repurpose

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 110

Name: Claire Marshall

Submission method: Online

Option selected: Option 2 – Pause

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 111

Name: Elizabeth Woodward

Submission method: Online

Option selected: Option 3 – Stop

Comments: a) return payments to the rate payer

b) owned our property since 1994 – there was going to be 1 km footpath built each year – maybe kerb,channel and footpath the beach side of the road

c) transfer funds to upgrade our community hall. Every community should have there own community facility.

Dennis and Elizabeth Woodward

Pukehina Development Rate

Online and verbal submissions

Submission ID: 112

Name: Elizabeth Foster

Submission method: Online

Option selected: Option 3 – Stop

Comments: All the funds held in trust to be distributed back to Pukehina ratepayers. The funds should not be used for anything including potential 3 waters as this is not what the funds were gathered for. The council can not us it to go into a local, regional or national pool. Individual ratepayers can then decide how to use the small refund per property themselves. This cannot be a council decision as council does not have the authority to make this decision.

Pukehina Development Rate

Online and verbal submissions

Submission ID: 113

Name: French Kiwi

Submission method: Online

Option selected: Option 3 – Stop

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 114

Name: James Wilkins

Submission method: Online

Option selected: Option 1 – Continue to pay

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 115

Name: Jo Pearson

Submission method: Online

Option selected: Option 1 – Continue to pay

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 116

Name: Jocelyn and Eichler

Submission method: Online

Option selected: Option 4 – Repurpose

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 117

Name: Judy Treloar

Submission method: Online

Option selected: Option 3 – Stop

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 118

Name: Julie Cross

Submission method: Online

Option selected: Option 2 – Pause

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 119

Name: Karen Parsons

Submission method: Online

Option selected: Option 1 – Continue to pay

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 120

Name: Kylie Sanders

Submission method: Online

Option selected: Option 4 – Repurpose

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 121

Name: Larissa Park

Submission method: Online

Option selected: Option 1 – Continue to pay

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 122

Name: Leanne Armstrong

Submission method: Online and verbal

Option selected: Option 4 – Repurpose

Comments: Repurpose for community areas and assets. For projects that might not already be funded by Council. Existing funds to be credited/refunded to each property, irrespective of properties changing hands over the years. If Council won't refund that money then

Pukehina Development Rate

Online and verbal submissions

Submission ID: 123

Name: Les Marshall

Submission method: Online

Option selected: Option 4 – Repurpose

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 124

Name: Maria Boddington

Submission method: Online

Option selected: Option 4 – Repurpose

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 125

Name: Michael Beattie

Submission method: Online

Option selected: Option 1 – Continue to pay

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 126

Name: Michael Elrick

Submission method: Online

Option selected: Option 4 – Repurpose

Comments: The new boat ramp needs serious attention.
It is now difficult to use and is unsafe for booties and swimmers

Pukehina Development Rate

Online and verbal submissions

Submission ID: 127

Name: Pam Roa

Submission method: Online

Option selected: Option 4 – Repurpose

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 128

Name: Rod and Wendy Davenhill

Submission method: Online

Option selected: Option 4 – Repurpose

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 129

Name: Ronald Taylor

Submission method: Online

Option selected: Option 1 – Continue to pay

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 130

Name: Sally Sutton

Submission method: Online

Option selected: Option 4 – Repurpose

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 131

Name: Shona Hill

Submission method: Online

Option selected: Option 4 – Repurpose

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 132

Name: Steven Greer

Submission method: Online

Option selected: Option 2 – Pause

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 133

Name: Steven Stark

Submission method: Online

Option selected: Option 4 – Repurpose

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 134

Name: Stu Mallasch

Submission method: Online and Verbal

Option selected: Option 4 - Repurpose

Comments: Need a true development fund where comes in the community. Refund the existing money to ratepayers. Who is in charge of the funds collected? What agreement or protocol was in place to set purpose at the beginning? Council needs to prove that accumulated funds cannot be repurposed.

Pukehina Development Rate

Online and verbal submissions

Submission ID: 135

Name: Teresa Patterson

Submission method: Online

Option selected: Option 1 – Continue to pay

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 136

Name: William Rankin

Submission method: Online

Option selected: Option 1 – Continue to pay

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 137

Name: Yvonne Carter

Submission method: Online

Option selected: Option 4 – Repurpose

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 138

Name:

Submission method: Online

Option selected: Option 1 – Continue to pay

Comments:

Pukehina Development Rate

Online and verbal submissions

Submission ID: 139

Name:

Submission method: Online

Option selected: Option 1 – Continue to pay

Comments:

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

Te Kaunihera a rohe mai i
Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

Reply



TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

RECEIVED

- 5 MAY 2022

WESTERN BAY OF
DISTRICT COUNCIL

Have your say (choose one and Freepost back)

- ☐ **Option 1 - Continue to pay**
Council continues to collect the Pukehina Development Rate (PDR) at \$20 per rateable property for wastewater purposes (status quo).
- ☐ **Option 2 - Pause**
Council pauses collecting the PDR for the next two years.
- ☒ **Option 3 - Stop** - ✓ *Correct option is 3*
Council stops collecting the PDR.
- ☒ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

Comments:

Name:

Janelle, Havenga

Email or address:

For full information
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

ReplyPaid Authority 824



**Western
Bay of Plenty**
District Council

Te Kaunihera a rohe mai i
Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

Reply



RECEIVED

- 6 MAY 2022

WESTERN BAY OF
DISTRICT COUNCIL

TO:

Western Bay of Plenty
District Council

Private Bag 12803,
Tauranga Mail Centre,
Tauranga 3143

Have your say (choose one and Freepost back)

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- ☐ **Option 4 - Repurpose**
Council continues with the collection of the PDR but repurposes it for recreation purposes.

*PAY BACK TO RATEPAYERS
who paid it!*

Comments: *NO NEW PROJECTS CAN'T MAINTAIN
What we have. HALL? Bike track*

Name:

Email or address:

For full information read the Annual Plan 2022/23 Consultation Document,
or go online: haveyoursay.westernbay.govt.nz/annualplan2022

*Potholes in Paratote caused by Heavy Truck
AND TALLERS delivering Fill to 442!*



Mā tō tātou hāpori
For our community

Annual Plan 2022/23

Submissions Pack



**Western
Bay of Plenty**
District Council

Submission ID	Name / Organisation	Page No
1	Greg Rzesniowiecki	3
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3	Ngai Tamawhariua ki Katikati	152
4	Te Puna Memorial Hall Committee	159

Submission 01

**Open Letter To all Regional Councils and Territorial Authorities on the occasion of your
Annual Plan consultation – April 2022**

Dear Chair, Mayor, Councillor, CEOs and Officers in council administrations,

Subject: Truth, Freedom, Rights and Responsibilities in the age of COVID-19

I write on behalf of those who might agree with the following statement;

**“We have experienced something despicable with the COVID-19 Response Measures and
Vaccine Mandates”**

1. Please consider this paper and associated recommendations in your 2022 Annual and or Long Term Planning process.
2. By way of introduction, I, Greg Rzesniowiecki have previously written to all regional councils and territorial authorities in 2014 and 2018 in relation to your Council's Annual and Long Term Plans identifying overarching problems and suggesting policy solutions.

Introduction

3. This formal correspondence brings matters to your Council's attention to enable proper consideration of the impact of high level criminality and its [detrimental effect](#) on the people and economy of New Zealand.
4. Covid phenomena has dominated NZ and global life and policy settings for two years. What is it really about?
5. The likely vector of emergence for the mysterious SARS-CoV-2 virus is that it's a product of the global [bioweapons](#)¹ programs and likely was deliberately released given the [lockstep](#)

1 The link is to a video Covid Crimes – A Witness: Dr Richard Fleming; <https://galleries.vidflow.co/awitness> Dr Fleming provides context in this 54 minute video for the remainder of the content in this paper as well as explicitly identifying the evidence that the bug SARS-CoV-2 is a bioweapon and later in the interview that the mRNA vaccines are also products of bioweapons programs. Without coronavirus gain of function research done illegitimately the world would have escaped the Covid phenomena.

response managed internationally. The evidence for this case is circumstantial though well considered and offers a [plausible hypothesis](#), whereas zoonotic emergence of the bug is well discarded with available knowledge. The pangolin association is a myth and part of the official disinformation to [protect Dr Fauci](#) and [friends](#) who provided significant [funding](#) to Wuhan Institute of Virology (WIV).

6. It is important that Council on behalf of their people have a full picture of the Covid matter. To operate under false assumptions or in absence of a factual view of the data about Covid and the COVID-19 Response is potentially a fatal or life threatening decision.

7. Factual material and information within this paper proves beyond all reasonable doubt that Pfizer's COVID-19 [Comirnaty](#) gene therapy product is neither safe nor effective.

8. Criminal action is perpetrated as a result of the NZ Government's COVID-19 Response enactments, [lockdowns](#) and policy, acquiescence to, or promoting a particular ideological agenda, similar to other nation's policies (often Western jurisdictions) in respect to COVID-19 which might be paraphrased; "COVID-19 elimination and lockdown directives will drive more New Zealanders to be vaccinated." This despite the novel nature of the gene therapy mRNA product and its unknown [safety](#) profile. All care and no responsibility gone mad.

9. Who directed the NZ Government to follow the "get vaccinated or perish" policy, as opposed to, treat the ill and leave the well and healthy to get on with their lives?²

10. What is in the vaccines that it is so important to vaccinate every New Zealander down to a very young age?

11. If it was so good people would queue for it, not be whipped into taking the toxic sorcerer's brew.³

2 Parody - "I Bought Myself A Politician" - Mona Lisa Twins published August 2021
https://www.youtube.com/watch?v=QAKz_cxTIQ Serious take - long form journalism in the Columbia Journalism Review; "Journalism's Gatekeepers" 21 August 2020, by Tim Schwab about everyone's favourite computer programmer, turned philanthropist, turned vaccinologist – Bill Gates: <https://www.cjr.org/criticism/gates-foundation-journalism-funding.php>

3 US VAERS data in excess of 25,000 deaths temporally associated with the COVID-19 vaccinations as at 1 April 2022; <https://openvaers.com/covid-data/mortality> are similarly reflected in UK and European pharmacovigilance web based data platforms. Additionally NZ Medsafe CARM data as of 28 February 2022 has 156 reports of death and over 58,000 reports of adverse events many unresolved or likely terminal as a result of severe disability associated with myocarditis and more medical conditions; <https://www.medsafe.govt.nz/COVID-19/safety-report-41.asp>. Of note, it is well established in scientific literature that adverse events, injuries and death are under reported to pharmacovigilance systems.

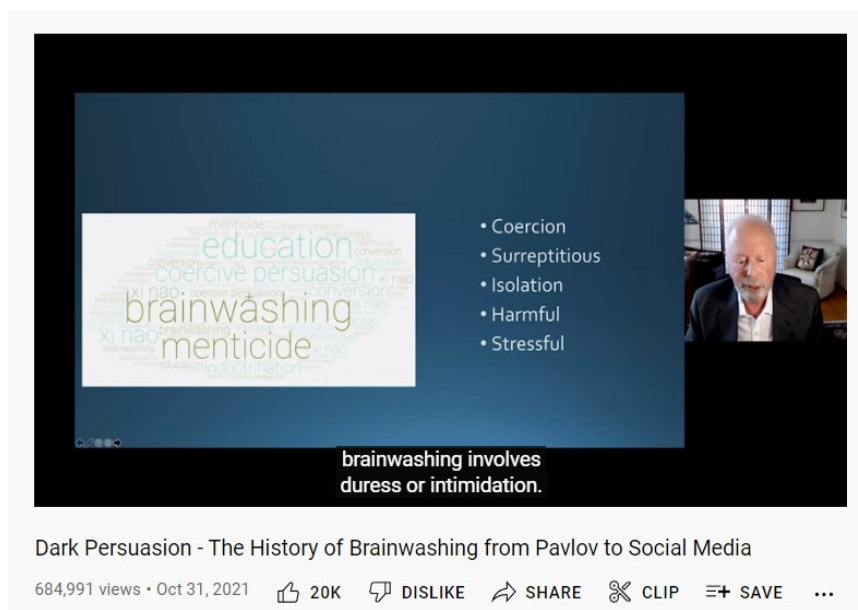
Evil flourishes where good men do nothing – Edmund Burke

It is easier to fool a man than to convince him he has been fooled – Mark Twain

On fooling the people with industrial precision

A. Brainwashing with Professor Joel Dimsdale

12. Professor Joel Dimsdale discusses his latest book “Dark Persuasion: A History of Brainwashing from Pavlov to Social Media” in the [linked video](#), which traces the evolution of brainwashing from its beginnings in torture and religious conversion into the age of neuroscience and social media. Dimsdale is distinguished professor emeritus in the Department of Psychiatry at UC San Diego.



Screen capture about 6 mins into the video on what brainwashing involves

B. Mass formation with Professor Mattias Desmet

13. “Mattias Desmet on Our Grave Situation” youtube [video](#) published 3 December 2021. Mattias Desmet, Professor of Clinical Psychology, Ghent University in Belgium,⁴ talks with Peak Prosperity's Chris Martenson about his work that connects past historical episodes of what is called “Mass Formation” (for example Nazi Germany and periods of communist control under Lenin and Stalin in USSR) and current events. Desmet's thesis suggests that unless a few brave and courageous people are willing to stand up and say “I don’t agree!” history suggests that we will end up with a fully totalitarian outcome. Who is for that?

14. New Zealand's Councils might provide part of the necessary and courageous solution.

Vaccine harm is enormous and growing with every jab

15. Unfortunately it is plain the NZ Government [knew](#) of the looming vaccination carnage; that is the harm, injury and death that would flow from vaccinating New Zealanders through the Government's access to Pfizer's data made available through the requirements of [Comirnaty](#)'s Provisional Approval 3 February 2021 in its Vaccinate NZ project.

16. The NZ Government knew that significant numbers of New Zealanders would be [killed and injured](#) for the sole reason of accepting injection with the Pfizer mRNA lipid serum product.

17. The conspiracy is breathtakingly large where one acknowledges similar policies being enacted with [similar contracts](#) for [mRNA vaccines](#) in other people's nations to experiment on them.

18. When insufficient took up the mRNA injectable, the NZ Government mandated employees in chosen sectors of the economy both public and private to be jabbed or face economic ruin through termination of employment, plus driving businesses, employers and Councils to mandate their staff and limit public access to buildings and assets.

19. Post vaccination adverse reactions in NZ have already killed over 400 (confirmed on citizens [database](#)) and the number potentially killed is double that in suspected cases

4 Prof Mattias Desmet profile at Gent University Belgium: <https://biblio.ugent.be/person/801001743835>. Desmet has been interviewed by numerous people over the past year, as a web search would reveal: <https://www.google.com/search?q=%22Mattias+Desmet+Mass+Formation%22>

requiring further investigation - work is being done to clarify the circumstances of these deaths post jab.

20. Excess mortality in 2021 was [2000 deaths](#). The only change between 2020 and 2021 was 80% of New Zealand's adult population being vaccinated with Pfizer's mRNA gene therapy product.

21. It is reasonable to posit the post vaccination cull at over 1000 people and possibly more of the 2021 excess mortality (what other cause is there – there was no influenza in 2021 and NZ stats assure us that suicides were running at the typical ~600 per annum). If it is unreasonable to entertain such a hypothesis from this data, then it is important to at least investigate the Vaccine's toxic effects to determine the cause of an unusually high number of deaths in 2021.

22. [Medsafe safety data](#) on Pfizer's Comirnaty product declares that up to 28 February 2022 a total of 10,621,074 doses of Comirnaty have been administered and [58,135 AEFIs](#) (adverse events following injection) were reported. In the same period a total of 156 deaths were reported to CARM after the administration of the Comirnaty vaccine.

23. Reporting of adverse events leading to injury or death is not mandatory, which means CARM is not an accurate signal of the harm, but its alarm light ought be glowing red with the injuries registered to date.

24. Since 17 January 2022 NZ's Government offered COVID-19 vaccination to [476,000 children](#) between ages 5-11. Consent for children is legally determined by the guardian. That is perverse given children do not suffer much from Covid-19 symptoms, however, they will bear considerable [risk](#) of long term [injury](#) or death from Covid-19 vaccination.

Case to NZ Police

25. I wrote to the NZ Police through the agency of a specific detective officer in October 2021 offering a report; "Case to NZ Police" (attached as **Appendix B**). It outlined the Covid vaccine carnage; death, injury and destruction perpetrated to then ~270 deaths and 1000 serious injuries temporally associated with Vaccination. The report identified evidence of breaches of the Crimes Act including culpable homicide in the case of those killed.

26. The answer from the police officer was that operations management would not be pursuing any investigation into the COVID-19 Vaccination matter and further suggested that the charge wasn't culpable homicide and a charge of genocide was more likely appropriate. Further it was suggested that if one wished to pursue the matter it ought be referred to an international tribunal or court – which means the ICC International Criminal Court.⁵

27. Given the potential routes to a just solution are most likely in our own hands – it is critical that we the people of New Zealand look to our own laws, constitution and our own people power for that just solution. (See recommendations paragraphs **72, 82 and 91**)

Nano structures in the Vaccines

28. [Nano structures](#) appear or grow in the Pfizer mRNA lipid emulsion product extracted directly from vials of [Comirnaty](#) – there are at least two known ingredients that are secret, however, there may be extra elements, and any synergies or processes resulting from interaction with a Vaccination host or more stimuli; electro magnetic radiation, heat; that are withheld from public knowledge or yet to emerge.

29. No one that I know of gave consent to be vaccinated with graphene oxide or similar substances seen in the mRNA vaccine vials. Graphene oxide is not regulated for human use as a medical intervention. Where these substances and structures were a known outcome of the Pfizer mRNA product and their inclusion in the Vaccine isn't disclosed to vaccine recipients, then it is *prima facie* a crime.⁶

30. No one from authority is forthcoming with any explanation in respect to the nano-scale structures despite repeated reports to NZ Ministry of Health officials, Government Ministers and NZ Police. There appears to be a conspiracy to deny and/or downplay any and all reports of deleterious elements or adverse effects associated with the COVID-19 vaccination products.

⁵ Whereas expert opinion informs that international rule of law is corrupted by the hubris of the powerful nations who use aggression with impunity knowing that they are unlikely to be prosecuted by the ICC or any other tribunal: <https://dezayasalfred.wordpress.com/2022/04/07/counterpunch-no-right-arises-from-a-wrong/>

⁶ The implications of, and consequences from nano-structures in people's blood is horrific, nay evil, where it is intended by the manufacturers and those in the COVID-19 conspiracy loop, to inject the unknowing and trusting or credulous public with more than just mRNA and its lipid carrier.

31. Already many hundreds if not thousands of New Zealanders have expired as a result of the COVID-19 Vaccination, and tens of thousands have suffered harm, injury, some might be long lasting or terminal conditions brought on by myocarditis, extreme clotting - thrombosis or strokes. Get a stroke or myocarditis as a result of a vaccination against a flu like illness? As of January 2022, the reported incidence of local and systemic side effects from mRNA was 27% in the general public – in NZ that would be about 1 million people suffering some side effect.

32. Toxins accumulate toxic effects - the more shots the more potential/real long term detrimental effects. Oncologists are noticing the onset of previously dormant cancers. The Pfizer product [distorts the immune system](#), including components that fight off cancer, to lower the resistance a vaccinated individual's body would ordinarily use to [counter](#) foreign intrusion or toxins. This may be a design element to allow the mRNA lipid minimal resistance in its path and effect in a recipient's body. Potentially permanent switches to miss a flu like illness.

33. Long term [immune system decline](#) is forecast. There is the need to study vaccination recipients for more problematic [symptoms](#) and conditions yet to manifest that might not appear in similar numbers in the unvaccinated proportion of the New Zealand and global population.

34. We Covid sceptics⁷ are learning more as we study the Covid phenomena and the ground of its emergence. Some of this publicly available information is dismissed as misinformation and or disinformation. It is noteworthy that the [ones hurling](#) the misinformation slurs prefer not to discuss or debate the content and merits of that which they denigrate. The phenomena arises from the same mentality that use the pejorative 'conspiracy theory' slur to deny facts without discussing the matter.⁸

35. From [Pfizer's documentation](#) discovered through US FOIA action against the FDA we now know that the Pfizer product has literally thousands of [adverse potential reactions](#) as

7 Only Covid sceptics in the sense of scepticism about the received wisdom and official COVID-19 narrative promoted by NZ Government and authorities and more at a global level including the WHO and UN and more national authorities in foreign jurisdictions such as the US CDC, NIH, or FDA.

8 Not wanting to distract from Covid and its implications, it is important to apprehend that NZ academia is not the happy state of scientific inquiry and discovery one might expect. Academics themselves are indicating concern at loss of academic freedom: <https://www.newsroom.co.nz/academics-divided-on-their-own-freedoms> Also in September 2019 I wrote almost 700 NZ academics forwarding an essay of my discoveries in respect to the 9/11 event – pointing to the false flag and inside job nature of that crime from the perspective of the available public information only to receive not one response other than “out of the office” type automatic returns. The 9/11 essay

these are already observed in recipients or projected to arise.

36. From what is known about the mRNA products begs the question; “how anyone can give proper informed consent to the Comirnaty injectable product and boosters,” as clearly none were properly informed of the harmful and fatal potentials arising from the full dynamics of all the ingredients and their interface with individual human cell tissues in vital organs like brains, hearts and gonads in those who are Vaccinated.

Variation in Pfizer mRNA vaccine batches

37. The [lethality of batches](#) or lots of Pfizer and Moderna (and others) COVID-19 vaccination products varied, indicating malfeasance, or where unintended then criminal negligence. NZ does not check the contents of the vials other than maintain and audit their chain of custody and the associated documentation.

Pfizer Comirnaty is not safe - nor is it effective

38. All scientific evidence shows that whether a person has taken one, two, three or zero mRNA shots makes no difference to whether they can catch SARSCoV2 nor whether they can infect others with it. Recent Lancet articles [prove](#) this [conclusively](#). Additionally data from the current epidemic in NZ point to the [lack of efficacy](#) of being vaccinated. Add to its ineffectiveness, the carnage and harm its deployment has caused, for a perspective about the lengths NZ's Government has gone to promote an unsafe novel product.

39. Manufacturers of the mRNA injection have never claimed that it stops infection or transmission of SARS-CoV-2. In fact, it was never designed to do it, or tested for it.

40. The number of people needed to [vaccinate](#) (NNTV) to prevent one infection is extremely large and astronomical to prevent one COVID-19 death.

41. COVID-19 [morbidity](#) is about that of a serious influenza season and is [treatable](#) using

for your spare time reading which none have refuted or rebutted: https://values-compasspointsinaposttruthworld.blogspot.com/2019/09/nz-academy-911-militarism-climate-will_11.html If Empire can lie the world into war based on the 9/11 crime lie, then it can lie the world into accepting experimental mRNA gene therapy products for profit and whatever other agendas – none benign.

relatively cheap generic drugs. Early treatment of any serious symptoms of COVID-19 infection using all available remedies and therapeutics is superior to the NZ Government determination to vaccinate everyone.

42. Natural [immunity](#) is superior to any COVID-19 vaccine induced immunity.

43. People who accept the COVID-19 vaccine are as likely to become infected with the disease and transmit it. Vaccination drives variant selection to evade vaccines.

44. So far and according to the NZ Government's statistics with COVID-19 daily infections of thousands per day since late February, [MoH data](#) as of 6 April (link is archive of 5-4-2022 data) has a total of 741987 people have become infected including 82,682 active cases and 426 (or 456 - count with broader parameters) died with COVID-19 (and often more confounding medical conditions).

COVID-19 is no more deadly than influenza

45. About 400 to 450 people die as a result of respiratory infections and associated distress upon their preexisting conditions in influenza seasons and these generally fall in that winter and associated flu/cold season, an annual cull of the vulnerable and susceptible observed in statistics and from a study of human excess mortality. More die during a serious influenza season such as 2019. Each year 600 die by suicide.

46. NZ spent tens of billions running from the Covid pandemic, delayed for two years to Vaccinate the willing, coerced and those forced or blackmailed (loss of job) to take the clotshot, with a [product](#) that doesn't protect against infection.

47. Has NZ's COVID-19 Response aided in reducing mental health problems, or, has it exacerbated mental health and anxiety problems in the population – these are some of New Zealand's most vulnerable people. Pushing the precariat into destitution through Covid economic vandalism for two years is not economically nor morally smart.

48. The leading causes of [death](#) in 2019 were cancer, ischaemic heart diseases and cerebrovascular diseases (with 110.5, 47.0 and 21.5 deaths per 100,000 population respectively).

49. Applying the same statistical proportions to those who “died from or with Covid-19” in NZ since the pandemic's commencement in 2020, would reveal that less than ten (10) per 100,000 of the population died from/with Covid-19 to date. A death rate of 10 per 100,000 would translate to a few more than 500 deaths for New Zealand's population of 5 million. NZ's 2022 Omicron epidemic might close at 600 deaths (similar to influenza season) before NZ moves to the winter influenza season. That will be one to watch.

50. Suicide statistics are over 12 per 100,000! Cure that also – in curing suicide we would necessarily ease a lot of pain and create a more egalitarian social system, where economics and commerce would align with real human needs. See my [recommendations](#) to your 2018 Annual Plan process.

COVID-19 Response measures are social and economic vandalism

51. Many people who were in sound social and economic positions have had their livelihood stripped or severely throttled. Recall the increase in dairy farmer suicides as they had their price of milk product recession mid last decade. I imagine a similar cull is underway in light of vandalism done to the general economy from official COVID-19 Measures particularly Auckland mixed business, retail, hospitality with thousands closing.

52. NZ was once noted for its friendliness and warm welcome, whereas, the COVID-19 Response has divided the nation from the world, divided the nation, divided people in its streets and families – ***great job if one's object is to tear society apart with fear***

The basis for policy ought be evidence and data not hearsay and ideology

53. Why did some Councils adopt discriminatory policies against constituents on the [unscientific](#) basis presented by the government's Traffic Light system for supposed control of a inconsequential disease in NZ?

54. With the so-called Omicron epidemic the NZ Government is lowering restrictions despite record case numbers. What possible logic was there in restricting New Zealanders when there was no COVID-19 in the community, except to coerce them to be vaccinated?

55. Did the many NZ councils and territorial authorities that applied or continue to apply a medical apartheid system upon their constituents through arbitrary action, such as; “no jab no access” consider their human rights obligations in law?

56. Medical apartheid was imposed without recourse to any democratic process, or consideration of basic human rights as outlined in the NZ Bill of [Rights](#) 1990 (BORA) or the International [Covenant](#) on Civil and Political Rights (CCPR) to which NZ has acceded.

57. The CCPR articles 4 and 7 need to be comprehended in the current Covid-19 matter;

Article 4 part 2. No derogation from articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 may be made under this provision.

Article 6 part 1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

Article 7 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

58. We offer facts based on evidence and data. Why did normally intelligent people and councillors or council administrations take draconian measures to deny citizens the right to access council facilities to which they are entitled - many being ratepayers?

59. Are those vaccinated and harmed as a result of the mandated medical intervention to seek redress from Council and or other mandating authorities, businesses and employers? Where an authority injures a person as a condition of work, surely they are liable for the harm caused? Where it is death is it a culpable homicide – manslaughter.

60. Councils breach their fiduciary contract with ratepayers where they deny individuals access, particularly on such spurious grounds.

Greg Rzesniowiecki and previous forays into long term plans

61. Greg has previously written to all regional councils and territorial authorities in 2014 and 2018 in relation to Councils Annual and Long Term Plans;

2014

62. In 2014, I wrote on behalf of the Renewables, a Motueka based Climate Action group, who held an active interest in New Zealand's ability to mitigate Climate Change. The Renewables 2014 [correspondence](#) focussed on the TPP (Trans Pacific Partnership) Free Trade Agreement negotiations.

63. As a result of our efforts people in a variety of NZ Councils' constituencies mobilised and lobbied their councils to adopt the TPP Policy Solution, twelve (12) councils from the smallest in South Wairarapa to the largest Auckland who initiated the policy.

64. With the lack of transparency and secrecy in respect to the contract for the supply of the Pfizer gene therapy injectable product it is difficult to determine whether the Pfizer COVID-19 Comirnaty product is supplied by Pfizer NZ, or a foreign Pfizer corporation – to ascertain whether the contract is subject to the CPTPP framework treaty and legislation.

65. Nevertheless, we know from other contracts with Albania and more nations that [contract disputes](#) shall be governed by the Laws of the State of New York, USA and attempted assignment of rights or delegation or subcontracting of duties without the required prior written consent of the other Parties shall be void and ineffective.

2018

66. In 2018 I wrote Councils with some proposals about governance and [wise policy](#) setting to ensure certain adverse areas of politics and hegemony under imperial decree or direction were to be avoided or countered through use of the “rule of law” as an instrument to establish just outcomes. Alas those proposed policies did not see any serious light of day, though their general adoption might have led to better outcomes in the recent period.

Where available elegant policy solutions to problems are not adopted that non adoption might be unjust and against the “common rights” of individuals and their

societies.

Observations, Conclusions and Recommendations

Amend Sec 5 of the NZ Bill of Rights to make the “Life and security of the person” sacred!

67. I am increasingly of the opinion that the only authority that can counter corruption is enforceable rule of law at a local, national and [international](#) level. However, the institutions are themselves corrupt.

68. The highest law making body in the land is the NZ Parliament comprising the 120 Representatives and the Commander in Chief, NZ's Governor General. Might they listen?

69. I have an active [petition](#) before the NZ Parliament's Petitions Committee seeking an amendment to protect and make sacred our rights and freedoms in sections 8, 9, 10 and 11 of the New Zealand Bill of Rights 1990 (BORA) under the heading “Life and security of the person.”

70. The petition was sponsored by ACT leader David Seymour and read in the House 14 December 2021.

71. I provided the Petitions Committee with a substantial [paper](#) ***Evidence paper and report on proposal to amend NZ Bill of Rights Act 1990 to Petitions Select Committee 1 February 2022*** setting out my comprehension of the law and the evidence in respect to the COVID-19 pandemic and the science which demonstrates the unlawful nature of the NZ Government's official response. (A pdf copy of the paper is attached at **Appendix A**)

72. I strongly recommend that Council makes some resources available to study the Sec 5A petition paper and its implications for NZ and its citizens. Many of the statements I make in this paper to Councils rest on evidence discussed in that more complete expose.

Recommendation 1: Council studies the evidence contained in the paper to the Petitions Committee and this paper and consider recommending to local

Parliamentary Representatives and the NZ Parliament that they accept the petition and enact the suggested amendment adding a new Section 5A to NZ BORA.

A public inquiry into the COVID-19 matter is imperative

73. Earlier in this paper I reference science which studied the Pfizer mRNA product extracted directly from a Comirnaty vial under microscopy. The observed nanoscale structures form after exposure to a trigger such as heating, radio frequency radiation or an interaction with the microscope slide surface or other substance. The structures form as the lipids presumably holding the mRNA come out of suspension in the serum in response to heating or stimulation (body heat from being injected into a warm living body).

74. The nanoscale structures grow in geometric forms with apparent right angle connections and continue to grow where conditions allow it. Informed speculation is that the main composition of the structures is the controversial compound molecule graphene oxide. Where Pfizer and others include graphene oxide in their products for vaccination of our people and fail to inform the recipients of the intervention a crime is committed. The people of NZ and the planet need to determine who is ultimately liable. In NZ the question is whether Pfizer or the NZ Government or both in collusion are liable for the crime, so conspiracy to injure and kill.

75. The scale of the undertaking by the perpetrators is extreme with billions of people injected repeatedly with the sorcerer's brew.

76. How did it come to this? We better find out properly with a transparent inquiry.

77. It is imperative that an adequately resourced, public, transparent, jurisdictionally competent commission of inquiry into the COVID-19 pandemic and official response is undertaken with terms of reference that ensures there are no limits to its power to gain disclosure, including to the NZ - Pfizer contracts for supply of Comirnaty.

78. A Royal Commission might be appropriate provided the terms of reference are broad enough to allow a full investigation including facilitating public disclosure of all actions of NZ's Government, Ministries, public servants, mainstream media, selected academics, local

and foreign corporations and any other parties who had a bearing on the direction of the COVID-19 pandemic, its origins and any undisclosed agendas at work favouring one course of action over others.

79. Any COVID-19 public inquiry must fully assess the adequacy of the safety processes for the release of novel or new medicines and consider the pharmacovigilance measures employed to capture any concerning safety signals in respect to the Pfizer and other COVID-19 vaccinations and any new therapeutics advanced as COVID-19 cures.

80. The COVID-19 public inquiry must undertake its own independent analysis of the Pfizer and more COVID-19 injectable products to determine the full contents of a range of vials from diverse batch lots. The diverse selection is required because of the already well known variance in the lethality of COVID-19 mRNA injectables including Pfizer's product amongst the varied lot and batches of vials.

81. The COVID-19 public inquiry must address how and why effective cheap generic antiviral remedies and therapies were banned and denied to symptomatic COVID-19 patients.

82. The COVID-19 public inquiry must address why the existing institutions; NZ Police, NZ Judiciary, NZ professional and academic bodies including statutory bodies such as NZ Medical Council and NZ Nurses Council were unable to resist being fooled or were willing accomplices in the Covid vaccinate the planet with mRNA product conspiracy.

Recommendation 2: Council supports the initiation of an adequately resourced, public, transparent, jurisdictionally competent commission of inquiry into the COVID-19 pandemic and the NZ Government COVID-19 Response be undertaken with terms of reference that ensures there are no limits to its power to gain disclosure, including to the NZ - Pfizer contracts for supply of Comirnaty.

WHO to get more power to declare pandemics under a new global pandemic treaty – what could go wrong?

83. New Zealand along with many other nations sponsored a resolution to the World

Health Assembly (WHA) calling for the negotiation of a [new pandemic treaty](#). The draft resolution went to the WHA November 2021 meeting where it passed.

84. New Zealand is already a party to the [International Health Regulations](#) (IHR) 2005 adopting them from 2007.

85. There has been much criticism of the WHO role and lead in the COVID-19 pandemic. A proper inquiry is needed to apprehend what has gone right amongst all the things that have gone wrong or were wrongly advised to nation parties to the WHO organisation. It is problematic to develop a new global pandemic treaty absent any comprehension about need, intent or agendas driving the new proposal, nor without knowing what went well and wrong and why with WHO's global COVID-19 Response including directions or advice to NZ Government.

86. If the NZ COVID-19 Response outcome is any guide, NZ and more nations might be better off not party to any treaty that binds NZ to particular actions without any democratic input from NZ's citizens and a proper and transparent discussion of the costs and benefits of any action. Censuring dissent is the path of would be dictators or dictatorial regimes whether totalitarian or populist.

87. Was it the NZ Government's intent in March 2020 to lockdown NZ and maintain an elimination strategy until a COVID-19 vaccine was available, without knowing either the efficacy or safety profile of the resultant vaccine? Or was the vaccine component of the NZ Government response developed afterward?

88. Given we know the vaccine is neither safe nor effective, (a thousand dead from adverse reactions and Omicron ripping through the vaccinated population) how does one score the NZ Government response? Is two years of fear driven elimination a good policy option? Delaying COVID-19 infection has served no useful purpose and at huge cost.

89. Is [WHO](#) a trustworthy organisation? Unless we study the Covid phenomena and WHO's role we cannot determine an answer and ought not place blind faith in its directions.

90. Will a WHO Pandemic Treaty provide more ability for the NZ democracy to work out a policy response to a future pandemic or will the treaty likely deliver an arbitrary, politicised, profit driven, mRNA vaccine centric, and potentially [ill-fated outcome](#) similar to the global COVID-19 Response.

91. Will a future WHO Pandemic Treaty also ban the use of other therapeutics and generic off label medicines with proven efficacy in dealing with and alleviating respiratory and viral infections? WHO compromised trials in regard to the efficacy of [ivermectin](#) during the pandemic. Why on earth would NZ agree to such chicanery other than to maximise big pharma profits?

Recommendation 3: Council oppose NZ's participation in any WHO pandemic treaty which causes NZ's Government to act arbitrarily, undemocratically, unscientifically, unethically or derogate from common rights including the rights and freedoms provided in NZ's Bill of Rights Act 1990.

Recommendation 4: Council conveys its support for the propositions to the NZ Parliamentarians paying particular attention to the MPs who service your city, district or region.

Recommendation 5: Any Council continuing COVID-19 Measures ought cease forthwith.

Recommendation 6: Council considers promoting these materials to its constituency so as to ensure more New Zealanders are informed in respect to the facts and science of the Covid phenomena.

Ends..

Appendix A Evidence paper and report on proposal to amend NZ Bill of Rights Act 1990 to Petitions Committee, February 2022

Appendix B Case to NZ Police October 2021

**Evidence paper and report on proposal to amend NZ Bill of Rights Act 1990 to
Petitions Select Committee 1 February 2022**

**In the matter: Petition of Greg Rzesniowiecki: Amend Section 5 and add a new
section 5A to the NZ Bill of Rights Act 1990**

Introduction and summary

- The petitioner addresses New Zealand and international law as it relates to NZ's Bill of Rights Act 1990 and any justification for derogation from the rights provided in sections 8,9 10 and 11 under the heading; "Life and security of the person."
- Law is both written and unwritten. Written law provides sufficient explanation to assert that there is no justification to derogate from the right to life and security of the person in the context of the COVID-19 pandemic.
- The paper gives some consideration to recent High Court and the Court of Appeal judgements with respect to COVID-19 matters and the respective Judges' interpretation of the law.
- The Court of Appeal decision in the **Andrew Borrowdale vs the Director General of Health** case clearly upholds the **International Convention on Civil and Political Rights** (ICCPR) article 4 non-derogation against certain rights; "*Certain rights may not be derogated. The rights in the ICCPR that are treated as being sacrosanct include the rights to life, religion, and freedom from torture and slavery... For completeness, we record the rights contained in the NZBORA include the right in s 8 not to be deprived of life.*"
- The **Universal Declaration on Bioethics and Human Rights** (UDBHR) articles 1-6 uphold certain rights including article 6 the right to free and full consent in the following contexts;
 - "*Any preventive, diagnostic and therapeutic medical intervention is only to be carried out with the prior, free and informed consent of the person concerned, based on adequate information*" and;
 - "*Scientific research should only be carried out with the prior, free, express and informed consent of the person concerned*" and;

- *“In no case should a collective community agreement or the consent of a community leader or other authority substitute for an individual’s informed consent”.*
- The petitioner addresses the question; “Is the COVID-19 Vaccine rollout an experiment?” FACTS support the conclusion that it is experimental.
- The petitioner addresses the question; “Is the COVID-19 Vaccine rollout promoting a “safe and effective” treatment? FACTS support the conclusion that it is NOT SAFE nor is it effective at preventing infection or transmission.
- The petitioner finds it disturbing, that the FACT of the serious risks of the COVID-19 Vaccines, whilst known to the NZ Government, were not provided to the citizens.
- The petitioner is also dismayed, that the Government's duty to care, for COVID-19 patients was compromised, through a refusal to facilitate early treatment, with cheap generic, and off-label drugs (including anti-viral and anti-inflammatory medicines), with known safety profiles, which have been used to great effect in other jurisdictions.
- The Petitioner finds that the NZ Government COVID-19 Vaccine rollout and the Orders and Legislation forcing people to be “Vaccinated” engages each of BORA sections 8,9,10 and 11. This is contrary to the spirit of BORA and the Law articulated in the non-derogation articles in ICCPR and UDBHR.
- The petitioner finds that the NZ Government COVID-19 Vaccine rollout as constituted is unlawful. Were the existing LAW applied properly, this proposed amendment to section 5 BORA would be redundant.
- Given the foregoing is FACTUAL, it is appropriate and necessary that the Petitions Committee recommend that the NZ Parliament, enact the Petitioner's proposed amendment to section 5 BORA, to make the LAW clear and to dispose of any contemporary or future incorrect interpretation, that usurps non-derogable and inalienable human rights.
- The Petitioner makes other observations and recommendations in this paper. which the Petitions Committee and NZ Parliament may consider parallel to the primary matter of amending section 5 of BORA as petitioned.

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I Petition the House:

1. The [petition](#)¹ in my name, requests that the House amend Section 5, and add a new Section 5A, which would state (proposed amendment in **bold**):

5 Justified limitations

*Subject to section 4, **and section 5A**, the rights and freedoms contained in this Bill of Rights may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.*

5A Unjustified limitations

None of Sections 4, 5, 6 provide any justified limits on rights and freedoms contained in sections 8, 9, 10 and 11.

2. Any alteration to the Bill of Rights 1990 (BORA), would be a constitutional adjustment, or amendment, as it is apprehended that NZ BORA is integral to the [lawful](#)² foundations in checking, regulating and balancing the application of power by the Crown.
3. Note: NZ BORA is a partial restatement of constitutional rights, already entrenched in New Zealand law, by virtue of the Imperial Laws Act, constitutional fragments, and unwritten conventions, that contribute to the New Zealand constitutional framework. Moreover the Treaty of Waitangi as a **Westphalian model treaty**,³ extends those fundamental protections to all parties regardless of cultural heritage.
4. The petitioner's proposed amendment, makes explicit the written LAW, and the proper interpretation, of the NZ Bill of Rights 1990, with respect to the rights and freedoms in Sections 8, 9, 10, and 11, under the heading; **Life and security of the person.**

8 Right not to be deprived of life

No one shall be deprived of life except on such grounds as are established by law and are consistent with the principles of fundamental justice.

9 Right not to be subjected to torture or cruel treatment

-
- 1 Petition of Greg Rzesniowiecki: Amend Section 5 and add a new section 5A to the NZ Bill of Rights Act 1990: https://www.parliament.nz/en/pb/petitions/document/PET_117877/petition-of-greg-rzesniowiecki-amend-section-5-and-ad
- 2 NZ Constitution on the Governor General's website: <https://gg.govt.nz/office-governor-general/roles-and-functions-governor-general/constitutional-role/constitution>
- 3 "The Westphalian Model in Defining International Law: Challenging the Myth" by Stéphane Beaulac, published in Australian Journal of Legal History, (AJLH 9), 2004: <http://classic.austlii.edu.au/au/journals/AJLH/2004/9.html>

Everyone has the right not to be subjected to torture or to cruel, degrading, or disproportionately severe treatment or punishment.

10 Right not to be subjected to medical or scientific experimentation

Every person has the right not to be subjected to medical or scientific experimentation without that person's consent.

11 Right to refuse to undergo medical treatment

Everyone has the right to refuse to undergo any medical treatment.

The New Zealand Constitution

5. The New Zealand [Constitution](#),⁴ is situated within the Treaty of Waitangi, statute law, including the NZ BORA, [common law](#),⁵ unwritten constitutional principles, the concepts of Rule of Law and Justice, balanced against the sovereignty of the NZ Parliament, and the principle of the separation of the three Crown powers centred in the Executive, Legislature and Judiciary.

6. NZ's development as a modern Westphalian nation state, and rise as a medium power, results from a historic process including; her clash of civilisations experience, and the resultant cross fertilisation of culture between the indigenous Maaori, and Pakeha colonialists, from mostly European and particularly UK heritage.

7. NZ's unwritten constitution, arose from the tradition provided by the United Kingdom (UK) in respect to her unwritten constitution, and system of executive government, which relied on common law determinations, parliament confirmed statutes, and a judiciary to interpret, and in some cases make the law (common law). The eight hundred (800) year

4 NZ Constitution on the website of the Department of Prime Minister and Cabinet: <https://dpmc.govt.nz/our-business-units/cabinet-office/supporting-work-cabinet/cabinet-manual/introduction> Note: that the cabinet manual is not a lawful document, that is it has no legal standing, but is the administration of the day's method, or guidance for transacting its business.

5 Section 5 of the Imperial Laws Application Act 1988: <https://www.legislation.govt.nz/act/public/1988/0112/latest/whole.html#DLM135088> provides; 5 *Application of common law of England After the commencement of this Act, the common law of England (including the principles and rules of equity), so far as it was part of the laws of New Zealand immediately before the commencement of this Act, shall continue to be part of the laws of New Zealand.*

old [Magna Carta](#)⁶ is a foundation stone of the English common law where, the absolute power of the sovereign is constrained by agreed written law.

8. For historical reasons the UK and its democracy had not felt the necessity to formalise, or constrain, the application of state power into a written constitution. Their system of appeals to the Courts and ultimately the Lords of the Privy Council gave the impression of a sophisticated Justice system, interpreting law found within the UK Parliament's statutes, common law, and by applying the Rule of Law. Thus the UK constitution is an unwritten common law constitution, as is the NZ legal, or lawful foundation, which arises from the UK system (notwithstanding any claims⁷ in respect to constitutional legitimacy of the present arrangements).

6 "Magna Carta in a Handcart, From 1215 to 2015 and Far Beyond" Special lecture by Nigel J Jamieson on the 800th year anniversary of the Magna Carta: <https://www.studocu.com/en-nz/document/university-of-otago/introduction-to-law/nigel-j-jamieson-magna-carta-in-a-handcart-from-1215-to-2015-and-far-beyond/15915559> extracts, page. 92; *It's the task of the prophet-historian to weigh up the lost causes of history against her more promising gains. For the legal historian, **the measure applied is that of justice under the law.** For this academic balancing act, with one hand we hold firmly onto justice as our objective, while with our other hand we weigh up law as the means of achieving this objective of justice. We shall apply this measure, which is the task of what we variously call jurisprudence or the science of law, to Magna Carta. We do so because Magna Carta purports to be a legal document in its endeavour to right wrongs, and so to seek justice by correcting injustice.* And page. 93; *In celebrating Magna Carta now we do so for all time, since it's never too late to remind ourselves of Magna Carta. As the 18th century champion of freedom, Tom Paine, once wrote, "**Those who expect the blessings of freedom, must, like men, undergo the fatigues of supporting it**"* And page. 94; *It took a like mind to that of Tom Paine, in this case that of the French lawyer, Charles-Louis Montesquieu, **to identify and uphold The Spirit of the Laws; without which spirit of freedom under the Charter we fall prey to despotism, instead of sustaining what we think ourselves to know for being democracy. We so often forget our need for freedom under the law as to become dispirited about democracy.*** (Petitioner's emphasis)

7 Law and sovereignty exist in a context of claims and counter claims woven in history and precedent. The Petitioner's object is for the NZ Parliament to amend Section 5 BORA as provided by the petition's text. The Petitioner recognises the Authority of the House and its constituent Members to make such an Act and enforce it. The Petitioner invokes the law, truth and reason in this paper to present the justification and motive for Members to Act as petitioned.

9. NZ's Constitution as a common law [unwritten constitution](#)⁸ is unique amongst the nations of the world of people. The only other nations that have largely unwritten constitutions are Israel, and the UK (except for the period when the UK submitted to European Union (EU) control by acceding to the Maastricht Treaty 1993 which established the EU and the later Treaty of Lisbon 2007 which amended and updated the EU Constitutional arrangements until the break provided by Brexit).

10. NZ's unicameral parliament and the principle of parliamentary sovereignty provide considerable power to the House to pass any law. With great power comes great responsibility to get it correct.

11. Several enactments tie the threads of some of the written law together including; [Imperial Laws](#)⁹ Application Act 1988, which states;

*Schedule 1 Imperial enactments in force in New Zealand Constitutional enactments (1275) 3 Edw 1, c 1—(Statutes of Westminster the First): so much of that Act as is stated in the words “**The King willeth and commandeth ... that common right be done to all, as well poor as rich, without respect of persons.**”, [being the English translation of part of the authentic text of that Act as it appears in the edition called Statutes of the Realm].*

Recognition of **common rights** is provided within the written portion of the NZ Constitution.

- 8 Allan, James, Against Written Constitutionalism (2015). Otago Law Review, (2015) Vol. 14, No. 1,; <https://ssrn.com/abstract=2949601> Abstract; This paper limits itself to the democratic world and then argues against American-style written constitutionalism and in favour of a New Zealand-style unwritten constitutional arrangement. The author contends that the usual arguments Americans make for powerful judges exercising strong judicial review on the basis of interpreting a written constitution are not as persuasive as they are generally assume to be. Full text link: <https://deliverypdf.ssrn.com/delivery.php?ID=393024093024069095066011006093088065035087048051093061101004111064106070068002004009007006111015121111108089031112087002001016117014070089021011087110005076106084062077052121122100081004115094028117084024102088076102079109114001064005028100031009103&EXT=pdf&INDEX=TRUE> Allan's observations on page 195 (pg 5 pdf.) are noteworthy for the irony when considered against the present COVID-19 phenomena: Are there nevertheless limits on power in New Zealand? Of course there are. Can those limits largely or overwhelmingly be traced back to one over-arching document, as in Canada, Australia and the United States? No. Limits on power here in New Zealand flow from a bunch of statutes, all of which can be altered in the normal way by Parliament, even the statutory bill of rights. They flow from conventions, and more here perhaps than elsewhere. They flow from elections and the democratic process. We can debate the limits flowing from the Treaty of Waitangi. What an unwritten constitution gives you is an incredibly democratic set-up. Each generation is left to vote for Members of Parliament (“MPs”) who, through Parliament, can do what they think is best. There are no constitutionalised legal limits on the power of that Parliament. That is the main thing to remember about an unwritten constitution.
- 9 Imperial Laws Application Act 1988: <https://www.legislation.govt.nz/act/public/1988/0112/latest/whole.html#DLM135074> which includes; Schedule 1 Imperial enactments in force in New Zealand

12. Further to paragraph 11, NZ's Constitution included the following enactments from the UK common law constitution; [Magna Carta 1297](#),¹⁰ [Bill of Rights 1688](#),¹¹ and the [Act of Settlement 1700](#).¹²

13. Key to the historic and lawful foundation of the nation of New Zealand is [Te Tiriti](#)¹³ o Waitangi, The Treaty of Waitangi, signed 6 February 1840, and the precursor [He Whakaputanga](#)¹⁴ o te Rangatiratanga o Nu Tireni – the Declaration of Independence of the United Tribes of New Zealand, declared 28 October 1835. He Whakaputanga was how rangatira (Māori leaders) declared to the world, back in 1835 that, ***New Zealand is an independent Māori nation.***

14. He Whakaputanga and Te Tiriti might be regarded as New Zealand's earliest constitutional elements, notwithstanding; earlier treaties, Maori tikanga, common law and natural law, written or known elsewhere.

15. Additionally, New Zealand's law and constitutional foundations are expanded with the body of [international law](#),¹⁵ covenants, protocols and treaties agreed, ratified and legislatively enabled as circumstance, and or necessity demands.

16. International law¹⁶ prioritises the [Charter](#)¹⁷ of the United Nations, Universal Declaration of Human Rights, the treaties to accede to the development of the World Health Organisation, World Trade Organisation. Further covenants providing for civil and political rights, indigenous rights, the right not to be tortured, the rights of women, children, and

10 "Magna Carta 1297":

<https://www.legislation.govt.nz/act/imperial/1297/0029/latest/whole.html#DLM10929>

11 "Bill of Rights 1688": <https://www.legislation.govt.nz/act/imperial/1688/0002/latest/DLM10993.html>

12 "Act of Settlement 1700": <https://www.legislation.govt.nz/act/imperial/1700/0002/latest/DLM11131.html>

13 Te Tiriti o Waitangi, The Treaty of Waitangi signed 6 February 1840:

<https://nzhistory.govt.nz/politics/treaty/read-the-treaty/english-text> Note: following the Waitangi Tribunal consideration of the matter, and their October 2014 decision and recommendation (He Whakaputanga me te Tiriti: The Declaration and the Treaty is the Tribunal's report on stage 1 of the Wai 1040 Te Paparahi o te Raki inquiry), it is clear that the te reo Māori version has standing in international law. Māori did not cede sovereignty to the UK Crown; "He Whakaputanga me te Tiriti / The Declaration and the Treaty Report Summary" published December 2014:

https://forms.justice.govt.nz/search/WT/reports/reportSummary.html?reportId=wt_DOC_85648980

14 He Whakaputanga o te Rangatiratanga o Nu Tireni – the Declaration of Independence of the United Tribes of New Zealand declared 28 October 1835: <https://natlib.govt.nz/he-tohu/about/he-whakaputanga>

15 New Zealand Law Commission, "International Law and the Law of New Zealand":

<http://www.nzlii.org/nz/other/nzlc/report/R34/R34-Part.html>

16 International law is not international common law with its precepts, i.e. ***do no harm***, although international laws and common law rights and freedoms intersect in the law systems of the world. We can find precedent for human rights in both jurisdictions and there's the innate right to freedom that arises in being.

17 Charter of the UN see Preamble and articles 1.3, 55, (similar text) and 103; Article 1 The Purposes of the United Nations are: 1.3. To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion. Article 103 In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail: <https://www.un.org/en/about-us/un-charter/full-text>

minorities, and the various Vienna conventions on the conduct of war, including the ban on [biological](#)¹⁸ warfare (there are many).

17. The Petitioner¹⁹ asserts that; **providing each actor act ethically to play their part in government in pursuit of the common and public good, as established in common sense and Law, the amendment I propose would be superfluous, as the response to the COVID-19 pandemic, would be guided by critical thinking, balancing the needs of all who comprise the New Zealand nation-state, in accordance with Rule Of LAW.**

18. Nevertheless, it is necessary that I present my case, and that YOU take the time to apprehend my intent and reasons. Firstly we must ask, "What does it mean to Bind the Crown?" and "What does it mean to **Affirm** a Law or Right?"

Legislation Act 2019 provides in Section [22](#)²⁰;

22 Legislation not binding on the Crown

(1) No Act or part of an Act binds the Crown unless the Act (or other legislation) expressly provides that the Crown is bound by the Act or part.

Blacks Law dictionary definitions of [Bind](#),²¹ and [Bound](#),²² explicitly indicate a voluntary agreement or contract among equal parties. Thus the Crown binds itself to the Act.

Whereas in **NZ BORA** Section [2](#)²³;

2 Rights affirmed

The rights and freedoms contained in this Bill of Rights are affirmed.

18 UN Convention against biological weapons (BWC): <https://www.un.org/disarmament/biological-weapons/> whose object is; *States Parties to the Biological Weapons Convention undertook "never in any circumstances to develop, produce, stockpile or otherwise acquire or retain: microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes; weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict."* Despite its high level nature the BWC is largely recommendatory only and effectively unenforceable as is evident from observing the proliferation of bioweapons programs by many nation states.

19 The Petitioner asserts he is informed and reasonable in his opinions in light of the evidence and testimony herein and elsewhere in relation to matters in the democracy.

20 Legislation Act 2019 provides in Section 22 Legislation not binding on the Crown: <https://www.legislation.govt.nz/act/public/2019/0058/latest/whole.html#DLM7298269>

21 Blacks Law dictionary definitions of Bind explicitly indicates a voluntary agreement or contract, Bind: <https://thelawdictionary.org/legally-binding/>

22 Bound explicitly indicates a voluntary agreement or contract: <https://thelawdictionary.org/bound/>

23 NZ BORA Section 2 Rights affirmed: <https://www.legislation.govt.nz/act/public/1990/0109/latest/DLM224798.html>

And where [Affirm](#)²⁴ means;

To ratify, make firm, confirm, establish, reassert. To ratify or confirm a former law or judgement. Cowell.²⁵ In the practice of appellate courts, to affirm a judgement, decree, or order, is to declare that it is valid and right, and must stand as rendered below; to ratify and reassert it; to I concur in its correctness and confirm its efficacy. In pleading. To allege or aver a matter of fact; to state it affirmatively; the opposite of deny or traverse. . In practice. To make an affirmation; to make a solemn and formal declaration or assertion that an affidavit is true, that the witness will tell the truth, etc.. this being substituted for an oath in certain cases. Also, to give testimony on affirmation. In the law of contracts. A party is said to affirm a contract the same being voidable at his election, when he ratifies and accepts it, waives his right to annul it, and proceeds under it as if it had been valid originally.

Affirmation indicates agreement with a preceding principle or law

19. The Crown, binds itself to a “new agreement or contract”, where the Act states: "This Act binds the Crown".

20. Where the Crown **affirms** a matter, it is agreeing to be bound to a prior authority; in the case of BORA, to pre-existing or foundational rights in common law, international law - including the International Covenant on Civil and Political Rights, and otherwise rendered, in recognition of, the foundational nature of human rights inherent in one being born, and the commensurate obligations, and/or duties being human entails.

Oaths and Declarations by those holding public office

21. NZ Parliamentarians are [sworn](#)²⁶ into office, in accordance with section 17 of the Oaths and Declarations Act 1957, as required in [section 11](#)²⁷ of The Constitution Act 1986.

17 Oath of allegiance

²⁴ Affirm means: <https://thelawdictionary.org/affirm/> Also the NZ Ministry of Justice glossary webpage: <https://www.justice.govt.nz/about/glossary/> defines; **Affirmation**, A declaration that a person asserts to be true and correct (but without any reference to God). An affirmation has the same legal effect as an oath.

²⁵ “Cowell”, maybe a reference to John Cowell, UK Jurist, (1554 – 11 October 1611).

²⁶ Oath of Allegiance section 17 of the Oaths and Declarations Act 1957

<https://www.legislation.govt.nz/act/public/1957/0088/latest/whole.html#DLM316131>

²⁷ The Constitution Act 1986, Section 11 Oath of allegiance to be taken by members of Parliament: <https://www.legislation.govt.nz/act/public/1986/0114/latest/DLM94233.html>

The oath in this Act referred to as the oath of allegiance shall be in the form following, that is to say:

I, [specify], swear that I will be faithful and bear true allegiance to Her [or His] Majesty [specify the name of the reigning Sovereign, as thus: Queen Elizabeth the Second], Her [or His] heirs and successors, according to law. So help me God.

Additionally members of the NZ Executive Council (the Ministers of the Crown) are required to swear an oath as set out in section 19 of the Oaths and Declarations Act 1957;

19 Executive Councillor's oath

(1) The oath in this Act referred to as the Executive Councillor's oath shall be in the form following, that is to say:

I, [specify], being chosen and admitted of the Executive Council of New Zealand, swear that I will to the best of my judgment, at all times when thereto required, freely give my counsel and advice to the Governor-General for the time being, for the good management of the affairs of New Zealand. That I will not directly nor indirectly reveal such matters as shall be debated in Council and committed to my secrecy, but that I will in all things be a true and faithful Councillor. So help me God.

Members of the NZ Judiciary are required to swear an oath to assume office as set out in section 18 of the Oath and Declarations Act 1957;

18 Judicial oath

The oath in this Act referred to as the judicial oath shall be in the form following, that is to say:

I, [specify], swear that I will well and truly serve Her [or His] Majesty [specify as above], Her [or His] heirs and successors, according to law, in the office of [specify]; and I will do right to all manner of people after the laws and usages of New Zealand, without fear or favour, affection or ill will. So help me God.²⁸

22. Where the NZ Parliamentary Representatives, Judiciary, members of the NZ Executive Council, and more servants of the public, make oaths of allegiance to the [Monarch](#)²⁹ - Her Majesty The Queen In Right Of New Zealand, they do so to her Office,

²⁸ And so God help the Justices, and whilst on the matter, the Parliamentarians ought look at the Judicial Oath content; *I will well and truly serve.. according to law.. I will do right to all manner of people after the laws and usages of New Zealand, without fear or favour, affection or ill will. So help me God.*

²⁹ The monarchy of New Zealand is the constitutional system of government in which a hereditary monarch is the sovereign and head of state of New Zealand, from Wikipedia:

which is bound by her Oath upon [Coronation](#)³⁰. The Coronation of Her Majesty Queen Elizabeth II occurred in the Abbey Church of St. Peter, Westminster, on Tuesday, the second day of June, 1953. The form of the [Monarch's Oath](#)³¹ has a long history to 973AD for the Oath upon Coronation of the Anglo-Saxon, King Edgar.

The Oath of Office made by Elizabeth II in 1953 upon Coronation and the first sitting of parliament following her Crowning as Monarch included a specific commitment to govern the peoples of the Commonwealth in the following [terms](#)³²;

IV. The Oath

The Queen having returned to her Chair (her Majesty having already on Tuesday, the fourth day of November, 1952, in the presence of the two Houses of Parliament, made and signed the Declaration prescribed by Act of Parliament), the Archbishop standing before her shall administer the Coronation Oath, first asking the Queen,

Madam, is your Majesty willing to take the Oath?

And the Queen answering,

I am willing,

The Archbishop shall minister these questions; and the Queen, having a book in her hands, shall answer each question severally as follows:

Archbishop: Will you solemnly promise and swear to govern the Peoples of the United Kingdom of Great Britain and Northern Ireland, Canada, Australia, New Zealand, the Union of South Africa, Pakistan and Ceylon, and of your Possessions and other Territories to any of them belonging or pertaining, according to their respective laws and customs?

Queen: I solemnly promise so to do.

https://en.wikipedia.org/wiki/Monarchy_of_New_Zealand

30 This Note offers a summary of coronation procedures and sets out the statutory requirements for the Coronation Oath: <https://researchbriefings.files.parliament.uk/documents/SN00435/SN00435.pdf>

31 The general framework of the coronation service is based on the sections contained in the Second Recension used in 973 for King Edgar. Although the service has undergone two major revisions, a translation and has been modified for each coronation for the following thousand years, the sequence of taking an oath, anointing, investing of regalia, crowning and enthronement found in the Anglo-Saxon text have remained constant. The coronation ceremonies takes place within the framework of Holy Communion: https://en.wikipedia.org/wiki/Coronation_of_the_British_monarch#Service

32 Oath of Office made by Elizabeth II in 1953 upon Coronation and the first sitting of parliament following her Crowning as Monarch included a specific commitment to govern the peoples of the Commonwealth according to their respective laws and customs: <http://www.oremus.org/liturgy/coronation/cor1953b.html>

Archbishop: Will you to your power cause Law and Justice, in Mercy, to be executed in all your judgements?

Queen: I will.

Archbishop: Will you to the utmost of your power maintain the Laws of God and the true profession of the Gospel?

Will you to the utmost of your power maintain in the United Kingdom the Protestant Reformed Religion established by law? Will you maintain and preserve inviolably the settlement of the Church of England, and the doctrine, worship, discipline, and government thereof, as by law established in England?

And will you preserve unto the Bishops and Clergy of England, and to the Churches there committed to their charge, all such rights and privileges, as by law do or shall appertain to them or any of them?

Queen: All this I promise to do.

Then the Queen arising out of her Chair, supported as before, the Sword of State being carried before her, shall go to the Altar, and make her solemn Oath in the sight of

[The Bible to be brought.]

all the people to observe the premisses: laying her right hand upon the Holy Gospel in the great Bible (which was before carried in the procession and is now brought from the altar by the Archbishop, and tendered to her as she kneels upon the steps), and saying these words:

The things which I have here before promised, I will perform, and keep. So help me God.

[And a Silver Standish.]

Then the Queen shall kiss the Book and sign the Oath.

The Queen having thus taken her Oath, shall return again to her Chair, and the Bible shall be delivered to the Dean of Westminster.

Of primary importance is the FACT that Her Majesty Queen Elizabeth II, has bound Herself to uphold **Law** and **Justice**, as central principles in Her Role as Head of State of the British Crown, and present incumbent as the Queen of New Zealand. **Those who swear allegiance to the Queen, do so to Law and Justice also.**

Rule of law

23. Rule of law is foundational to each of the Superior Courts Act of 2016, see [Sec 3\(2\)](#)³³; the Lawyers and Conveyancers Act 2006, see [Sec 4\(a\)](#)³⁴; and the Policing Act 2008, see [Sec 8\(a\)](#)³⁵.

24. There is much discussion as to what the principle “rule of law” means and requires of those charged with its maintenance and administration. Various prominent lawyers and judges have commented on rule of law, and the nature of national constitutions:

Rule of Law by Dicey

[Dicey](#)³⁶ regarded rule of law as the bedrock of the British Legal System: ‘this doctrine is accepted in the constitutions of U.S.A. and India.

[Dicey's Rule of Law](#)³⁷: according to Prof. Dicey, rules of law contains three principles or it has three meanings as stated below:

- 1. Supremacy of Law : The First meaning of the Rule of Law is that 'no man is punishable or can lawfully be made to suffer in body or goods except for a distinct breach of law established in the ordinary legal manner before the ordinary courts of the land*
- 2. Equality before Law : the Second meaning of the Rule of Law is no man is above law*
- 3. Predominance of Legal Spirit or the Third meaning of the Rule of Law is the general principles of the constitution are the result of juridical decisions determining file rights of private persons in particular cases brought before the Court.*

And;

33 Rule of law clause Superior Courts Act of 2016, see Sec 3(2):

<https://legislation.govt.nz/act/public/2016/0048/latest/whole.html#DLM5759269>

34 Rule of law clause Lawyers and Conveyancers Act 2006, see Sec 4(a):

<https://legislation.govt.nz/act/public/2006/0001/latest/whole.html#DLM364946>

35 Rule of law clause Policing Act 2008, see Sec 8(a):

<https://www.legislation.govt.nz/act/public/2008/0072/latest/whole.html#DLM1102186>

36 Albert Venn Dicey KC FBA (1835–1922), usually cited as A. V. Dicey, was a British Whig jurist and constitutional theorist: https://en.wikipedia.org/wiki/A._V._Dicey

37 Dicey regarded rule of law as the bedrock of the British Legal System:

http://lc2.du.ac.in/DATA/Presentation%20on%20Rule%20of%20Law_Chintu%20Jain.pdf

The Rule of Law, in its most basic form, is the principle that no one is above the law. The rule follows logically from the idea that truth, and therefore law, is based upon fundamental principles which can be discovered, but which cannot be created through an act of will.

25. Lawyer and now High Court Justice, **Matthew Palmer**, offers his definition or sense of rule of law, in his 2013 address; “Assessing the [Strength](#)³⁸ of the Rule of Law in New Zealand” Paper to New Zealand Centre for Public Law Conference “Unearthing New Zealand’s Constitutional Traditions” Wellington, 30 August 2013;

I offer my own conception of the rule of law for the purpose of attempting to hone in on its conceptual essence. I want to discern the core elements of the doctrine that are common to most others’ accounts and that can be simply and coherently stated so that the rule of law can relatively easily grasped and applied.

As I noted in a 2007 article, and a 2008 book, my definition centres on certainty and the freedom from arbitrariness in the law. It involves taking seriously the words of the phrase “the rule of law”. The phrase itself suggests there is some distinctly separate or objective meaning to law that is independent of human agency. It is law itself, in its independent meaning, that rules and that should rule. I suggest:

The rule of law requires that the meaning of law is:

- *Independent from those who make the law.*
- *Independent from those who apply the law.*
- *Independent from those to whom it is applied.*
- *Independent from the time at which it is applied.*

This formulation emphasises that the rule of law is an ideal. All law is, of course, a human construct – formulated by humans, applied by humans, to humans. We must all accept by now that giving meaning to words is inherently an interpretative exercise by an interpretive community composed of human actors. In this I follow and acknowledge Stanley Fish’s work in particular:

there is no such thing as literal meaning, if by literal meaning one means a meaning that is perspicuous no matter what the context and no matter what

38 “Assessing the Strength of the Rule of Law in New Zealand” Dr Matthew S R Palmer, Barrister, Thorndon Chambers - Paper presented to the New Zealand Centre for Public Law Conference on “Unearthing New Zealand’s Constitutional Traditions” Wellington, 30 August 2013:
https://works.bepress.com/matthew_palmer/38/

is in the speaker's or hearer's mind, a meaning that because it is prior to interpretation can serve as a constraint on interpretation

The ideal that the rule of law strives for is to remove, as far as practical, the influence of the particular human actors... (Petitioner's emphasis)

Unwritten Constitutional Principles

26. Canadian Jurist Rt Hon [Beverley McLachlin](#)³⁹ delivered the annual [Lord Cooke of Thorndon Lecture](#)⁴⁰ at the Victoria University of Wellington Law School, 1 December 2005: ***Unwritten Constitutional Principles: What is going on?*** and makes the following observations pertinent to our matter:

Having examined whether unwritten constitutional principles violate the idea that laws should be written, and having identified three sources from which these principles can be ascertained, I turn now to the final problem: the problem of judicial legitimacy.

*Here we face another apparent contradiction. On the one hand, the legitimacy of the judiciary depends on the justification of its decisions by reference to a society's fundamental constitutional values. This is what we mean when we say the task of judges is to do justice. **Judges who enforce unjust laws – laws that run counter to fundamental assumptions about the just society – lose their legitimacy. When judges allow themselves to be coopted by evil regimes, they are no longer fit to be judges. This is the lesson of the Nuremberg Trials. It is also a lesson, however, that should embolden judges when faced with seemingly more mundane manifestations of injustice.*** (Petitioner's emphasis on this key point)

And..

The question of judicial legitimacy returns us to the conundrum I alluded to at the outset. To be legitimate, judges must conform to fundamental moral norms of a constitutional nature. But when they do, they risk going beyond what would appear to be their judicial functions. How is the conundrum to be resolved? The answer, I would suggest, is that the conundrum is a false one; that judges must be able to do justice and at the same time stay within the proper confines of their role.

³⁹ Canadian Jurist Rt Hon Beverley McLachlin, Wikipedia: https://en.wikipedia.org/wiki/Beverley_McLachlin

⁴⁰ "Unwritten Constitutional Principles: What is going on?" by Beverley McLachlin, annual Lord Cooke of Thorndon Lecture, Victoria University of Wellington Law School, 1 December 2005: <https://www.scc-csc.ca/judges-juges/spe-dis/bm-2005-12-01-eng.aspx>

The role of judges in a democracy is to interpret and apply the law. The law involves rules of different orders. The highest is the order of fundamental constitutional principles. These are the rules that guide all other lawmaking and the exercise of executive power by the state. More and more in our democratic states, we try to set these out in writing. But when we do not, or when, as is inevitable, the written text is unclear or incomplete, recourse must be had to unwritten sources.

The task of the judge, confronted with conflict between a constitutional principle of the highest order on the one hand, and an ordinary law or executive act on the other, is to interpret and apply the law as a whole – including relevant unwritten constitutional principles.

This presupposes that the constitutional principle is established having regard to the three sources just discussed – usage and custom; values affirmed by relevant textual constitutional sources; and principles of international law endorsed by the nation. Determining whether these sources disclose such principles is quintessential judicial work. It must be done with care and objectivity. It is not making the law, but interpreting, reconciling and applying the law, thus fulfilling the judge's role as guarantor of the constitution.

How does the judge discharge this duty? First, it seems to me, the judge must seek to interpret a suspect law in a way that reconciles it with the constitutional norm, written or unwritten.

*Usually, this will resolve the problem. **But in rare cases, it may not. If an ordinary law is clearly in conflict with a fundamental constitutional norm, the judge may have no option but to refuse to apply it.*** (Petitioner's emphasis)

The Law of the Covid Pandemic

27. The Petitioner notes that in the case of **Andrew Borrowdale vs the Director General of Health** CA520/2020 [2021] NZCA 520 Court of Appeal [hearing](#)⁴¹ before Justices French, Cooper and Collins, which dismissed Andrew Borrowdale's appeal, their decision made a clear observation that certain rights may not be derogated.

At paragraphs [109] and [110] on pages 30/31 of the decision they make the following observations in respect to the **International Covenant on Civil and**

⁴¹ <https://www.courtsofnz.govt.nz/assets/cases/2021/2021-NZCA-520.pdf>

Political Rights ([ICCPR](#)⁴²) and in respect to section 8 NZ BORA; *right not to be deprived of life.*

[109] Certain rights may not be derogated. The rights in the ICCPR that are treated as being sacrosanct include the rights to life, religion, and freedom from torture and slavery. On the other hand, the rights to freedom of movement, assembly and association in arts 12, 21 and 22 of the ICCPR may be derogated.

[110] For completeness, we record the rights contained in the NZBORA include the right in s 8 not to be deprived of life. No counsel suggested the NZBORA right not to be deprived of life was engaged in this case. The position taken by counsel accurately reflects the narrow meaning that has been given to s 8 of the NZBORA.

The Honourable Justices assist in making the case that it is unlawful to derogate from specific articles of the ICCPR and NZ BORA.

28. Notwithstanding the point made in their NZCA 520 Court of Appeal hearing paragraphs [109-110], the most efficacious way to eliminate the intent and spirit of any law, is to narrow its meaning and application, and weaken its enforcement - by denying or delaying prosecution. Invariably Authority acts and establishes, its unlawful beachhead which the people must resist and counter in the Courts of the Authority, where they desire a rule of law abiding nation state and governance system.

29. For the record the Petitioner observes, that in the case of COVID-19, articles 12, 21, and 22 of the ICCPR (freedom of movement, assembly, and association) have been derogated without justification or proportionality with respect to the application of rule of law. Freedom of movement, assembly, and association are fundamental civil and human rights (in international law). These freedoms are essential to a democracy and may only be derogated in the most extreme cases of a clear and present danger, i.e., during a war, when foreign forces are invading, or some nefarious force release the deadly disease smallpox from their laboratory (or other deadly pathogen or toxic agent).

30. In other words, this is an example of ***illegitimate back sliding*** for an illness whose average mortality is no worse than common influenza albeit with a well established age dependent selectivity and an affinity for specific [endotype](#)⁴³ outcomes for patients, and to which most healthy people's natural immune response is sufficient to clear the disease.

42 International Covenant on Civil and Political Rights (ICCPR):
<https://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

43 Identification of Endotypes of Hospitalized COVID-19 Patients:
<https://pubmed.ncbi.nlm.nih.gov/34859018/> outcome - "High comorbidities did not associate with poor outcome endotypes. Further work is needed.."

31. The Petitioner notes that [section 92F](#)⁴⁴ of the Public Health Act 1956 has application in this matter, specifically COVID-19's low level of infectivity, morbidity and mortality;

92F Principle of proportionality

Measures applied to an individual under this Part must—

(a) be proportionate to the public health risk sought to be prevented, minimised, or managed; and

(b) not be made or taken in an arbitrary manner.

NZ derogation from the Bill of Rights

32. New Zealand's Bill of Rights has its [inception](#)⁴⁵ in the ***International Covenant on Civil and Political Rights*** (ICCPR⁴⁶) and is the NZ Parliament and Government's effort, toward implementing its ratification of that treaty obligation.

33. The ICCPR treaty guides the proper interpretation of the LAW in respect to any derogation from the NZ Bill of Rights 1990.

33. Following is a statement from the Human Rights Committee dated 24 April 2020 (UN Human Rights Committee was established under the ICCPR) - [Statement](#)⁴⁷ on derogations from the Covenant in connection with the COVID-19 pandemic, CCPR/C/128/2 (24 April 2020). Extract:

The Human Rights Committee's stated guidance to States parties on the requirements and conditions laid down in article 4 of the Covenant concerning derogations from the Covenant, in particular clause 2 (d) on page two;

States parties may not resort to emergency powers or implement derogating measures in a manner that is discriminatory, or that violates other obligations that they have undertaken under international law, including under other international human rights treaties from which no derogation is allowed. Nor can States parties deviate from the non-

44 Section 92F of the Public Health Act 1956:

<https://www.legislation.govt.nz/act/public/1956/0065/latest/whole.html#DLM307426>

45 A Bill of Rights for New Zealand – A White Paper by Sir Geoffrey Palmer tabled in the NZ Parliament 1985: <https://www.ojp.gov/pdffiles1/Digitization/108981NCJRS.pdf>

46 NZ Bill of Rights is the NZ Parliament and Government's effort at implementing its ratification of the ICCPR: https://en.wikipedia.org/wiki/International_Covenant_on_Civil_and_Political_Rights

47 UN Human Rights Committee statement on derogations from the ICCPR in connection with the COVID-19 pandemic, CCPR/C/128/2 (24 April 2020): <https://www.ohchr.org/Documents/HRBodies/CCPR/COVIDstatementEN.pdf>

derogable provisions of the Covenant – article 6 (right to life), article 7 (prohibition of torture or cruel, inhuman or degrading treatment or punishment, or of medical or scientific experimentation without consent), article 8, paragraphs 1 and 2 (prohibition of slavery, the slave trade and servitude), article 11 (prohibition of imprisonment because of inability to fulfil a contractual obligation), article 15 (principle of legality in the field of criminal law), article 16 (recognition of everyone as a person before the law) and article 18 (freedom of thought, conscience and religion) – or from other rights that are essential for upholding the nonderogable rights found in the aforementioned provisions and for ensuring respect for the rule of law and the principle of legality even in times of public emergency, including the right of access to court, due process guarantees and the right of victims to obtain an effective remedy;

International Covenant on Civil and Political Rights:

34. NZ's has conditionally [accepted](#)⁴⁸ the ICCPR. In doing so, **NZ has ratified Article 4 and 7 of the ICCPR:**

Article 4

1. In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

2. No derogation from articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 may be made under this provision.

3. Any State Party to the present Covenant availing itself of the right of derogation shall immediately inform the other States Parties to the present Covenant, through the intermediary of the Secretary-General of the United Nations, of the provisions from which it has derogated and of the reasons by

⁴⁸ NZ's conditional acceptance of the ICCPR: <https://www.justice.govt.nz/justice-sector-policy/constitutional-issues-and-human-rights/human-rights/international-human-rights/international-covenant-on-civil-and-political-rights/>

which it was actuated. A further communication shall be made, through the same intermediary, on the date on which it terminates such derogation.

Article 7

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

35. The [Siracusa](#)⁴⁹ Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights make clear the non-derogation of certain articles even in times of public emergency. The test of proportionality is set at a high level.

36. The **COVID-19 Public Health Response**⁵⁰ **Act 2020** (ascent 13 May 2020) is the foundation for most of the legislative acts of the NZ Parliament following the repeal of the earlier Declarations of Emergency to invoke specific powers many thought were [excessive](#)⁵¹ at the time. The legislation was passed 63 votes to 57 with the National and ACT parties voting against the Bill at the Third Reading.

37. The Regulatory Impact Statement for the Bill included advice from the Ministry of Justice in respect to derogations from the BORA as provided in Sec 7; “[Consistency](#)⁵² with the New Zealand Bill of Rights Act 1990: COVID-19 Public Health Response Bill” published 11 May 2020. The report acknowledges derogation from Section 11 BORA “right to refuse to undergo medical treatment” as follows;

Section 11 - Right to refuse to undergo medical treatment

27. Section 11 of the Bill of Rights Act affirms that everyone has the right to refuse to undergo medical treatment. The right to refuse to undergo medical treatment protects the concept of personal autonomy and bodily integrity, specifically the idea that individuals have the right to determine for themselves what they do or do not do to their own body, free from restraint or coercion.

49 Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights by the American Association for the International Commission of Jurists, April 1985: <https://www.icj.org/wp-content/uploads/1984/07/Siracusa-principles-ICCPR-legal-submission-1985-eng.pdf>

50 COVID-19 Public Health Response1 Act 2020 (ascent 13 May 2020) on NZ Government legislation website: <https://legislation.govt.nz/act/public/2020/0012/latest/whole.html#LMS344134>

51 Many thought the COVID-19 Public Health Response Act was excessive when it was enacted May 2020. It passed 63 votes to 57. National and ACT parties voting against the Bill at the Third Reading: https://web.archive.org/web/20200513223302/https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=12331547

52 Regulatory Impact Statement included advice from the Ministry of Justice; “Consistency with the New Zealand Bill of Rights Act 1990: COVID-19 Public Health Response Bill” published 11 May 2020: <https://www.justice.govt.nz/assets/Documents/Publications/COVID-19-Public-Health-Response-Bill.pdf>

28. *Clause 10(a)(viii) of the Bill allows for orders to be made requiring people to report for medical examination or testing in any specified way or in any specified circumstances.*

29. *The right to refuse medical treatment is engaged where a medical service is provided to an individual in the context of a therapeutic relationship. We consider that the right to refuse medical treatment is engaged by certain forms of medical examination, and particularly, a test for COVID-19. A COVID-19 test requires the collection of a bodily sample from an individual for the purpose of diagnosis and assessment. It can include the use of a moderately invasive procedure – a nasopharyngeal swab to collect nasal secretions from the back of the nose and throat.*

30. *Clause 10(a)(vii) prima facie limits the right to refuse to undergo medical treatment.*

Where a provision proposes a limit on a right or freedom, it may nevertheless be consistent with the Bills of Rights Act if the limit is reasonable and justifiable in terms of s 5 of that Act.

31. *The s 5 inquiry may be approached as follows:*

a. does the provision serve an objective sufficiently important to justify some limitation of the right or freedom?

b. if so, then:

i. is the limit rationally connected with the objective?

ii. does the limit impair the right or freedom no more than is reasonably necessary for sufficient achievement of the objective?

iii. is the limit in due proportion to the importance of the objective?

32. *The purpose of cl 10(a)(viii) is to ensure that appropriate public health control measures can be applied in respect of people who may have COVID-19, and also that public health authorities can collect information about potentially unknown vectors of transmission in the community. The collection of this information is clearly necessary and rationally connected to the wider objective of protecting against future outbreaks of COVID-19. Public health concerns, particularly as it relates to infectious diseases, have explicitly been held to be a sufficiently important objective to justify a limit on the right to refuse medical treatment.*

33. *With regard to the proportionality of the limit on the right, we note that an outbreak of COVID-19 would have extreme consequences for public health and wellbeing. While the Bill empowers orders to be issued in respect of medical examination and testing, it does not require a person to undertake any particular ongoing form of treatment. In this way, the Bill continues to preserve the scope of personal autonomy and bodily integrity as far as is possible while maintaining public health.*

34. *For these reasons, we consider that this limitation on s 11 of the Bill of Rights Act is justifiable. We note that the taking of a bodily sample for assessment would also amount to a search or seizure of the person. However, for the same reasons that justify the limitation that the proposed provisions place on s 11 of the Bill of Rights Act, we consider that the requirement to provide a bodily sample would be reasonable in terms of s 21 of that Act*

38. Note the Ministry of Justice author states in his paragraph 33; *“While the Bill empowers orders to be issued in respect of medical examination and testing, **it does not require a person to undertake any particular ongoing form of treatment.** In this way, the Bill continues to preserve the scope of personal autonomy and bodily integrity as far as is possible while maintaining public health.”*

39. The lawyer(s) in the Justice Ministry in May 2020 acknowledge the difference between a diagnostic test (noting that expert scientists in the field find the PCR test to be an inappropriate tool for diagnosis of ill health see paragraph 85), and a medical procedure (any vaccine or other medication or procedure), with temporal consequences as requiring a higher test for proportionality, in assessing whether the COVID-19 Public Health Response Act, is justified in limiting rights in BORA. Note the Act in sections 9 and 10 offer that the Minister (s9); or the Director General of Health (s10); *must be satisfied that the order does not limit or is a justified limit on the rights and freedoms in the New Zealand Bill of Rights Act 1990.*

40. The right of refusal to be subjected to medical testing and examination, even in the case of an authentic pandemic or more localized epidemic emergency, could be counterbalanced by the clinically diagnosed symptomatic individual's promise, to isolate him/herself (in their home) for a number of days (as long as infectivity is likely). Such an approach is a reasonable and medically recognized alternative – isolate the ill whilst enabling the healthy to carry on with their lives - in comparison to the current arbitrary directives and guidelines. This would satisfy the “proportionality” requirement of the law, as well as individual rights over one's physical body - preserving personal autonomy, bodily integrity, and maintaining societal wellbeing.

41. The same author within the Ministry of Justice, provided the “[Consistency](#)”⁵³ with the New Zealand Bill of Rights Act 1990: COVID-19 ([Vaccinations](#)) Legislation Bill” report, for the COVID-19 (Vaccinations) Legislation Bill⁵⁴ and found no breach of Section 11 of BORA with mandated injections, despite explicit proclamations which suggest the contrary from the earlier phase of the pandemic (11 May 2020), set out in paragraphs 38 and 39 above.

42. Between the period of these two statements of consistency with BORA, the Prime Minister The Hon Jacinda Ardern and more of her ministers stated that any; “COVID-19 vaccinations would not be forced”.

Extract from linked Newshub [article](#)⁵⁵ 22 September 2020;

Conspiracy theorists have claimed a COVID-19 vaccine, when available, will be “forced” on everyone - including Kiwis.

The Government has rubbished those claims, made most notably by Jami-Lee Ross and Billy Te Kahika’s Advance NZ.

On Tuesday Prime Minister Jacinda Ardern went a step further, saying not only will there be no forced vaccinations, but those who choose to opt-out won’t face any penalties at all.

“No, and we haven’t for any vaccination in New Zealand applied penalties in that way,” Ardern told The AM Show, after being asked if there might be tax penalties or other sanctions for refusing a COVID-19 vaccine.

“But I would say for anyone who doesn’t take up an effective and tested and safe vaccine when it’s available, that will come at a risk to them.”

43. Was the New Zealand PM The Right Hon Jacinda Ardern misrepresenting the NZ Government’s intent 22 September 2020 when she uttered the words “**no forced vaccinations?**” Alternatively had COVID-19 pandemic circumstance dramatically changed, to enable the Prime Minister and the NZ Government, to back-track on their previous public pronouncement and PM Ardern’s personal commitment that “COVID-19 Vaccination would be voluntary?”

53 Ministry of Justice “Consistency with the New Zealand Bill of Rights Act 1990: COVID-19 (Vaccinations) Legislation Bill” published 23 November 2021:

<https://www.justice.govt.nz/assets/Documents/Publications/20211123-NZ-BORA-Advice-COVID-19-Vaccinations-Legislation-Bill.pdf>

54 COVID-19 (Vaccinations1) Legislation Bill:

<https://www.legislation.govt.nz/bill/government/2021/0101/latest/whole.html#whole>

55 Prime Minister The Hon Jacinda Ardern stated that any Covid-19 vaccinations would not be forced.

Newshub article 22 September 2020: <https://www.newshub.co.nz/home/politics/2020/09/coronavirus-jacinda-ardern-confident-enough-kiwis-will-get-covid-19-vaccine-for-herd-immunity-without-being-forced-to.html>

44. Recall the NZ Government was by September negotiating contracts with Pfizer for COVID-19 mRNA Vaccination products – a [contract](#)⁵⁶ for 1.5 million doses was signed 12 October 2020. What is so special and or exceptional about COVID-19. Why did the government circumvent the relevant agency, Pharmac, and negotiate the still confidential contract with Pfizer? Public knowledge of the content of the contract, derived from viewing other similar agreements, cause a reasonable individual (and the Petitioner) to assert that; confidentiality and privilege in respect to the terms of the contract, place the ministers of the crown, in conflict with their oaths of office, and fiduciary duty to the electorate.

45. Despite assertions that the Vaccine Passport system is a temporary measure to counter the scourge of the COVID-19 Pandemic, another prominent conspiracy theory is that the COVID-19 Vaccine Passport, is the forerunner of a [Global](#)⁵⁷ Identity and Health Security passport system. The Digital ID Trust Framework Bill currently before the House appears to be enabling the Global Identity and Health Security passport system.

46. The directives of mandatory vaccinations are clearly in contravention of NZ BORA and the **spirit of the law**. The issue of proportionality between the level of danger of contagion in the case of COVID-19 vis-à-vis a future pandemic can be dealt with as a “burden of proof” requirement - the State must prove the level of danger actually present through independent peer review. This was not done with COVID-19. To the contrary those sceptical of the official fear mongering, have done the research to prove as a FACT that, “COVID-19 Vaccination is a net [harm](#)”⁵⁸.

47. Why worry about this? Because of the legal principle of [precedent](#)⁵⁹—once a precedent is set for a single exception—and that exception is a low barrier, then the slippery slope of abuse of power is imminent. The danger inherent to the abuse of power is that incremental steps away from the spirit of law will lead to serious abuse, as demonstrated with COVID-19 Orders and Mandates. The point is to explicitly limit the arbitrary authority and power of the State to abrogate NZ BORA rights.

56 NZ Government contract with Pfizer for COVID-19 mRNA Vaccination products, for 1.5 million doses was signed 12 October 2020, TVNZ 12 October 2020:

<https://web.archive.org/web/20201012041410/https://www.tvnz.co.nz/one-news/new-zealand/government-signs-agreement-purchase-1-5m-covid-19-vaccines-enough-750k-people>

57 Essay on the Petitioner's Values-Compass Points in a Post Truth World blogger; “Why Vaccine Passports 101 - Is “papers please” a health or economic imperative?” makes case that the COVID-19 vaccine passports are forerunners and the thin edge of the wedge to a larger more controlling agenda being foisted upon “we the people” in undemocratic fashion and with nefarious intent: <https://values-compasspointsinaposttruthworld.blogspot.com/2021/11/why-vaccine-passports-101-is-papers.html>

58 “The narrative is falling apart, piece by piece” Steve Kirsh published 19 January 2022; Four (4) important new developments you should be aware of, including “The vaccines make you more likely to get COVID-19,” and; “The vaccines are not safe:” <https://stevekirsh.substack.com/p/the-narrative-is-falling-apart-piece>

59 Legal principal of precedent (Wikipedia) is critical to apprehend especially where a judgement is hostile to public interest or human rights: <https://en.wikipedia.org/wiki/Precedent>

48. Why have a Bill of Rights if it is worthless at protecting the natural person from arbitrary oppression? Better off without the pretense. Revert to the common law rights of man?

49. Which leads to the [section 5 Justified Limits](#)⁶⁰ clause in NZ BORA, which the courts to date in their consideration of COVID-19 matters, have invoked in order to abrogate the spirit of BORA.

5 Justified limitations

Subject to section 4, the rights and freedoms contained in this Bill of Rights may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

50. There is no logic that allows the Petitioner to accept, that mandatory vaccination is justified in a free and democratic society. Medical ethics, requires free and full consent for any medical procedure. Thus the various Orders and enactments, associated with the COVID-19 Public Health Response Act 2020 are **ultra vires**.

51. Appropriateness, proportionality, and FACTS must, at least, place the burden of proof (evidentiary requirements) on the State (whether as defendant or prosecutor) at a higher level than that of criminal law as the consequences observed in the arbitrary power exercised in the COVID-19 RESPONSE has cost lives, harmed liberty, and the NZ economy. Without enforcement requirements, the written law by itself, tends to be insufficient as a protection for civil and human rights, expressed in documents such as NZ BORA. In other words, the more the courts interpret the Law incorrectly, the less amenable to appeal and redress the civil and human rights become.

52. The Petitioner offers the amendment to section 5 BORA as an elegant solution to the problem so as to disallow the improper precedent. There may be other solutions, however, the Petition's amendment provides a solution that may apply in the near term.

Playing with words – once upon a time Pandemic meant Lethal

53. The Definition of **Pandemic**, **Vaccine** and **Herd Immunity** have been Altered. In recent years and months, the long-held definitions of these words have changed, with immense ramifications for public health policy in the midst of COVID-19;

Pandemic

60 Section 5 Justified Limits clause in NZ BORA:

<https://www.legislation.govt.nz/act/public/1990/0109/latest/DLM225501.html>

54. WHO's original definition of a pandemic, from May 2009, specified simultaneous epidemics worldwide "with enormous numbers of deaths and illnesses"; this definition was changed in the month leading up to the 2009 swine flu pandemic, removing the severity and high mortality criteria; whereas, it used to be that a [pandemic](#)⁶¹ was:

An influenza pandemic occurs when a new influenza virus appears against which the human population has no immunity, resulting in several, simultaneous epidemics worldwide with enormous numbers of deaths and illness.

Vaccine

55. COVID-19 vaccines are technically gene therapies and did not meet the definition of vaccine, until Merriam-Webster's [vaccine](#)⁶² definition (hyperlink to web archive capture of vaccine definition from May 2020) was recently changed to — conveniently and coincidentally - to include a description of the experimental [gene therapies](#)⁶³.

56. COVID-19 vaccines are not conventional vaccines made with live or attenuated viruses. They are real "gene therapies." The Pfizer and Moderna vaccines are made with lipid nanoparticles that contain polyethylene glycol (PEG)8 and messenger RNA (mRNA). LNP have been identified as highly [inflammatory](#)⁶⁴. mRNA are snippets of genetic code that carry instructions for cells to produce proteins. The definition of "genetic" is: "relating to genes", and genes contain instructional code that tell the body what proteins to make. "Therapy" is defined as: the medical treatment of disease, so **mRNA vaccines are very clearly gene therapy**. This is a demonstrable FACT manifestly evident in mRNA gene therapy, and its [published](#)⁶⁵ development.

61 "The elusive definition of pandemic influenza" Peter Doshi published 31 March 2011: <https://web.archive.org/web/20121001101529/https://www.who.int/bulletin/volumes/89/7/11-086173/en/> which commences with the following under the heading Introduction; *In 2009, governments throughout the world mounted large and costly responses to the H1N1 influenza outbreak. These efforts were largely justified on the premise that H1N1 influenza and seasonal influenza required different management, a premise reinforced by the decision on the part of the World Health Organization (WHO) to label the H1N1 influenza outbreak a "pandemic". However, the outbreak had far less serious consequences than experts had predicted, a fact that led many to wonder if the public health responses to H1N1 had not been disproportionately aggressive. In addition, concern over ties between WHO advisers and industry fuelled suspicion about the independence and appropriateness of the decisions made at the national and international levels. Sound familiar? History might not repeat however it seems to rhyme.*

62 Webarchive capture Merriam-Webster's prior vaccine definition (16 May 2020), "Definition of vaccine: a preparation of killed microorganisms, living attenuated organisms, or living fully virulent organisms that is administered to produce or artificially increase immunity to a particular disease:"

<https://web.archive.org/web/20200516104515/https://www.merriam-webster.com/dictionary/vaccine>
63 Merriam-Webster's contemporary vaccine definition includes mRNA injectables: <https://www.merriam-webster.com/dictionary/vaccine>

64 Paper "The mRNA-LNP platform's lipid nanoparticle component used in preclinical vaccine studies is highly inflammatory" (Dec 2021): <https://pubmed.ncbi.nlm.nih.gov/34841223/>

65 Paper "mRNA: Fulfilling the Promise of Gene Therapy" published August 2015: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4817894/>

57. The narrative according to the COVID-19 gods promotes mRNA Vaccination on the grounds of the popular opinion, that when using mRNA, unlike DNA, the stringent gene-therapy regulations are bypassed, because, mRNA does not integrate into the host genome. However, that false legalism only holds true in the US, whereas in Europe, any active pharmaceutical ingredient, which contains, or consists of a recombinant nucleic acid used in, or administered to human beings, falls under the scope of the regulation for advanced therapy medicinal products.

58. It is a FACT, that mRNA-based therapeutics are categorized as gene therapy, no matter what political alterations (non scientific or rushed for the benefit of an interest) are made to definitions or common knowledge prior to COVID-19. Consider the power of the lobby interest(s) to engineer the converging alterations to assist their enterprise. To assist thinking an extract from linked article; “Opportunities and Challenges in the Delivery of mRNA-Based Vaccines” [published](#)⁶⁶ 28 January 2020 on the cusp of the COVID-19 pandemic;

5. Conclusions and Future Perspectives

The field of mRNA-based therapeutics spans from protein replacement therapy and gene editing to vaccination. With the dozens of mRNA-based vaccine candidates currently in pre-clinical and clinical phases of development, it is evident that the mRNA-based vaccine technology is a promising tool for the development of novel therapeutic and prophylactic vaccines against infectious diseases and cancer. However, the multifarious obstacles associated with mRNA's extremely large size, charge, intrinsic instability, and high susceptibility to enzymatic degradation hamper the translation of mRNA-based therapeutics from the bench to the bedside. Therefore, the wider application of mRNA-based therapeutics is still limited by the need for improved vectors or drug delivery systems. Advanced delivery systems can be applied to overcome the poor stability, cell targeting, and translational efficiency of naked mRNA. However, many clinically tested mRNA vaccine candidates are formulated without any delivery system, which suggests a need for further improvement of delivery systems for mRNA vaccines. Presently, lipoplexes and lipid-based nanoparticles are mostly used for delivering mRNA. Additionally, polymers and lipid-polymer hybrid nanoparticles offer great promise in terms of safety, stability, high transfection efficiency, and low price. Continued advancement in mRNA formulation and delivery using different nanomaterials can improve the wider use of mRNA for the treatment and prevention of infectious diseases and cancers.

⁶⁶ Paper “Opportunities and Challenges in the Delivery of mRNA-Based Vaccines” published 28 January 2020: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7076378/>

59. [Moderna's SEC filings](#)⁶⁷ specify and stress that the FDA considers its technology a "gene therapy technology," originally intended for cancer treatment. Its mechanism of action also confirms it to be gene therapy. The mRNA gene therapies currently being misleadingly marketed as "vaccines" turns one's cells into bioreactors that churn out viral proteins (S-spike protein is toxic and billions or trillions of them in one's blood vessels is tragic) to incite an immune response, and there's no off-switch.

Herd Immunity

60. From June 2020 to November 2020, WHO changed their definition of herd immunity, to imply that it's a concept that only applies to vaccination, not from naturally acquired or pre-existing immunity, gained from prior or cross infection.

61. In June 2020, WHO's definition of herd immunity, posted on one of their COVID-19 Q&A pages, was in line with the widely accepted concept that has been the standard for infectious diseases for decades. Here's what it [originally](#)⁶⁸ said;

What is herd immunity?

Herd immunity is the indirect protection from an infectious disease that happens when a population is immune either through vaccination or immunity developed through previous infection. This means that even people who haven't been infected, or in whom an infection hasn't triggered an immune response, they are protected because people around them who are immune can act as buffers between them and an infected person. The threshold for establishing herd immunity for COVID-19 is not yet clear.

62. Please note that, "immunity developed through previous infection", is the way it has worked since humans have been alive. One's immune system isn't designed to get vaccines. One's immune system has evolved to respond to external corporeal threat like infection. Response to an auto-antigen (mRNA and resultant S-spike protein) is novel, highly variable and unpredictable, whose long term consequences are unknown.

67 Moderna's SEC filing FORM S-1 REGISTRATION STATEMENT (November 2018) initial public offering of shares of Moderna's common stock:

<https://www.sec.gov/Archives/edgar/data/1682852/000119312518323562/d577473ds1.htm> from the linked prospectus; "mRNA, the software of life - mRNA transfers the instructions stored in DNA to make the proteins required in every living cell. Our approach is to use mRNA medicines to instruct a patient's own cells to produce proteins that could prevent, treat, or cure disease. A schematic of the central role of mRNA in making proteins is shown in the figure below."

68 "WHO Changes Definition of Herd Immunity" Peter Gyel published 15 January 2021:

<https://peterlegyel.wordpress.com/2021/01/15/who-changes-definition-of-herd-immunity/>

63. Following is the recent amended [definition and guidance](#)⁶⁹ from WHO;

What is 'herd immunity'?

'Herd immunity', also known as 'population immunity', is the indirect protection from an infectious disease that happens when a population is immune either through vaccination or immunity developed through previous infection. WHO supports achieving 'herd immunity' through vaccination, not by allowing a disease to spread through any segment of the population, as this would result in unnecessary cases and deaths.

Herd immunity against COVID-19 should be achieved by protecting people through vaccination, not by exposing them to the pathogen that causes the disease.

64. Three apparently coincidental definition alterations, in time for the created pandemic - the consequences for society being that, by adjusting public information, particular interests are favoured. Those engaged in the COVID-enterprise are attempting to change people's perception of what is true and not true, what is FACT and what is NOT FACT, and corrupting science in the process.

Definition alteration in the lead up to the COVID-19 Pandemic

65. Dr Antony Fauci and friends, at the Milken Institute October 2019 Future of Health Summit,⁷⁰ discuss the need for a universal [influenza](#)⁷¹ vaccine, to be delivered to all seven (7) billion people inhabiting the planet. It is fascinating to review this [video](#)⁷² segment, also C-Span [link](#)⁷³ of the one-hour panel discussion, and the stated object to create an **entity**

69 Coronavirus disease (COVID-19): Herd immunity, lockdowns and COVID-19" published 31 December 2020: <https://www.who.int/news-room/questions-and-answers/item/herd-immunity-lockdowns-and-covid-19>

70 Future of Health Summit 28-30 October 2019: <https://milkeninstitute.org/events/future-of-health-summit-2019/overview> extracted promo message is about leveraging tech to advance human health; "The Future of Health Summit brought together thought leaders and decision-makers to confront some of the world's most significant health challenges by matching human, financial, and educational resources with the most innovative and impactful ideas."

71 "Universal flu vaccine" Wikipedia: https://en.wikipedia.org/wiki/Universal_flu_vaccine extract; "A universal flu vaccine is a flu vaccine that is effective against all influenza strains regardless of the virus sub type, antigenic drift or antigenic shift. Hence it should not require modification from year to year. As of 2021 no universal flu vaccine had been approved for general use, several were in development, and one was in clinical trial."

72 "Universal Flu Vaccine" panel for 29 October 2019 Future of Health Summit, a short clip of key messages: <https://www.youtube.com/watch?v=KsCwPfsb7C4>

73 C-SPAN full video link to *Universal Flu Vaccine* panel discussion 29 October 2019 <https://www.c-span.org/video/?465845-1/universal-flu-vaccine> Health experts discussed the scientific and technological prospects of an effective universal influenza vaccine. Speakers included Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases and Margaret Hamburg, former FDA commissioner. Panelists discussed the need for more funding for research, better collaboration between the private and government sectors, advances in technology in flu research and the goal of a universal flu vaccine. Their

that promotes, and works, for the deployment of a universal influenza vaccine, which employs a novel mRNA gene therapy technology, an event which occurred synchronous to the Wuhan flu outbreak, and the notorious [Event 201](#) coronavirus pandemic desktop simulation exercise in New York City 18 October 2019.⁷⁴

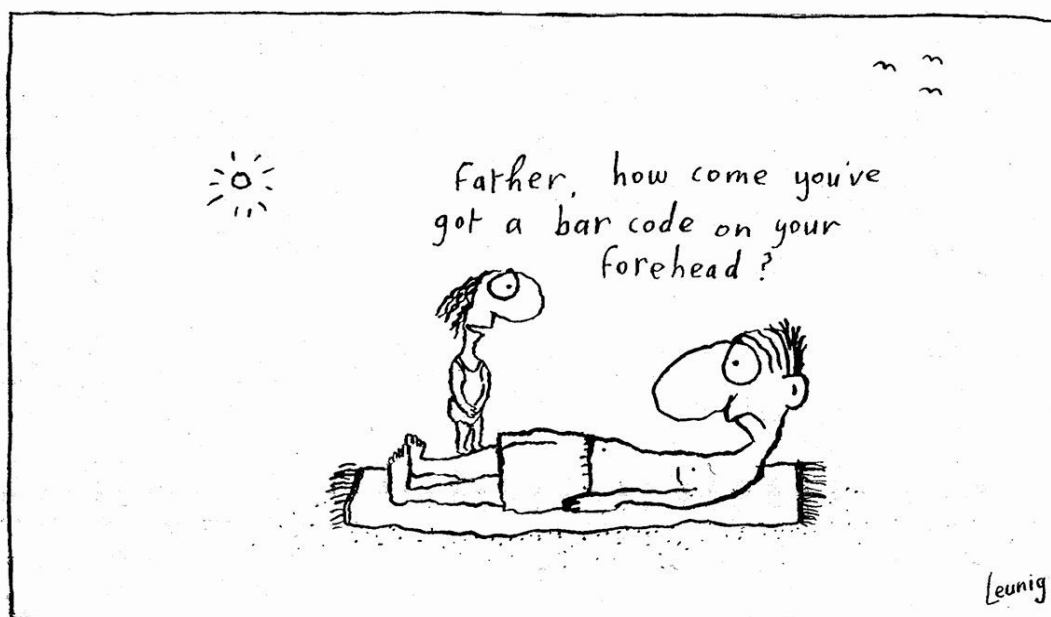


Illustration 1: Michael Leunig observation of the prophetic conspiracy theory written by John the Divine in the Book of Revelation 13:16 And he causeth all, both small and great, rich and poor, free and bond, to receive a mark in their right hand, or in their foreheads: 13:17 And that no man might buy or sell, save he that had the mark, or the name of the beast, or the number of his name.

75

object is to use novel mRNA gene therapy technology to create a universal influenza vaccine and just like Bill Gates says with a smirk; "We're going to have to Vaccinate everyone before we can return to normal."

74 Event 201 <https://centerforhealthsecurity.org/event201/> The Johns Hopkins Center for Health Security in partnership with the World Economic Forum and the Bill and Melinda Gates Foundation hosted Event 201, a high-level pandemic exercise on October 18, 2019, in New York, NY. The exercise illustrated areas where public/private partnerships will be necessary during the response to a severe pandemic in order to diminish large-scale economic and societal consequences. Is fairly perceptive given no prophecy was involved.

75 Illustration 1. Michael Leunig observation of the prophetic conspiracy theory written by John the Divine written in the Book of Revelation; 13:16 And he causeth all, both small and great, rich and poor, free and bond, to receive a mark in their right hand, or in their foreheads: 13:17 And that no man might buy or sell, save he that had the mark, or the name of the beast, or the number of his name. Source of Revelation 13:16-17: <https://www.kingjamesbibleonline.org/Revelation-13-16/> Prophecy in action or action in the World by Think Big Global Actors? What is NZ's role in prophecy - given her Christian spiritual principles?

66. That has worked out wonderfully well for some (with pecuniary interests), that COVID-19 happened, especially the Authoritarian Response demanding all are jabbed with the stuff of 2019's Big Pharma wet dream – now morphed into a COVID-19 Vaccination in lieu of a **universal influenza vaccine**. Why when the documentary movie [Plandemic](#) [Indoctrination](#)⁷⁶ referenced Event 201 the Covid narrative followers screamed “conspiracy theorist,” despite being FACTUAL. The **Vaccine** is a key to a particular future which has not been properly assessed, discussed and agreed in the democracy.

New Zealand Courts and Covid-19 Law

67. Several [cases](#)⁷⁷ have been before the NZ Courts, seeking declarations of inconsistency with NZBORA rights. Thus far, the courts have found for the defendant, the NZ Government, expressing the view that derogation from the rights provided under the sub-heading “Life and security of the person” is justified under the law, and relying on Section 5 BORA **Justified Limits**.

68. My discussion of the Law, suggest that the Justices' decisions, which rely on Sec 5 of BORA **Justified Limits**, is in contravention with common law and NZ's UN treaty commitments. On that point of The Law, [Sec 6](#)⁷⁸ makes plain the interpretation, the Parliament intended in 1990, when enacting the legislation.

6 Interpretation consistent with Bill of Rights to be preferred

Wherever an enactment can be given a meaning that is consistent with the rights and freedoms contained in this Bill of Rights, that meaning shall be preferred to any other meaning.

69. The LAW and its correct and just interpretation is primary. Individuals and nations ought be able to rely on consistent and just application of the Law. Otherwise the state is lawless.

70. Evidence of any definitive outcome to be known as FACT, with respect to the contested and controversial [politicised](#)⁷⁹ science of COVID-19, and its alleged cause,

⁷⁶ Miki Willis documentary movie [Plandemic](#) Indoctrination (link to Plandemic series) this 10 minute clip features Event 201 video segments and more to highlight the prior knowledge of the coming pandemic: <https://www.bitchute.com/video/vc7hcN2SzXGZ/>

⁷⁷ Courts of NZ COVID-19 matters and judgements: <https://www.courtsofnz.govt.nz/the-courts/high-court/covid-19-related-cases/>

⁷⁸ Section 6 NZ BORA 1990: <https://legislation.govt.nz/act/public/1990/0109/latest/DLM225502.html>

⁷⁹ “Covid-19: politicisation, “corruption,” and suppression of science” BMJ November 2020: <https://www.bmj.com/content/371/bmj.m4425> *When good science is suppressed by the medical-political complex, people die. Politicians and governments are suppressing science. They do so in the public interest, they say, to accelerate availability of diagnostics and treatments. They do so to support*

SARS-CoV-2 virus, and any antecedents and progeny variations, or experimental [vaccines](#)⁸⁰, and commercial patents undertaken, however known, is secondary to apprehending the Law as it relates to COVID-19. The evidence provides context for the proper interpretation of the Law.

71. The Four [Midwives](#)⁸¹ case heard on 8 November, with the judgement published 12 November 2021 by Justice Palmer, provides insight into the legal process of resolving what the law is. Justice Palmer states;

[1] Under the COVID-19 Public Health Response Act 2020 (the Act), the responsible Minister has made orders requiring individuals in certain occupations to be vaccinated against COVID-19. In this case, four midwives challenge the order relating to them. That challenge was heard together with the first cause of action brought by two incorporated societies, NZDSOS and NZTSOS (New Zealand Doctors and Teachers, respectively, Speaking Out with Science). They argue the COVID-19 Public Health Response (Vaccinations) Order 2021 (the Order) is not legally valid because the Act does not empower it to be made, if interpreted consistently with the right to refuse medical treatment under the New Zealand Bill of Rights Act 1990 (Bill of Rights) and the principle of legality. A second cause of action of NZDSOS and NZTSOS, that the Order is invalid because it is not a reasonable and justified limit on the right under s 5 of the Bill of Rights, has yet to be heard.

72. Sec 11 “Orders that can be made under this Act” of the COVID-19 Public Health [Response](#)⁸² Act 2020 was subsequently amended to include the requirement for certain

*innovation, to bring products to market at unprecedented speed. Both of these reasons are partly plausible; the greatest deceptions are founded in a grain of truth. But the underlying behaviour is troubling. **Science is being suppressed for political and financial gain. Covid-19 has unleashed state corruption on a grand scale, and it is harmful to public health.** (Petitioner's emphasis) Politicians and industry are responsible for this opportunistic embezzlement. So too are scientists and health experts. The pandemic has revealed how the medical-political complex can be manipulated in an emergency—a time when it is even more important to safeguard science.*

80 “Diary of a Scientist in New Zealand” Guy Hatchard, 2 January, 2022: <https://hatchardreport.com/diary-of-a-scientist-in-new-zealand/> extracted opening; Updated 04 January 2022. *Today I reviewed my 2021 diary and correspondence and had an aha moment. Up until September most of my exchanges and the press articles I read involved discussion and interpretation of the relative merits of published scientific papers. After that the official dialogue reported in the media subtly changed and started to assert that ‘science’ was on the side of vaccination without actually citing research papers—the merit of vaccination had become an accepted ‘fact’. In contrast after September the publishing of Covid-19 science papers picked up pace and they certainly weren’t supporting the government narrative. Scientifically speaking, the government narrative was becoming an embarrassment, but that did not in any way deter the media or the government and their advisors from deciding to rigidly enforce and support draconian vaccination mandates.*

81 Courts of NZ “Four Midwives case” judgement by Justice Palmer, 12 November 2021: <https://www.courtsofnz.govt.nz/assets/cases/2021/2021-NZHC-3064.pdf>

82 “COVID-19 Public Health Response1 Act 2020,” is the enabling legislation for COVID-19 Orders: <https://legislation.govt.nz/act/public/2020/0012/latest/whole.html#LMS344177>

work to be undertaken by “COVID-19 vaccinated” persons through the COVID-19 Response ([Vaccinations](#)⁸³) Legislation Act 2021. That was not envisaged in the May 2020 enactment.

73. In the matter of application for Judicial Review between FOUR AVIATION SECURITY SERVICE EMPLOYEES, Applicants; and MINISTER OF COVID-19 RESPONSE, First Respondent; ASSOCIATE MINISTER OF HEALTH, Second Respondent, and ATTORNEY-GENERAL, Third Respondent - Justice Cooke found against the applicants, however, his [judgement](#)⁸⁴ bears consideration for its perspective of The Law, and relies on the FACT that Parliament made the law; **COVID-19 Public Health Response Bill** and resulting orders including the Order to Vaccinate Certain Workers and the **COVID-19 (Vaccinations) Legislation Act 2021**, which I expect the same Courts would assert is legitimate, given their pattern to date.

74. At paragraphs [31-36] of Justice Cooke's decision, he provides his opinion, as to why Section 10 NZ BORA, *the right not to be subjected to medical or scientific experimentation*, is not engaged. The Petitioner addresses the nature of the experiment elsewhere in this paper.

75. The above court cases, are an example of how the principle of precedent, becomes a “slippery slope” in the law, works against the spirit of the law and its intent, as memorialized in NZ BORA 1990. The Government has rammed a “low-level” precedent through Parliament, without the rigour of due process, then extended the scope through arbitrary Orders (without basis in science for justification) by enacting emergency rules, directions and mandates for COVID-19. Through the process of constraining the spirit of the law the State has “bulletproofed” a precedent and the courts have entrenched the interpretation, as defense against any appeal, or redress of the ‘emergency’ law. For the purposes of the COVID-19 Response, there is no separation of power between the Executive, Legislature, or the Judiciary.

76. Despite the utterances of the Law Lords in The Petitioner's earlier paragraphs 23-26, on the principle of rule of law, including from Justice Palmer, involved in the recent Covid judgments, no contemporary Judge appears to demonstrate a desire to apply The LAW.

77. The Court of Appeal Judgement in the Borrowdale case provides some light in regard to the written law to which New Zealand has affirmed in its Bill of Rights Act 1990. For convenience their paragraphs [109 and 110] again;

83 COVID-19 Response (Vaccinations1) Legislation Act 2021:

<https://legislation.govt.nz/act/public/2021/0051/latest/whole.html#LMS603407>

84 Four Aviation Security Service Employees vs Minister of COVID-19 Response and others” Justice Cooke:

<https://www.courtsofnz.govt.nz/assets/Uploads/2021-NZHC-3012.pdf>

[109] Certain rights may not be derogated. The rights in the ICCPR that are treated as being sacrosanct include the rights to life, religion, and freedom from torture and slavery. On the other hand, the rights to freedom of movement, assembly and association in arts 12, 21 and 22 of the ICCPR may be derogated.

[110] For completeness, we record the rights contained in the NZBORA include the right in s 8 not to be deprived of life. No counsel suggested the NZBORA right not to be deprived of life was engaged in this case. The position taken by counsel accurately reflects the narrow meaning that has been given to s 8 of the NZBORA.

78. The ***slippery slope*** is demonstrated, in effect, by the derogation from sections 8,9, 10 and 11 of NZ BORA in the cases cited above, which are pertinent to the spirit of the law. This reveals how the selective narrowing of the scope of the rule of law is applied when inconvenient to certain interest groups outside of the LAW; Corporations, and other abstract entities, which the Petitioner addresses below. These are inconsistencies that creep in and are then applied to rulings (Precedent), which negate the intent and spirit of the law, to the detriment of the interests of the people for whom the law is there to protect.

79. The LAW is, that there is no derogation from certain articles of the International Covenant on Civil and Political Rights (ICCPR) and more declarations, nor does common law allow derogation, nor charters of whatever form as they establish the Law [jus cogens](#)⁸⁵, or what is universally known and accepted as compelling law. Specifically Article 7 of the ICCPR:

Article 7

*No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, **no one shall be subjected without his free consent to medical or scientific experimentation.***

COVID-19 injectables are a science experiment

80. The official narrative refers to the Covid phenomena as novel. Without referring to any authority, we know that novel is new or unusual. A passage from a paper published in Vaccine, June 2020, Conference report; “Consensus summary report for CEPI/BC March 12–13, 2020 meeting: Assessment of risk of disease enhancement with COVID-19 [vaccines](#)⁸⁶”

⁸⁵ Jus cogens (or ius cogens) is a latin phrase that literally means “compelling law:” <https://www.oxfordbibliographies.com/view/document/obo-9780199796953/obo-9780199796953-0124.xml>

⁸⁶ Passage from a paper published in Vaccine, Volume 38, Issue 31, published 26 June 2020, Pages 4783-

*The SARS-CoV-2 S protein structure was solved shortly after its emergence and shows similar structure and mobility as the SARS-CoV-1 S [47]. The timing from first knowledge of SARS-CoV-2 to the beginning of the Phase 1 study was a remarkable sixty-five days. The advantages of mRNA vaccines include ability to create a highly precise type of protein to elicit the correct antibodies, to elicit T cell responses that are Th1 predominant, and the rapidity of manufacturing. **Of course, disadvantages include the novel nature of both mRNA and DNA vaccines without any licensed vaccine with either technology to date and lack of experience for mass production.** Therefore, multiple platforms for SARS-CoV-2 are under development that mitigate against some of the potential disadvantages of nucleic acid vaccines.*

81. Authors of the paper include the notorious **Ralph Baric**⁸⁷ and NZ vaccinologist Steven B.Black, Brighton Collaboration, Task Force for Global Health, collaborator with NZ vaccinologist **Helen Petousis-Harris** at the Brighton Collaboration. Petousis-Harris is author of a published paper; September 2020, on what is needed to **assess**⁸⁸ COVID-19 vaccine safety, as the vaccines are rolled out to the people of the world. This is how Helen Petousis-Harris approaches her work in theory, if not practice, 'Assessing the Safety of COVID-19 Vaccines'. In concluding her paper she outlines what was necessary for proper COVID-19 Vaccine **pharmacovigilance**;⁸⁹

Challenges and Solutions for the Safe and Responsible Deployment of COVID-19 Vaccines

Too few countries have high functioning pharmacovigilance systems, and far fewer are able to undertake robust signal verification and post-licensure studies on safety. These countries will need to rely on data generated by those who do have the capability, perhaps placing some further ethical obligations on those countries who can, rather than rely on the predominant data contributions from Europe and the USA.

4791, Conference report; "Consensus summary report for CEPI/BC March 12–13, 2020 meeting: Assessment of risk of disease enhancement with COVID-19 vaccines"

<https://www.sciencedirect.com/science/article/pii/S0264410X2030709X?via%3Dihub>

87 Ralph Baric long term involvement in virus, including bat coronavirus gain of function research, and involvement with US military, and Chinese Institute of Virology: https://en.gmw.cn/2021-08/11/content_35072987.htm

88 Assessing the Safety of COVID-19 Vaccines: A Primer Helen Petousis-Harris, published 30 September 2020, within two weeks of the October 2020 contract, the NZ Government signed with Pfizer for 1.5 million doses of COMIRNATY: <https://link.springer.com/article/10.1007/s40264-020-01002-6>

89 WHO webpage, Regulation and Prequalification: *What is Pharmacovigilance?*: <https://www.who.int/teams/regulation-prequalification/regulation-and-safety/pharmacovigilance> Despite what might be offered on the page, the WHO Vigibase global database of individual case safety reports (ICSR), display tens of thousands dead, and millions injured, through AEFI/AESI/ICSR (all represent post medication adverse event).

Adverse events will coincide temporally with vaccine administration. Prior to the use of COVID-19 vaccines, it is important to understand the background rates of conditions that may be temporally associated with vaccine administration to be able to assess observed rates vs the expected rates. For most events, these rates are unknown and to further complicate matters the rates of many events, such as multiple sclerosis, vary by sex and geography. Developing background rates for COVID-19 vaccine AESIs for as many populations as possible is a matter of urgency.

Deploying any new vaccine based on data from expedited clinical trials into a population without a functioning safety monitoring system in place is reckless and irresponsible given the tools that are available. While there are international collaborations aimed at supporting coordinated efforts in COVID-19 vaccine safety assessments, vaccine nationalism and a lack of a globally coordinated vaccine safety effort could limit the potential in this space. Furthermore, deployment of vaccines before the successful completion of robust clinical programmes could threaten not only public confidence in COVID-19 vaccines but also immunisation programmes in general.

While the clinical testing of COVID-19 vaccines can be done robustly and assessment by regulatory agencies can be stringent, the vaccines are likely to be used under emergency conditions and the follow-up time from the trials will be minimal. Under such conditions, it is vital that the products are monitored (in near real time) for rare adverse events until risks can be either quantified or excluded (see Box for a case study). Only a few countries have the capability to conduct this monitoring [34] and even fewer are prepared with systems at the ready and baseline rates of AESIs established. There is an urgency to support as many sites as possible to prepare in collaboration with each other to actively monitor COVID-19 vaccines as they are deployed using common protocols so that data may be pooled, and rare events assessed in diverse populations.

*We have the tools to intensively monitor the safety of COVID-19 vaccines. While billions are being spent on the development and scale manufacturing of vaccines that have yet to demonstrate efficacy, with the exception of the European Union, there is limited investment in the post-licensure phase yet, which is inexpensive in comparison. **Failure to assess these vaccines for safety to our full ability is wrong.** As we well know from extensive experience, vaccine safety issues can threaten not only the success of any COVID-19 vaccine programme but also routine immunisation programmes. It is vital we get this right and we have the tools and the expertise to do so and to do it well. (Petitioner's emphasis)*

None of which have been satisfactorily established, in New Zealand.

82. The Petitioner has not heard that Helen Petousis-Harris called out Medsafe, nor the NZ Government, for failure to institute a competent and lawful pharmacovigilance program to oversight; the development, trial and marketing of COVID-19 Vaccines to the inhabitants of New Zealand.

83. North Carolina (NC) Citizens for Constitutional Rights (NCCCR), webpage essay about Ralph Baric, and his University of North Carolina Chapel Hill [biolab](#),⁹⁰ **Covid-19: Creation of a Bio-weapon. Ralph Baric and the Chapel Hill biolab feature prominently the novel background to the planned⁹¹ COVID-19 pandemic, extract from the essay;**

With every passing day, it is evident that not only was Covid-19 created in a lab, but whistleblowers, genetic fingerprints and the players involved demonstrate that it was also created as a bioweapon against humanity. But now we are seeing that the engineered virus was a dark genius to trick humanity into voluntarily taking the mRNA vaccine, which is having deadly effects globally. Statistics show that Covid-19 has about the same lethality as an annual flu except for the elderly with at least 2 morbidity factors. However, the shot, which is not a vaccine but a genetic experiment upon mankind has killed more people in less than 5 months than all the vaccines in the last 30 years combined. This injection is particularly dangerous for those under 20 years of age. The terror created by the globalists, when looked at logically, was apparently for depopulation, social control, and to bring in the “Great Reset” of humanity to usher in totalitarianism, and Artificial Intelligence—a “Terminator future”.

It was after over 2 decades and over \$61 million in the making that Dr. Ralph Baric of UNC Chapel Hill, NC discovered how to advance the evolution of viruses by hundreds of thousands of years. All the while he and Fauci claimed the “Gain of Function” research, which makes viruses more deadly and contagious, was necessary “to be ready to combat a pandemic”. The only problem with this claim is that the chimeric combining of deadly viruses in the lab, including HIV (AIDS), would never have been achieved in nature. Peter Daszic, formerly an eco-advocate found it more profitable in finding viruses in animals. He was funded by Fauci’s NIH as an intermediary and then gave the funding to Baric, and Zhengli to dredge up potentially dangerous viruses from the animals, rather than simply helping them. This gave Fauci the plausible deniability to say he never funded the Wuhan Lab.

⁹⁰ North Carolina (NC) Citizens for Constitutional Rights (NCCCR) webpage essay about Ralph Baric his North Carolina Chapel Hill biolab; “Covid-19: Creation of a Bio-weapon, and NC’s Role”: <https://ncc4cr.com/2021/07/07/covid-19-creation-of-a-bio-weapon-and-ncs-role/>

⁹¹ **If it looks like shit, smells like shit, and feels like shit, you don’t have to actually eat it to know it’s shit** - Seth Eisenberg

Of the over \$61 million in grants, nearly \$52 million were from the Department of Defense (DOD) and the Department of Health and Human Services (DHHS). Others who also funded millions to these experiments were the National Science Foundation, Dept. of Homeland Security, Department of Commerce, US Dept. of Agriculture, and the Department of the Interior. The Department of Defense not only sent almost \$39 million alone, they also gave a military advisor, David France, former Deputy Commander at Ft. Dietrich. This notorious facility is our foremost biological weapons facility and has been named in many questionable events. It is hard to see how all these actors “played doctor and scientist” for the benefit of humanity.

The Obama administration suspended this research as too dangerous and unnecessary in 2014 after a series of lab accidents at the CDC in Atlanta. Curiously, Obama lifted the ban just 11 days before Trump took office and Fauci never reported this to any Trump officials. Is it any coincidence that 3 years later a pandemic struck the world, with the same viruses they were experimenting with?

84. [Gain of function](#)⁹² research into bat coronaviruses was being conducted in both the US and China (also Canada, France and Australia and more were/are associated). Common to all, is the interests of big pharma, the military complex's biological weapons development programs and US Health funding agencies, particularly NIAID and NIH.

85. Previously a positive case of an infectious disease required clinical diagnosis, whereas with COVID-19 all that is required is a positive PCR test. It is well established that the PCR test is [not](#)⁹³ fit for purpose. The United States Centers for Disease Control and Prevention (US CDC), has changed their COVID-19 test [protocols](#) from 31 December 2021.

92 “Military Documents About Gain of Function Contradict Fauci Testimony Under Oath” Project Veritas published 10 January 2022: <https://www.projectveritas.com/news/military-documents-about-gain-of-function-contradict-fauci-testimony-under/> extract; Project Veritas has obtained startling never-before-seen documents regarding the origins of COVID-19, gain of function research, vaccines, potential treatments which have been suppressed, and the government's effort to conceal all of this. Gain of function, Wikipedia: https://en.wikipedia.org/wiki/Gain-of-function_research

93 Review report Corman-Drosten et al. Eurosurveillance 2020 November 27, 2020; “External peer review of the RTPCR test to detect SARS-CoV-2 reveals 10 major scientific flaws at the molecular and methodological level: consequences for false positive results:” <https://cormandrostenreview.com/report/> extracted part introduction; “*This paper will show numerous serious flaws in the Corman-Drosten paper, the significance of which has led to worldwide misdiagnosis of infections attributed to SARS-CoV-2 and associated with the disease COVID-19. We are confronted with stringent lockdowns which have destroyed many people's lives and livelihoods, limited access to education and these imposed restrictions by governments around the world are a direct attack on people's basic rights and their personal freedoms, resulting in collateral damage for entire economies on a global scale. **There are ten fatal problems with the Corman-Drosten paper which we will outline and explain in greater detail in the following sections.***” (emphasis from the paper)

86. Medsafe's 2 February 2021 Agenda for the [109th](#)⁹⁴ meeting of the Medicines Assessment Advisory Committee considered the Pfizer COMIRNATY Vaccine;

4.1 Comirnaty (COVID-19 mRNA vaccine), 0.5 mg/mL (TT50-10853) Pfizer New Zealand Limited

*The product is a prescription medicine proposed for **prevention** of COVID-19 disease caused by SARS-CoV-2 in adults and adolescents from 16 years of age and older.*

*Comirnaty is a new vaccine employing a novel technology (mRNA) and works by triggering the immune system to **protect** against COVID-19 disease.*

*The **application was received by Medsafe on 13 November 2020**. The application has undergone **one round of request for information**. The application is being considered for provisional consent under section 23 of the Medicines Act 1981 with proposed conditions.*

*The application is being referred to the Committee for **independent advice** as to whether the Minister of Health should grant provisional consent for the proposed indications. The Committee is also asked to consider the **appropriateness of the conditions proposed for consent**. (Petitioner's emphasis)*

87. Where Medsafe's Medicines Assessment Advisory Committee, states in its 2 February 2021 meeting agenda that; "**Comirnaty is a new vaccine employing a novel technology (mRNA) and works by triggering the immune system to protect against COVID-19 disease,**" it is ludicrous for anyone in Authority to state that, "COVID-19 mRNA Vaccine products are well understood, proven safe or effective". Any such utterance is mere opinion, without the benefit of long term data and observation of its effects both beneficial, and injurious.

88. The FACT is, the longer the COVID-19 Vaccination experiment continues, the more evidence of its high risk of injury and death, is proven amongst recipients, as well as, its uselessness as a curative tool for the COVID-19 Pandemic, becomes plain.

89. Medsafe's Medicines Assessment Advisory Committee, must have recommended provisional approval of the novel technology (mRNA) COMIRNATY Vaccine, at its 2 February 2021 meeting, as verification of COMIRNATY's Provisional Approval was [Gazetted](#), 3 February 2021.⁹⁵

94 Medsafe's 2 February 2021 Agenda for the 109th meeting of the Medicines Assessment Advisory Committee: <https://www.medsafe.govt.nz/committees/maac/Agenda109-2Feb21.htm>

95 Medsafe/NZ Government Section 23(a) Medicines Act 1981, Provisional Approval of Pfizer (mRNA) COMIRNATY Vaccine Provisional Approval was Gazetted 3 February 2021:

90. The prior record for developing a vaccine is about 5 years for an [Ebola](#)⁹⁶ inoculation, and prior to that, it is closer to 10 years, factoring long term trials for safety and efficacy to determine the risk of the vaccine compared to any benefit. A mumps vaccine might have been released to market after 4 years of trials. Previously, it only required relatively few deaths or injuries to be recorded, for regulators to withdraw a vaccine from the market. No Vaccine is SAFE; in either the general or legal dictionary definition – they all carry some [risk](#)⁹⁷ of injury or death. COVID-19 Vaccines are positively implicated in the deaths of many [thousands](#) of people, and an unknowable number more.⁹⁸ As of 1 Feb 2022) there are in the order of fifty-sixty (50-60) people who have died from COVID-19 symptoms or were PCR test positive but died for other commorbidity reasons.⁹⁹

91. The critical importance of the Deoxyribonucleic acid (DNA) to human beings, animal, and plant life is apprehended generally by most. The [science](#)¹⁰⁰ is still unsettled as to how DNA works, relates, repairs, and replicates. DNA is a molecule composed of two polynucleotide chains, that coil around each other to form a double helix, carrying genetic instructions for the development, functioning, growth, and reproduction of all known organisms, and many viruses. DNA and ribonucleic acid are nucleic acids.

92. Any therapeutic that impacts DNA functioning in human beings, is problematic – particularly where it is poorly comprehended, or where, the FACT of [DNA alteration](#),¹⁰¹ as a

<https://gazette.govt.nz/notice/id/2021-go338>

96 History of Ebola vaccine, Wikipedia: https://en.wikipedia.org/wiki/Ebola_vaccine

97 "Vaccine Side Effects and Adverse Events" A vaccine is a medical product. Vaccines, though they are designed to protect from disease, can cause side effects, just as any medication can: <https://www.historyofvaccines.org/content/articles/vaccine-side-effects-and-adverse-events> extracted; *How Are Adverse Events Monitored? VAERS The CDC and FDA established The Vaccine Adverse Event Reporting System in 1990. The goal of VAERS, according to the CDC, is "to detect possible signals of adverse events associated with vaccines." (A signal in this case is evidence of a possible adverse event that emerges in the data collected.) About 30,000 events are reported each year to VAERS. Between 10% and 15% of these reports describe serious medical events that result in hospitalization, life-threatening illness, disability, or death. To date there are over 1 million AEFI reports on VAERS* <https://openvaers.com/covid-data> and 732,882 in the US alone through 14 January 2022.

98 Who knows? A video presentation, of a statistical perspective that implicates the COVID-19 Vaccine project of 2021 and more COVID-19 Response policies, lead to a positive spike of ~2000 deaths in excess mortality over the previous decade, with the exception of the severe influenza seasons of 2017-2019. **2021 Year of the Vaccine in graphs** Grant is an independent film and television documentary maker: <https://www.bitchute.com/video/dASUoQ92PTbD/> 2021 excess mortality over 2020 the year of the pandemic is over 2000 more.

99 What's a good ratio for harm versus benefit? 2000:50? Also NZ Economy gross ht from COVID-19 Response measures must be north of NZD\$100 billion whereas the price of the vaccines is just short of NZD\$1 billion. Whereas the early treatment alternative strategy for dealing with Covid-flu is to treat the symptoms of those ill and get on with it.. the price of doing that is about the price of a regular severe influenza season and everyone gets to live their lives and no harm done.

100"Seven Characteristics of DNA You May Not Know About" Guy Hatchard, 9 January 2022: <https://hatchardreport.com/seven-characteristics-of-dna-you-may-not-know-about/>

101"SARS-CoV-2 Spike Impairs DNA Damage Repair and Inhibits V(D)J Recombination In Vitro" published October 2021: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8538446/> part of the Abstract; *Here, by using an in vitro cell line, we report that the SARS-CoV-2 spike protein significantly inhibits DNA damage repair, which is required for effective V(D)J recombination in adaptive immunity. Mechanistically, we found that the spike protein localizes in the nucleus and inhibits DNA damage repair by impeding key DNA*

result of viral disease, or the damaging effect of corresponding gene therapy inputs, is denied by public experts, who misrepresent the science. It is well comprehended; the deleterious action of ionising radiation, and more toxins on [DNA integrity](#).¹⁰²

93. For context in respect to the novel nature of mRNA Vaccines, prior to its Covid-19 [mRNA-1273](#)¹⁰³ injectable [Moderna](#),¹⁰⁴ had not produced a marketable product.¹⁰⁵ It was supported for more than 10 years, spending money on research into mRNA [gene therapy](#) technology.¹⁰⁶

94. The Pfizer injectable has NOT gone through extensive testing for safety trials, to gauge long term safety concerns, before mass marketing to, and imposition (mandates, coerced or forced Vaccination) upon the human population. Pfizer's own data confirms its deadly safety profile.

95. To satiate the COVID-19 narrative imperative, Authorities require that individuals; "Get Vaccinated". Authorities require individuals to waive their rights, or You as the NZ Parliament Representatives, legislate away a person's "innate right to bodily integrity", protected and provided for in the text of the **Universal Declaration on [Bioethics](#)**¹⁰⁷ and **Human Rights** (UDHR) agreed 19 October 2005. Extracted Articles 1-6 and so you know the Law already written:

General Provisions

repair protein BRCA1 and 53BP1 recruitment to the damage site. Our findings reveal a potential molecular mechanism by which the spike protein might impede adaptive immunity and underscore the potential side effects of full-length spike-based vaccines.

102 It is clear that mRNA epigenetics is in its infancy. The use of an mRNA based gene therapy is as intellectually concerning as it is plain frightening, given the lack of detailed knowledge of the epigenetic modulation of RNA and its implications in human disease. One is inclined to think of Victorian brain surgery. "This review will provide an overview of recent advances in the emerging field of RNA epigenetics, specifically the role of RNA modifications and RNA modifying proteins in chromatin remodeling, transcription activation and RNA processing, as well as translational implications in human diseases." <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8145807/>

103 "Moderna nears its first-ever FDA authorization, for its COVID-19 vaccine" published 16 December 2020: <https://www.marketwatch.com/story/moderna-nears-its-first-ever-fda-authorization-for-its-covid-19-vaccine-11608134670>

104 "3 Red Flags for Moderna's Potential Coronavirus Vaccine" published 29 August 2020, *Moderna's candidate is exciting, but the company's circumstances are far from perfect*: <https://www.fool.com/investing/2020/08/29/3-red-flags-for-modernas-potential-coronavirus-vac/>

105 "Scientists Raise Questions About Moderna Vaccine In Market-Shaking Report" published 19 May 2020: <https://www.forbes.com/sites/alexandrasternlicht/2020/05/19/scientists-raise-questions-about-moderna-vaccine-in-market-shaking-report/?sh=6bc4c4502136>

106 "We Had the Vaccine the Whole Time" published 7 December 2020: <https://nymag.com/intelligencer/2020/12/moderna-covid-19-vaccine-design.html> extract; *You may be surprised to learn that of the trio of long-awaited coronavirus vaccines, the most promising, Moderna's mRNA-1273, which reported a 94.5 percent efficacy rate on November 16, had been designed by January 13. This was just two days after the genetic sequence had been made public in an act of scientific and humanitarian generosity that resulted in China's Yong-Zhen Zhang's being temporarily forced out of his lab. In Massachusetts, the Moderna vaccine design took all of one weekend.*

107 "Universal Declaration on Bioethics and Human Rights" Agreed 19 October 2005, and in force from 2007: http://portal.unesco.org/en/ev.php-URL_ID=31058&URL_DO=DO_TOPIC&URL_SECTION=201.html

Article 1 – Scope

1. This Declaration addresses ethical issues related to medicine, life sciences and associated technologies as applied to human beings, taking into account their social, legal and environmental dimensions.

2. This Declaration is addressed to States. As appropriate and relevant, it also provides guidance to decisions or practices of individuals, groups, communities, institutions and corporations, public and private.

Article 2 – Aims

The aims of this Declaration are:

(a) to provide a universal framework of principles and procedures to guide States in the formulation of their legislation, policies or other instruments in the field of bioethics;

(b) to guide the actions of individuals, groups, communities, institutions and corporations, public and private;

(c) to promote respect for human dignity and protect human rights, by ensuring respect for the life of human beings, and fundamental freedoms, consistent with international human rights law;

(d) to recognize the importance of freedom of scientific research and the benefits derived from scientific and technological developments, while stressing the need for such research and developments to occur within the framework of ethical principles set out in this Declaration and to respect human dignity, human rights and fundamental freedoms;

(e) to foster multidisciplinary and pluralistic dialogue about bioethical issues between all stakeholders and within society as a whole;

(f) to promote equitable access to medical, scientific and technological developments as well as the greatest possible flow and the rapid sharing of knowledge concerning those developments and the sharing of benefits, with particular attention to the needs of developing countries;

(g) to safeguard and promote the interests of the present and future generations;

(h) to underline the importance of biodiversity and its conservation as a common concern of humankind.

Principles

Within the scope of this Declaration, in decisions or practices taken or carried out by those to whom it is addressed, the following principles are to be respected.

Article 3 – Human dignity and human rights

- 1. Human dignity, human rights and fundamental freedoms are to be fully respected.*
- 2. The interests and welfare of the individual should have priority over the sole interest of science or society.*

Article 4 – Benefit and harm

In applying and advancing scientific knowledge, medical practice and associated technologies, direct and indirect benefits to patients, research participants and other affected individuals should be maximized and any possible harm to such individuals should be minimized.

Article 5 – Autonomy and individual responsibility

The autonomy of persons to make decisions, while taking responsibility for those decisions and respecting the autonomy of others, is to be respected. For persons who are not capable of exercising autonomy, special measures are to be taken to protect their rights and interests.

*Article 6 – **Consent***

***1. Any preventive, diagnostic and therapeutic medical intervention is only to be carried out with the prior, free and informed consent of the person concerned, based on adequate information.** The consent should, where appropriate, be express and may be withdrawn by the person concerned at any time and for any reason without disadvantage or prejudice.*

***2. Scientific research should only be carried out with the prior, free, express and informed consent of the person concerned.** The information should be adequate, provided in a comprehensible form and should include modalities for withdrawal of consent. Consent may be withdrawn by the person concerned at any time and for any reason without any disadvantage or prejudice. Exceptions to this principle should be made only in accordance with ethical and legal standards adopted by States, consistent with the principles and provisions set out in this Declaration, in particular in Article 27, and international human rights law.*

*In appropriate cases of research carried out on a group of persons or a community, additional agreement of the legal representatives of the group or community concerned may be sought. **In no case should a collective community agreement or the consent of a community leader or other authority substitute for an individual's informed consent.*** (Petitioner's emphasis)

96. The Law, plus the evidence in this Petitioner's paper, read in conjunction with the Universal Declaration on Bioethics and Human Rights, and more publicly available information and scientific knowledge, including COVID-19 early treatment therapies denied, dispose of all justification for the forced vaccination of anyone with novel gene therapy products.

97. The COVID-19 mRNA Vaccination trial, is a live trial amongst the human population of the planet and because of its scale, the experienced or realised and potential damage; injury and death, from the Experiment is enormous and ongoing, with consequences both known, and for lack of long term data, unknown, as more individuals are 'vaccinated against COVID-19.' Potential harm and injury is yet to be experienced, so unknowable.

98. We may extrapolate from research findings of the pathogenesis, and likely long term implications, and harm, to apprehend the enormity of, "the numbers harmed or killed, caused by COVID-19 Vaccination."

Vaccinating Children is all risk and no benefit

99. From 17 January, 2022 the NZ Government [authorised](#)¹⁰⁸ COVID-19 Vaccination with the experimental Pfizer COMIRNATY mRNA gene therapy injectable on the most vulnerable and unprotected members of society, children [5-11](#)¹⁰⁹ year old. Whereas, persons under the age of 16, have no right of consent under the law. Despite the [Law](#),¹¹⁰

¹⁰⁸<https://www.medsafe.govt.nz/COVID-19/Comirnaty-Gazette-Dec-2021.pdf> extract; Pursuant to section 23(1) of the Medicines Act 1981, the Minister of Health hereby provisionally consents to the sale, supply or use in New Zealand of the new medicines set out in the Schedule hereto: Product **Comirnaty (30mcg/0.3mL dose)** Active Ingredient: Tozinameran 0.1mg/mL Pfizer New Zealand Limited, and; **Comirnaty (10mcg/0.2mL dose)** Active Ingredient: Tozinameran 0.1mg/mL Pfizer New Zealand Limited. Provisional consent is granted until 3 November 2023.

¹⁰⁹Government confirms COVID-19 vaccinations to protect tamariki" Hon Chris Hipkins 21 December 2021: <https://www.beehive.govt.nz/release/government-confirms-covid-19-vaccinations-protect-tamariki> extract; COVID-19 Response Parents and caregivers will have the opportunity to protect their children aged 5 to 11 against COVID-19 with the child version of the Pfizer vaccine, COVID-19 Response Minister Chris Hipkins confirmed today. "This will happen from 17 January. There are 476,000 children between ages 5-11 who will become eligible to get their first dose from this date, and their second dose at least eight weeks later. How many young girls and boys must die or be injured (some for life) to satisfy the COVID-19 Vaccine god who lusts for blood and harm and hates freedom and truth?

¹¹⁰Ministry of Justice webpage of the "Care of Children" <https://www.justice.govt.nz/family/care-of-children/parenting-and-guardianship/childrens-rights-and-guardianship/> Specifies that a child cannot provide legal consent to a medical intervention till aged sixteen (16).

young New Zealanders 5-11 year olds and/or their parents, are coerced to inject their young ones, with the experimental treatment that has no [etiology](#)¹¹¹, no animal testing, little preliminary testing, and little proven curative effect. The relative therapeutic effect is claimed to be ~95%, which is a negligible 0.7% absolute effect. This requires an astronomical number to be vaccinated to attain any statistical benefit, however, COVID-19 Vaccination involves a significant risk of harm or death. Knowing the FACT that the risk of harm is real, the Government and Representatives, affirmed by various Acts of NZ Parliament, have mandated that individual citizens, persons and classes of persons in employment, must accept the known (and yet to be known, so unknown) risk of harm to be VACCINATED,¹¹² to participate in the 'new world order' being created at the behest of foreign powers, and despite any previous reasonable interpretation of New Zealand LAW.

100. Ministry of Justice website on the “Care of Children” provides the following [advice](#)¹¹³ in respect to a child's legal right to make a decision in regard to any medical procedure, extract;

When a child can legally agree to medical procedures

Once they are 16, children can decide for themselves whether they want to consent (agree) to any medical treatment, operation, dental procedure or blood transfusion. This right to give consent also includes the right to refuse consent.

101. Ministry of Health and Office of the Children's Commissioner, uses Gillick competency and fudge the issue of the child's legal, or lawful, right to consent,¹¹⁴ whereas the Care of Children Act 2004,¹¹⁵ **section 36, Consent to procedures generally**, provides

111 Definition of etiology: <https://www.merriam-webster.com/dictionary/etiology> 1: CAUSE, ORIGIN specifically : the cause of a disease or abnormal condition; and/or; 2: a branch of knowledge concerned with causes specifically : a branch of medical science concerned with the causes and origins of diseases

112 What is it that is so important that New Zealand has to take a hit in every way in order to coerce the citizens to participate in the COVID-19 experiment and submit to being VACCINATED? Vaccination with novel mRNA and more versions of S-spike injectables (viral vector) to counter COVID-19 involve significant risks with outcomes as extreme as death or severe disability with no likely cure. There's an element of Russian Roulette involved, for those who know the risk, however, who are forced by their circumstance to be VACCINATED – what a terrible or awful feeling and sense of invasion or rape for those assaulted with the needle full of experimental product, which has a known set of adverse effects that are listed over nine pages of a post marketing adverse event AESI.AEFI report from April 2021, just a few months into the Vaccinate the World project. Why???

113 Ministry of Justice website; “Care of Children: Children's rights and guardianship:” <https://www.justice.govt.nz/family/care-of-children/parenting-and-guardianship/childrens-rights-and-guardianship/> Extract; *When a child can legally agree to medical procedures: Once they are 16, children can decide for themselves whether they want to consent (agree) to any medical treatment, operation, dental procedure or blood transfusion. This right to give consent also includes the right to refuse consent.*

114 Office of the Children's Commissioner webpage with regard to Children's Health Rights and informed consent: <https://www.occ.org.nz/childrens-rights-and-advice/health-rights/> Extract on children's consent; *Can my child say no to medical treatment? There's no specific age at which a child or young person has the right to consent to having treatment. When they're making a decision about consent, medical professionals will look at lots of factors, including the circumstances and the child's level of understanding and maturity.*

115 Care of Children Act 2004, **section 36 Consent to procedures generally**:

that a child or person who attains the age of 16 has the same right to consent to medical intervention as would an adult person – not before.

102. The inconsistency between practice and law might lead to tort law action, where children have been COVID-19 Vaccinated and injured, where they were under the legal age to engage the right to medical consent, which is sixteen (16) years of age.

103. The COVID-19 Vaccination pushes an experimental, and risky product, on to the NZ Government's most vulnerable constituency. Advocacy for the COVID-19 Vaccines for children, is the most egregious quackery imaginable, and all of it rushed as an emergency, despite the FACT that children are in no danger of being infected with COVID, as all statistical analysis has [proven](#)¹¹⁶.

104. Serious medical malpractice is being condoned, and carried out by the NZ Government, on behalf of their political donors, or whomever is promoting the *vaccinate the world project*, and to the detriment of children's health and well-being, as well as that of their parents. The NZ Government is condemning children, ***to be subjected to being nothing more than guinea pigs for Corporate profits***, since there is no clear and present danger of COVID-19 contagion to them. MPs ought be aware that governments around the world, were made liable after the [Thalidomide](#)¹¹⁷ fiasco of the 1950s and 1960s, not just private corporations.

105. The Petitioner senses that it will be a sad day for many families, as they live through the experience of their [harmed](#) and killed sons and daughters.¹¹⁸ Will YOU explain to the

<https://www.legislation.govt.nz/act/public/2004/0090/latest/DLM317462.html> Confirms the age of children's right to consent as 16 years.

116 NZ Doctors Speak Out With Science essay; "Reasons for Not Injecting Children" published 6 January 2022: <https://nzdsos.com/2022/01/06/reasons-for-not-injecting-children/> Second reason given; 2. *Some children will likely die or be permanently injured from these vaccines, based on the use in children aged 12-16. In the 5 months prior to 22 October 2021 there were 128 reports to VAERS of fatal side effects. It has been calculated that for every one child saved by the shot, another 117 would be killed by the shot.* Not the sort of risk to be imposing on parents without providing them with all the facts including the First reason; *The risks demonstrably outweigh the benefits of COVID vaccinations for young children. Deaths and hospitalisations in children (from Covid 19) are rare and have been inflated inaccurately. Children ages 5 to 11 are at extremely low risk of death from coronavirus. In a meta-analysis combining data from 5 studies, Stanford researchers Cathrine Axfors and John Ioannidis found a median infection fatality rate (IFR) of 0.0027% in children ages 0-19. In children ages 5 to 11 the IFR is even lower. Depending on the study one looks at, COVID-19 is slightly less dangerous or roughly equivalent to the flu in children.*

117 Thalidomide scandal Wikipedia page for a summary of the lack of proper safety trials prior to rushed approval and marketing to a credulous public of expectant mums who just wanted relief from morning sickness. Unfortunately they found the drug disabled and stunted their child's development. Governments became party to the liability for injury and harm and the resultant settlements to the victims and their families: https://en.wikipedia.org/wiki/Thalidomide_scandal

118 "Why are we vaccinating children against COVID-19?" 14 September 2021 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8437699/> Very considered about what a vaccine is and isn't; *A vaccine is legally defined as any substance designed to be administered to a human being for the prevention of one or more diseases. For example, a January 2000 patent application that defined vaccines as "compositions or mixtures that when introduced into the circulatory system of an animal will evoke a protective response to a pathogen."* was rejected by the U.S. Patent Office because "The

parents of the injured and dead young persons, the true reason you legalised death and destruction?

106. The NZ Government, intends expanding injection with the Pfizer COMIRNATY mRNA product, to young persons down to the age of 6 months. The Petitioner views those who would COVID-19 Vaccinate NZ's youth and children as malevolent actors and/or willfully blind,¹¹⁹ to the harm perpetrated through the **COVID-19 Vaccinate everyone** project.

107. Medical ethics is rooted in the ground of "first do no harm!"¹²⁰

Liability for COVID-19 Vaccination Harm and Injury

108. Those carrying out these Draconian measures; Members of NZ Parliament, individuals, public servants, and employers directing COVID-19 Vaccination of their employees, are liable for the resultant harm and injury, death and illness. COVID-19 Vaccination is an unwarranted, and unnecessary experiment that has and will cause enormous harm.

immune response produced by a vaccine must be more than merely some immune response but must be protective. As noted in the previous Office Action, the art recognizes the term "vaccine" to be a compound which prevents infection". In the remainder of this article, we use the term 'inoculated' rather than vaccinated, because the injected material in the present COVID-19 inoculations prevents neither viral infection nor transmission. Since its main function in practice appears to be symptom suppression, it is operationally a "treatment". In the USA, inoculations were administered on a priority basis. Initially, first responders and frontline health workers, as well as the frailest elderly, had the highest priority. Then the campaign became more inclusive of lower age groups. Currently, approval has been granted for inoculation administration to the 12–17 years demographic, and the target for this demographic is to achieve the largest number of inoculations possible by the start of school in the Fall. The schedule for inoculation administration to the 5–11 years demographic has been accelerated to start somewhere in the second half of 2021, and there is the possibility that infants as young as six months may begin to get inoculated before the end of 2021. The remainder of this article will focus on the USA situation, and address mainly the pros and cons of inoculating children under eighteen.

119 "Willful blindness" definition: <https://definitions.uslegal.com/w/willful-blindness/> is no defence in law. Also "The dangers of willful blindness" TED talk by Margaret Heffernan March 2013: https://www.ted.com/talks/margaret_heffernan_the_dangers_of_willful_blindness about; Gayla Benefield was just doing her job -- until she uncovered an awful secret about her hometown (toxic effects of the local Vermiculite mine and process) that meant its mortality rate was 80 times higher than anywhere else in the US. But when she tried to tell people about it, she learned an even more shocking truth: People didn't want to know. In a talk that's part history lesson, part call-to-action, Margaret Heffernan demonstrates the danger of willful blindness, and praises ordinary people like Benefield who are willing to speak up.

120 Primum non nocere is a Latin phrase that means "first, do no harm". The phrase is sometimes recorded as primum nil nocere: https://en.wikipedia.org/wiki/Primum_non_nocere Extract; *Non-maleficence, which is derived from the maxim, is one of the principal precepts of bioethics that all students in healthcare are taught in school and is a fundamental principle throughout the world. Another way to state it is that, "given an existing problem, it may be better not to do something, or even to do nothing, than to risk causing more harm than good." It reminds healthcare personnel to consider the possible harm that any intervention might do. It is invoked when debating the use of an intervention that carries an obvious risk of harm but a less certain chance of benefit. Non-maleficence is often contrasted with its corollary, beneficence.*

109. The Treasury of the NZ Crown and particularly egregious actors, leading the **Vaccinate everyone** project, are liable for thousands of tort cases, when the Pfizer Comirnaty COVID-19 product (and more Vaccines), is proved to be ineffective, or useless, and pernicious in that it causes harm, injury and death.

110. Legal actions are already initiated in national and international jurisdictions. More will follow. The [statute](#)¹²¹ for the International Criminal Court (ICC), declares that; *The ICC is intended to complement, not to replace, national criminal systems; it prosecutes cases only when a State is unwilling or unable genuinely to carry out the investigation or prosecution* (Article 17(1)(a)) extracted article text;

The case is being investigated or prosecuted by a State which has jurisdiction over it, unless the State is unwilling or unable genuinely to carry out the investigation or prosecution;

111. The Petitioner provided a detailed report to the NZ Police, 30 October 2021. The report forwarded evidence of culpable homicide in the case of the death, of several hundred individuals following COVID-19 Vaccination, and harm in respect to thousands injured post injection with COVID-19 Vaccine products. **[Case to NZ Police report 30 October 2021, attached Addendum A]**

112. Technological innovation has offered new platforms and vectors including mRNA gene therapy, for medical and scientific intervention in human beings. With any technology, the ethical and real implications must be properly considered to enable proper comprehension of risk versus benefit of the treatment or experiment. Every day that passes, brings to the fore more damning evidence of the toxicity and harm caused by COVID-19 Vaccination.

113. FACT is there are more risks than benefits from COVID-19 Vaccination. The novelty and rush to **get everyone Vaccinated**, is *prima facie* evidence of “bad faith” on the part of the NZ Govt. The [precautionary principle](#)¹²² has been trashed. Consider the furore in the early days of genetic engineering (GE) and genetically modified organisms (GMOs), when many in the NZ public, refused to consider the growing of, or importing anything GMO for

121 Rome Statute establishing the International Criminal Court: <https://legal.un.org/icc/statute/rome.htm>

122 “Precautionary Principle” Wikipedia: https://en.wikipedia.org/wiki/Precautionary_principle nuanced perspective; *The principle is often used by policy makers in situations where there is the possibility of harm from making a certain decision (e.g. taking a particular course of action) and conclusive evidence is not yet available. For example, a government may decide to limit or restrict the widespread release of a medicine or new technology until it has been thoroughly tested. The principle acknowledges that while the progress of science and technology has often brought great benefit to humanity, it has also contributed to the creation of new threats and risks. It implies that there is a social responsibility to protect the public from exposure to such harm, when scientific investigation has found a plausible risk. These protections should be relaxed only if further scientific findings emerge that provide sound evidence that no harm will result.*

food, or for scientific experiments, including GE experiments on animals. Many individuals, seem all too eager, to become GMO¹²³ science experiments in a global trial.

114. Western Governments are adding large amounts of public debt to their financial accounts, to pay to foster the appropriate settings and climate of fear, to attain the object of ***coercing their populations to accept COVID-19 VACCINATION***. Unprecedented Acts coordinated across national boundaries, and continents are reasonable grounds to suspect a global conspiracy¹²⁴ against individual and human rights. The foregoing, despite all the published work, on the conduct of ethical medical practice and medical science research, is problematic. The highest order principles; promoting informed consent, and ethical precaution in science research, pragmatically and corruptly trashed for the gods of COVID-19.¹²⁵

NZ Government Financial Liability

115. What liability cost over NZD\$10 million does the government expect to incur, from its Public Finance Act Section [65ZD](#)¹²⁶ grant of immunity to Pfizer and more COVID-19 vaccine product makers?

116. The NZ Government has accepted Pfizer's liability for Pacific Island states, where NZ Authorities supply the Pfizer COVID-19 Vaccine:

Janssen's views on liability protection were aligned with COVAX, Gavi, CEPI and WHO, Eikli said, as well as other vaccine manufacturers and many experts at leading academic institutions specialising in global public health.

"The consensus is that governments and the global community should provide appropriate protections for all parties involved in the development, manufacturing, funding, procurement, distribution, and administration of Covid-19 vaccines who are working to help end this pandemic as rapidly as possible." [source](#)¹²⁷

123 Any arguing that "mRNA gene therapy technology is not genetic modification (GMO)", is not looking properly.

124 Where the Petitioner's evidence is a reasonable approximation of the FACTS, the COVID-19 phenomena is effectively a global hybrid war, using bioterrorism, and extreme propaganda, including, induced fear.

125 The Petitioner has made a few references to the **gods of COVID-19** as practical metaphor for the religious conviction and adherence to the "COVID-19 Narrative"; "a deadly disease that can only be cured by Vaccination", despite any evidence or science research that disposes of the false "COVID-19 religious narrative" (dogma, ideology).

126 RNZ article "Government grants vaccine suppliers indemnity against claims" published 25 January 2021: <https://www.rnz.co.nz/news/national/435107/government-grants-vaccine-suppliers-indemnity-against-claims>

127 Newsroom article "NZ Government to accept liability for vaccines in Pacific" published 30 March 2021: <https://www.newsroom.co.nz/nz-labile-for-pacific-vaccines> extract; *Delivering and administering the Pfizer vaccine to remote atolls could require a full-scale Air Force operation, prompting a search for lower-risk solutions. New Zealand is expected to take on legal and financial liability for the potentially fraught roll-out of Covid-19 vaccines in Cook Islands and any other Pacific nations it assists. Many*

COVID-19 jabs seem novel and new rather than proven and true

117. Novel mRNA technology was previously employed, to create injectable products, to counter [earlier](#) forms of the coronavirus, specifically SARS1 and MERS.¹²⁸ The associated animal trials resulted in injected animals failing, and becoming distressed, when challenged with the live virus. Extract from “Vaccines for SARS-CoV-2: [Lessons](#) from Other Coronavirus Strains”, published April 2020:¹²⁹

Although inactivated viruses, DNA and viral vector-based vaccines have been tested for SARS and MERS coronavirus in clinical trials, other vaccine platforms are yet to be tested. An mRNA-based vaccine, a relatively recent technology, is being tested for COVID-19 in phase I clinical trials with other companies starting clinical trials soon as of April 11 of the year of this publication. Due to the relatively new emergence of such vaccine platforms, their performance with coronavirus diseases is still to be known.

118. By April 2020 NZ was under a novel lockdown of healthy people to flatten the curve of transmission, to ensure hospitals were not overloaded. Since then the “two weeks to flatten the curve”, has become “two years of kick the transmission can down the road” and vaccinate everyone, no matter that inconvenient facts point to the abject failure of Elimination and the vaccinate everyone policy. It is made maddeningly clear the illegitimacy of the policy when the Vaccinated need to be protected from the unvaccinated.

119. Lowest risk approach to COVID-19, is to accept infection if, and when it happens, and treat any COVID-19 symptoms, where it is apparent the patient is not clearing the viral stage, in the upper respiratory tract, and is moving toward the inflammation¹³⁰ stage because of systemic infection. Generally these patients will be those with weakened immune systems for various reasons of age, and/or comorbidities.

governments have agreed to accept liability for any problems or adverse reactions in vaccinating their own populations – but the New Zealand Government is going further. It is in talks with vaccine manufacturers, to indemnify them from all liability when New Zealand supplies their products to vulnerable Pacific nations. This country would take on all the risk.

128 “Immunization with SARS coronavirus vaccines leads to pulmonary immunopathology on challenge with the SARS virus” published 20 April 2012: <https://pubmed.ncbi.nlm.nih.gov/22536382/> extracted abstract
Conclusions: *These SARS-CoV vaccines all induced antibody and protection against infection with SARS-CoV. However, challenge of mice given any of the vaccines led to occurrence of Th2-type immunopathology suggesting hypersensitivity to SARS-CoV components was induced. **Caution in proceeding to application of a SARS-CoV vaccine in humans is indicated.*** (Petitioner's emphasis).

129 “Vaccines for SARS-CoV-2: Lessons from Other Coronavirus Strains” published April 2020 and corrected November 2020: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7177048/>

130 See Dr Shankara Chetty's Eighth Day protocol: <https://covexit.com/the-8th-day-therapy-for-covid-19/>

120. Early treatment pretty much guarantees survival, and early clearance of symptoms, which allows a patient to recover with a lifetime of solid immunity to the SARS-CoV-2 virus family, including its variants of note.

121. Natural immunity is much superior to artificially induced partial, and temporally waning immunity from COVID-19 Vaccines, noting the novelty and [experimental](#)¹³¹ nature of mRNA products, that code for the toxic S-spike protein structure, of the bioengineered coronavirus. Following is the conclusion of the authors, Stephanie Seneff, and Greg Nigh from their paper; ***Worse Than the Disease? Reviewing Some Possible Unintended Consequences of the mRNA Vaccines Against COVID-19***, published May 2021 in the “International Journal of Vaccine Theory, Practice, and Research”;

Conclusion

Experimental mRNA vaccines have been heralded as having the potential for great benefits, but they also harbor the possibility of potentially tragic and even catastrophic unforeseen consequences. The mRNA vaccines against SARS-CoV-2 have been implemented with great fanfare, but there are many aspects of their widespread utilization that merit concern. We have reviewed some, but not all, of those concerns here, and we want to emphasize that these concerns are potentially serious and might not be evident for years or even transgenerationally. In order to adequately rule out the adverse potentialities described in this paper, we recommend, at a minimum, that the following research and surveillance practices be adopted:

- *A national effort to collect detailed data on adverse events associated with the mRNA vaccines with abundant funding allocation, tracked well beyond the first couple of weeks after vaccination.*
- *Repeated autoantibody testing of the vaccine-recipient population. The autoantibodies tested could be standardized and should be based upon previously documented antibodies and autoantibodies potentially elicited by the spike protein. These include autoantibodies against phospholipids, collagen, actin, thyroperoxidase (TPO), myelin basic protein, tissue transglutaminase, and perhaps others.*
- *Immunological profiling related to cytokine balance and related biological effects. Tests should include, at a minimum, IL-6, INF- α , D-dimer, fibrinogen, and C-reactive protein.*

¹³¹ “Worse Than the Disease? Reviewing Some Possible Unintended Consequences of the mRNA Vaccines Against COVID-19” International Journal of Vaccine Theory, Practice, and Research, published 10 May 2021, Stephanie Seneff, and Greg Nigh: <https://ijvtp.com/index.php/IJVTPr/article/view/23/51>

- *Studies comparing populations who were vaccinated with the mRNA vaccines and those who were not to confirm the expected decreased infection rate and milder symptoms of the vaccinated group, while at the same time comparing the rates of various autoimmune diseases and prion diseases in the same two populations.*
- *Studies to assess whether it is possible for an unvaccinated person to acquire vaccine-specific forms of the spike proteins from a vaccinated person in close proximity.*
- *In vitro studies to assess whether the mRNA nanoparticles can be taken up by sperm and converted into cDNA plasmids.*
- *Animal studies to determine whether vaccination shortly before conception can result in offspring carrying spike-protein-encoding plasmids in their tissues, possibly integrated into their genome.*
- *In vitro studies aimed to better understand the toxicity of the spike protein to the brain, heart, testes, etc. Public policy around mass vaccination has generally proceeded on the assumption that the risk/benefit ratio for the novel mRNA vaccines is a “slam dunk.”*

With the massive vaccination campaign well under way in response to the declared international emergency of COVID-19, we have rushed into vaccine experiments on a world-wide scale. At the very least, we should take advantage of the data that are available from these experiments to learn more about this new and previously untested technology. And, in the future, we urge governments to proceed with more caution in the face of new biotechnologies. Finally, as an obvious but tragically ignored suggestion, the government should also be encouraging the population to take safe and affordable steps to boost their immune systems naturally, such as getting out in the sunlight to raise vitamin D levels (Ali, 2020), and eating mainly organic whole foods rather than chemical-laden processed foods (Rico-Campà et al., 2019). Also, eating foods that are good sources of vitamin A, vitamin C and vitamin K2 should be encouraged, as deficiencies in these vitamins are linked to bad outcomes from COVID-19 (Goddek, 2020; Sarohan, 2020). (Petitioner's underline)

The live trial on the human population is an EXPERIMENT

122. One might ask; “what questions or hypotheses are being tested in the experiment?”

123. Section 23 of the NZ Medicines Act has been [amended](#)¹³² to take account of the fact that New Zealand's written [law](#)¹³³ did not allow the Provisional Approval of the Pfizer COVID-19 Comirnaty or BNT162b2 mRNA injectable product following an [application](#)¹³⁴ to the High Court by NGA KAITIAKI TUKU IHO INCORPORATED (KTI).

124. Medsafe [required](#)¹³⁵ numerous answers from Pfizer, in respect to the [COMIRNATY](#)¹³⁶ BNT162b2 mRNA injectable [product](#),¹³⁷ in their initial grant of Provisional Approval (PA), 3 February 2020, due to expire, 3 November 2021.

125. There's no prior successful coronavirus [mRNA gene therapy injectable](#)¹³⁸ available to say that one was novel, rather, than the plethora offered now in response and allegedly to cure Covid-19. None offer sterilising immunity so ought not qualify as VACCINES, rather,

132 Medicines Amendment Act 2021 done under Urgency following Justice Ellis' decision in the KTI case that the Provisional Approval under the then Medicine's Act was ultra vires:
<https://www.legislation.govt.nz/act/public/2021/0016/latest/LMS496442.html>

133 Judgement of Justice Ellis in the KTI case CIV-2021-485-181 [2021] NZHC 1107 against the Provisional Approval of the Pfizer COVID-19 Vaccine who refused to grant relief to the plaintiff whilst determining that injecting everyone in NZ over the age of 16 was not a limited number of patients:
<https://forms.justice.govt.nz/search/Documents/pdf/jdo/b1/alfresco/service/api/node/content/workspace/SpacesStore/e8d47bc3-10dd-4ef9-ad96-5162f8f12f37/e8d47bc3-10dd-4ef9-ad96-5162f8f12f37.pdf>

134 Application to the High Court by NGA KAITIAKI TUKU IHO INCORPORATED (KTI) case CIV-2021-485-181 [2021] NZHC 1107 against the Provisional Approval of the Pfizer COVID-19 Vaccine:
<https://kti.org.nz/?p=507>

135 Provisional Consent to the Distribution of a New Medicine Pursuant to section 23(1) of the Medicines Act 1981, the Minister of Health hereby provisionally consents to the sale, supply or use in New Zealand of the new medicine Comirnaty (COVID-19 mRNA vaccine) BNT162b2 [mRNA] 0.5mg/mL set out in the Schedule hereto: <https://gazette.govt.nz/notice/id/2021-go338> which states; *Provisional consent is to be granted for nine months to address an urgent clinical need. The New Zealand Sponsor must fulfil the following obligations within the timelines specified, the dates of which may be altered by mutual agreement with Medsafe* which lists 58 requirements to be satisfied as the product is marketed to the public.

136 Approval status of COVID-19 vaccines applications received by Medsafe:
<https://www.medsafe.govt.nz/COVID-19/status-of-applications.asp>

137 Medsafe Product Detail File ref: TT50-10853 Comirnaty (COVID-19 mRNA 0.5 mg/mL Pfizer-BioNTech (delivers 30 µg/0.3mL dose): <https://www.medsafe.govt.nz/regulatory/ProductDetail.asp?ID=21938> Note; Labelling exemption expires 03/11/2023.

138 "The tangled history of mRNA vaccines" 14 September 2021 Nature:
<https://www.nature.com/articles/d41586-021-02483-w> Extracted passages: *Hundreds of scientists had worked on mRNA vaccines for decades before the coronavirus pandemic brought a breakthrough. And; By the late 2000s, several big pharmaceutical companies were entering the mRNA field. In 2008, for example, both Novartis and Shire established mRNA research units — the former (led by Geall) focused on vaccines, the latter (led by Heartlein) on therapeutics. BioNTech launched that year, and other start-ups soon entered the fray, bolstered by a 2012 decision by the US Defense Advanced Research Projects Agency to start funding industry researchers to study RNA vaccines and drugs. Moderna was one of the companies that built on this work and, by 2015, it had raised more than \$1 billion on the promise of harnessing mRNA to induce cells in the body to make their own medicines — thereby fixing diseases caused by missing or defective proteins. When that plan faltered, Moderna, led by chief executive Stéphane Bancel, chose to prioritize a less ambitious target: making vaccines. That initially disappointed many investors and onlookers, because a vaccine platform seemed to be less transformative and lucrative. By the beginning of 2020, Moderna had advanced nine mRNA vaccine candidates for infectious diseases into people for testing. None was a slam-dunk success. Just one had progressed to a larger-phase trial. But when COVID-19 struck, Moderna was quick off the mark, creating a prototype vaccine within days of the virus's genome sequence becoming available online. The company then collaborated with the US National Institute of Allergy and Infectious Diseases (NIAID) to conduct mouse studies and launch human trials, all within less than ten weeks.*

as injectable mRNA gene therapeutics of questionable value and definitely which are UNSAFE, based on any reasonable or lawful definition of the word SAFE.

126. Any making claims that the COVID-19 mRNA products are safe are guilty of misrepresentation, at the least. The FACT of the knowledge held by the Government, of the harm, and ineffectiveness, of the COVID-19 Vaccines, particularly Pfizer's product, requires that the charge is criminal malfeasance, when considered in the full light of the evidence.

What does SAFE mean?

127. There is no novel meaning for SAFE.

Merriam Webster definition of [safe](#),¹³⁹ ***not involving or likely to involve danger, harm, or loss***

Black's Law Dictionary on the definition of [safe](#),¹⁴⁰ ***the amount of exposure that will cause no harm or damage after exposure***

Where any corporation, business, or marketer asserts a product is safe and it is NOT safe, the marketer and any promoting the product is liable for any harm caused.

128. Where the NZ Government asserts a therapy is safe and it is not, the harm is both enormous to the persons harmed, or killed, and to the society that is wrongly informed. Those persons who accepted the NZ Government's false assurance, that, "*the Pfizer Comirnaty Vaccine is safe*" and later realise they were lied to by the Government, face a conundrum in respect to any future advice offered by 'Authority' with respect to public policy, or matters related to health and welfare. The HARM caused by false, or fake, assertions also destroy public confidence in institutions associated with the LIE.

medsafe.govt.nz/COVID-19/safety-report-39.asp

potential or real risk?

What you need to know – up to and including 31 December 2021

Note that counts may change due to receipt of additional information.

4,396 New AEFI reports since last update (4,082 non-serious and 314 serious)	0 New safety signals (potential safety issues) have been identified	8,184,892 Total doses administered (cumulative)
43,969 Total AEFI reports that were non-serious	2,015 Total AEFI reports that were serious	45,984 Total AEFI reports that were received (cumulative)

- The protective benefits of vaccination against COVID-19 far outweigh the potential risks of vaccination.

¹⁴¹ Capture: Medsafe CARM report #39 to 31 December displaying some of the carnage from COVID-19 Vaccination. Mandatory reporting would facilitate a more complete picture.

129. The New Zealand official Medsafe [CARM](#)¹⁴² Safety report #39, has 133 deaths on its AEFI (Adverse Event Following Immunisation) data list, as of its 31 December 2021 report. Medsafe state that this is a lower number than expected deaths¹⁴³ in the same period attempting to down play Vaccine harm. Many thousands more have been (or will) be injured directly by COVID-19 Vaccination, particularly as the COVID-19 Vaccines are rolled out to NZ's sons and daughters in the 5-11 year age bracket. The same CARM Safety report #39 has 2,015 serious adverse event reports and a total of 44,984 reported events.

130. The citizen's [database](#)¹⁴⁴ has over 300 confirmed deaths temporally associated with the COVID-19 injectables. There is a similar additional number of deceased persons whose death is suspected of being associated and/or caused by Covid vaccination. The total deaths caused by, or associated with COVID-19 Vaccination, might be higher than 700 persons, and then there's the unknown and unknowable.

131. Mandatory reporting of adverse events ought to have been adopted, by a Government keen on knowing the truth of the effects, of their COVID-19 Vaccination and medical intervention policy.

132. Within NZ there are several thousand damaged or harmed; injured, weakened, distressed, not to mention the familial relationships of those deceased, or impacted by the distress of their previously healthy family and friends.

¹⁴¹ Screen capture from Medsafe CARM report #39 to 31 December 2021:

<https://www.medsafe.govt.nz/COVID-19/safety-report-39.asp>

¹⁴² Medsafe CARM reports: <https://www.medsafe.govt.nz/COVID-19/vaccine-report-overview.asp> see report #39 to 31 December 2021: <https://www.medsafe.govt.nz/COVID-19/safety-report-39.asp>

¹⁴³ According to Medsafe, *data for expected death rates was obtained from the AESI background rate (SAFE) study provided by the University of Auckland. The age-specific background rates used are the average from 2008-2019.* Given the Citizen's database is tracking nearly 3X higher for their 'confirmed list' of 300+ and they also have a list that has ~700 suspected (assume that includes the 300+ confirmed post Vaccine deaths) which would then suggest all cause mortality is up by the factor of 5X divided by 2, (700 divided by 137) (137 is Medsafe Carm mortality number 31-12-2021) = 5.109489051094891 (I had a calculator) Let's say 5.1 or 5X however, that needs to be divided by our reference rate from the relationship of CARM's register of AEFI/AESI deaths post Vax to the 'expected death rate' of 1/2 of 500% divided in half is 250% up or increase over expected mortality for the period of Vaccination, basically a year from February 2021.

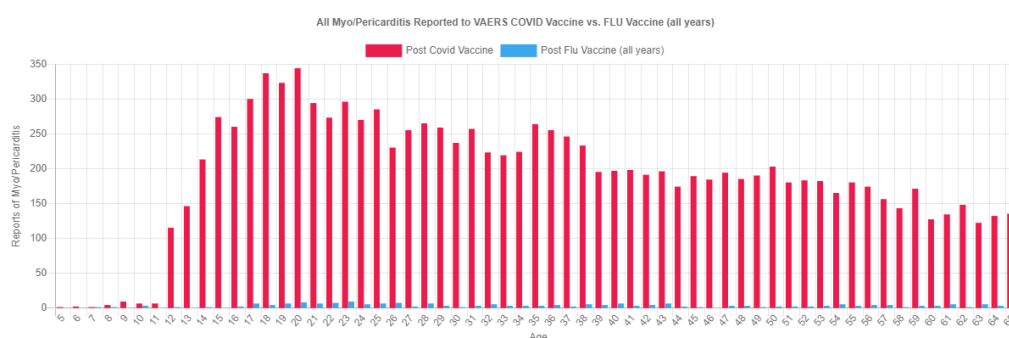
¹⁴⁴ Citizens database of post COVID-19 Vaccine deaths (anonymised) to end of 2021 lists 317 deaths: https://docs.google.com/spreadsheets/d/1EXQRRGGzcxqFL6txrXgGC_Xp7Gb0LbCE3LLyszFBAs/edit#gid=1713619946

133. The number of people [harmed](#)¹⁴⁵ by the COVID-19 Vaccines will grow, as the rollout impacts more people in younger age groups and those who accept booster shots. **The Petitioner asserts that all know of some person(s) who are harmed by COVID-19 Vaccination.**

<https://openvaers.com/covid-data/myo-pericarditis>

VAERS COVID Vaccine Myo/Pericarditis Reports

Through January 14, 2022



¹⁴⁶ Capture of VAERS myocarditis and pericarditis reports comparing the carnage associated with COVID-19 vaccines and the still risky but relatively benign influenza vaccine.

134. It is unprecedented and novel for a medicine which is directly implicated in so much harm, not to be withdrawn from the market. International [data](#)¹⁴⁷ confirms the [pattern](#)¹⁴⁸ of high levels of post COVID-19 Vaccination adverse event injury, and mortality.

¹⁴⁵ We wouldn't Dream, of inflicting this on cattle" By Colin Maxwell (retired Angus cattle farmer) 27 January 2022 on Gary Moller's Health and Nutrition webpage: <https://www.garymoller.com/post/we-wouldn-t-dream-of-inflicting-this-on-cattle>

¹⁴⁶ Screen capture Open VAERS website which uses VAERS data to make AEFI/AESI comprehensible for the public; "VAERS COVID Vaccine Myocarditis/Pericarditis Reports" Through January 14, 2022 (COVID-19 vaccine compared to influenza vaccine reports): <https://openvaers.com/covid-data/myo-pericarditis>

¹⁴⁷ Open VAERS website: <https://openvaers.com/covid-data/myo-pericarditis>

¹⁴⁸ WHO Vigiaccess 3,082,992 reports of ADRs associated with "Covid-19 vaccine:" <http://vigiaccess.org/>
VigiAccess is a web-based tool for searching VigiBase (see below) to retrieve summarised statistical representations of the data available on potential side effects that have been reported to the World Health Organization Programme for International Drug Monitoring (WHO PIDM). VigiAccess was designed to deliver greater transparency to the medical safety system by providing a basic overview of the potential side effects reported in association with any particular medicinal product. Please note, in VigiAccess, potential side effects are listed under the heading "Adverse drug reactions (ADRs)", but this listing includes suspected adverse drug reactions (in relation to medicines) and adverse events following immunization (in relation to vaccines).

How many dead is too many killed – is there no upper boundary?

135. Pfizer's data on its trials and post marketing reports of adverse events, confirm the knowledge expounded within this paper, of the extent of the harm and carnage. The NZ Government and Medsafe knew (or ought to have known), as they required that Pfizer to provide copies of all reports of the effects, including postmarketing AEFI and AESI adverse event reports as part of the NZ consent process, leading to the 3 February 2021 Provisional Approval of Pfizer's COVID-19 Vaccine product. Surely Medsafe read the reports they gain from Pfizer, to know of the thousands dead and tens of thousands injured as of February 2021 (the report was published by Pfizer end of April 2021).

Pfizer COVID-19 mRNA Vaccine is not SAFE

136. NZ Medsafe Gazetted Provisional Approval (PA) for Pfizer COMIRNATY BNT COVID-19 mRNA injectable, provided for Pfizer to supply many [reports](#)¹⁴⁹ and data to Medsafe including clauses 54-58:

*54. Provide any reports on efficacy including asymptomatic infection in the vaccinated group, vaccine failure, immunogenicity, efficacy in population subgroups and results from **post-marketing studies, within five working days** of these being produced. (Petitioner's emphasis)*

55. Provide the final Clinical Study Reports for Study C4591001 and Study BNT162-01 within five working days of these being produced.

56. Provide Periodic Safety Update Reports according to the same schedule as required by the EMA.

*57. **Provide monthly safety reports, as well as all safety reviews they conduct or become aware of.** (Petitioner's emphasis)*

58. Perform the required pharmacovigilance activities and interventions detailed in the agreed RMP and any agreed updates to the RMP. An RMP should be submitted at the request of Medsafe or whenever the risk management system is modified, especially as the result of new information being received that may lead to a

¹⁴⁹ NZ Gazette; Provisional Consent to the Distribution of a New Medicine "Pfizer Comirnaty (COVID-19 mRNA vaccine) Active Ingredient: BNT162b2 [mRNA] 0.5mg/mL" 3 February 2021: <https://gazette.govt.nz/notice/id/2021-go338>

significant change to the benefit/risk profile or as the result of an important milestone being reached.

The Petition assumes that Pfizer honoured the contract with the NZ Government and the PA, and has since supplied the documentation, reports and clarifications sought in the PA to Medsafe (NZ Government).

137. Where Pfizer did as contracted, then Medsafe and the Government, would have Pfizer's **5.3.6 Cumulative Analysis of Post-authorization *Adverse Event*¹⁵⁰ Reports of PF-07302048 (BNT162B2) received through 28-FEB-2021**, soon after publication in April 2021. The Government (Medsafe) would also have more information; reports and data resulting from their contract with Pfizer, that we in the public are yet to access.

Recommendation for fact check:

The Petitions Committee might ask Medsafe, and/or the Ministry of Health, for a report on Pfizer's data supplied to the Government to satisfy the Committee that the foregoing is an accurate reflection of the contractual obligations, explicit in the Provisional Approval of the COMIRNATY injectable. The Petitioner considers such a request for disclosure a necessity, where the Committee is sceptical of the FACTUAL evidence this paper provides, for the Committee's knowledge of the matter.

138. Pfizer's postmarketing survey of [AEFI](#),¹⁵¹ following injection from 01 December 2020 to 28 February 28 2021, published 30 April, and released through US FOIA (United States Freedom of Information Act), lists a total of 42,086 case reports; 25,379 medically confirmed and 16,707 non-medically confirmed, containing 158,893 events. Additionally 1,223 resulted in death, 520 recovered with [sequelae](#),¹⁵² 11,361 were not recovered at the time of report and 9,400 were of unknown status.

150 Pfizer's "5.3.6 Cumulative Analysis of Post-authorization Adverse Event Reports of PF-07302048 (BNT162B2) received through 28-FEB-2021" published April 2021: <https://phmpt.org/wp-content/uploads/2021/11/5.3.6-postmarketing-experience.pdf> Where Pfizer complied with the NZ Provisional Approval the NZ Government would have this report of over 1220 post vaccine deaths and many tens of thousands injured, in its possession from May 2021.

151 Pfizer's "5.3.6 Cumulative Analysis of Post-authorization Adverse Event Reports of PF-07302048 (BNT162B2) received through 28-FEB-2021" published April 2021: <https://phmpt.org/wp-content/uploads/2021/11/5.3.6-postmarketing-experience.pdf>

152 Definition of sequela (plural sequelae): <https://www.merriam-webster.com/dictionary/sequela> Definition of sequela 1: an after effect of a disease, condition, or injury, and; 2: a secondary result

139. Public Health and Medical Professionals for Transparency (PHMPT¹⁵³) is a nonprofit organisation, made up of public health professionals, medical professionals, scientists and journalists, and exists solely to obtain and disseminate the data relied upon by the FDA, to license COVID-19 vaccines. The organization takes no position on the data, other than that it should be made publicly available, to allow independent experts conduct their own review, and analyses.

140. PHMPT originally gained some access to FDA [documents](#)¹⁵⁴ including the above linked post marketing survey, however, the FDA were only willing to release documents at a snail's pace. Subsequent [litigation](#)¹⁵⁵ recently [attained](#)¹⁵⁶ a Court [decision](#)¹⁵⁷ for an expedited production schedule rate of 55,000 pages per month from March 2022 which will result in the full 450,000 pages of documents released by August 2022.

141. Latest with respect to the US FDA releasing the Pfizer documents, is an [appeal](#)¹⁵⁸ by the FDA, assisted by an application made by Pfizer, to slow down document production (the public's right to know, is limited by bureaucratic obfuscation, and obstruction).

153 Public Health and Medical Professionals for Transparency (PHMPT): <https://phmpt.org/> About; *This nonprofit, made up of public health professionals, medical professionals, scientists, and journalists exists solely to obtain and disseminate the data relied upon by the FDA to license COVID-19 vaccines. The organization takes no position on the data other than that it should be made publicly available to allow independent experts to conduct their own review and analyses. Any data received will be made public on this website.*

154 PHMPT website hosts 24 Pfizer documents related to their COVID-19 injectables including the Post Marketing report referred to in endnotes 117 and 118: <https://phmpt.org/pfizers-documents/>

155 PHMPT Court Documents developed in respect to PHMPT's filings (17 documents) to gain FOIA access to FDA Pfizer documents: <https://phmpt.org/court-documents/>

156 "Injecting Freedom: Instead of FDA's Requested 500 Pages Per Month, Court Orders FDA to Produce Pfizer Covid-19 Data at Rate of 55,000 Pages Per Month!" Aron Siri, published 7 January 2022: <https://aaronsiri.substack.com/p/instead-of-fdas-requested-500-pages>

157 Decision for expedited production of FOIA documents PHMPT vs FDA Case 4:21-cv-01058-P which will see production complete by August 2022: https://www.sirillp.com/wp-content/uploads/2022/01/ORDER_2022_01_06-9e24e298ae561d16d68a3950ab57077b.pdf

158 "FDA Asks the Court to Delay First 55,000 Page Production Until May and Pfizer Moves to Intervene in the Lawsuit", by Aaron Siri published 27 January 2022: https://aaronsiri.substack.com/p/fda-asks-the-court-to-delay-first#_ftnref1 extracted opening; *As explained in prior posts, in a lawsuit seeking all of the documents the FDA relied upon to license Pfizer's COVID-19 vaccine, a federal judge shot down the FDA's requested rate of 500 pages per month and instead ordered the FDA to produce at the rate of 55,000 pages per month starting on March 1. Since the government has trillions of dollars of our money, it is putting it to good use by fighting to assure that the public has the least amount of transparency possible. To that end, it has now asked the Court to make the public wait until May for it to start producing 55,000 pages per month and, even then, claims it may not be able to meet this rate. The FDA's excuse? As explained in the brief opposing the FDA's request, the FDA's defense effectively amounts to claiming that the 11 document reviewers it has already assigned and the 17 additional reviewers being onboarded are only capable of reading at the speed of preschoolers. Meanwhile... As the FDA tries to obtain months of delay, guess who just showed upon in the lawsuit? Yep, Pfizer. And it is represented by a global chair and team from a law firm with thousands of lawyers. Pfizer's legal bill will likely be multiple times what it would cost the FDA to simply hire a private document review company to review, redact, and produce the documents at issue. Within weeks, if not days. Pfizer is coming in as a third party. But Pfizer assures the Court it is here to help expedite production of the documents.*

142. Subsequent to the Pfizer Post Marketing report, COVID-19 Vaccinations have been delivered into the bodies of billions of human beings throughout 2021. Extrapolating from Pfizer's post marketing report, and voluntary reporting of AEFI in multiple jurisdictions, it is knowable, that the human carnage, dead and injured persons, is enormous, and growing.

143. Data researchers have collated the [batch](#)¹⁵⁹ numbers, of the various Emergency Use Approval (EUA) COVID-19 Vaccines, and cross matched with the number of AEFI deaths recorded against batch number, using VAERS publicly available data. The variation in AEFI according to batch numbers (where it is intentional), indicate a purposeful experiment, whose object might be to optimise the dose (whatever the specifics of variation), to suit particular demographics for particular outcomes. Variation in COVID-19 Vaccine contents is a perverse experiment, which the Petitioner presumes is NOT aimed at optimising human health and wellbeing. From the HowBad website that collated the batch number data;

According to data reported in VAERS, reproduced here, adverse events triggered by Pfizer batches have varied widely.

5% of the batches appear to have produced 90% of the adverse reactions

Some Pfizer batches are associated with 30 x the number of deaths and disabilities compared to other batches

144. The variation in COVID-19 Vaccine contents and the resultant AEFI reports according to batch numbers, whether the result of intentional acts by Pfizer (and more COVID-19 Vaccine producers), or from within its chain of command, point to the FACT that there exists evidence of either Criminal MALFEASANCE, or Criminal Negligence. No ordinary or benign answer exists, to dispose of the specific variation in COVID-19 Vaccine product batch number lethality scores, in regard to AEFI/AESI is available.

145. The Petitioner, placed the Australian [TGA batch](#)¹⁶⁰ numbers of latest and earliest (by date of approval) Pfizer COVID-19 Vaccine product, into the How Bad is your batch

¹⁵⁹ How Bad is my Batch: Pfizer - Outside of the USA:

<https://www.howbadismybatch.com/pfizerforeigndeaths.html>

¹⁶⁰ Therapeutic Goods Administration (TGA) "Batch release assessment of COVID-19 vaccines" updated 5 January 2022: <https://www.tga.gov.au/batch-release-assessment-covid-19-vaccines> TGA ensures there is an independent quality assessment of every batch of vaccine supplied in Australia.

[caluclator](#),¹⁶¹ and found the latest, to be less lethal, and injurious, than many of the ealier batches most of those I checked had close to 50 mortalities per batch, see first two (2):

#EP2163 AEFI 1219, deaths 68, Disabilities 73, life threatening illnesses 65;

#EP9605 AEFI 1547, deaths 55, disabilities 47, life threatening illnesses 60;

146. The 28 January 2022 NZ Parliament's Health select committee hearing, saw Lawyer Sue Grey, Co-leader of Outdoors and Freedom Party, and Dr Matt Shelton, report that there is laboratory confirmed [evidence](#)¹⁶² of Nanotechnology (other than the 'approved contents' of mRNA and lipid-nanoparticles etc), found in Pfizer COVID-19 COMIRNATY Vaccine vials, sourced from New Zealand. Where Pfizer is adjusting, and altering the contents of its COVID-19 Vaccine, and does not disclose the contents, nor the associated potential risks, or likely resultant harms, it breaches public and commercial trust.

147. Pfizer's post marketing report of April 2021, alphabetically lists [nine](#)¹⁶³ (9) pages (pages 30-38) of closely spaced diseases, and syndromes expected, or associated with its BNT162b2 mRNA injectable product.

148. For reasons of legal liability and indemnity Pfizer and more vaccine producers, are required to list all known and potential adverse effects (notwithstanding the information about nanotech secret ingredients in paragraph **146**). The many potential adverse effects must be known by the NZ Government and its regulators, including Medsafe. This is publicly known through comprehending Pfizer's contractual obligations 1-58, testament in the Gazetted Provisional Approval on 3 February 2021 and subsequently of Pfizer's COMIRNATY product.

149. NZ's Government gave no indication to the public of likely harm (AEFI/AESI injury and death), when promoting and forcing COVID-19 Vaccination. Rather the NZ Government promoted the Pfizer COMIRNATY product as being SAFE and EFFECTIVE. Lawful informed Consent to COVID-19 Vaccination within the COVID-19 Experiment, as outlined in the Petitioner's thesis, is impossible.

161 How Bad is my Batch? Pfizer - Outside of the USA:

<https://www.howbadismybatch.com/pfizerforeigndeaths.html> Extracted explanation; *According to data reported in VAERS, reproduced here, adverse events triggered by Pfizer batches have varied widely. 70% of the batches are associated with only 1 or 2 deaths per batch, but a small % of the batches appear to be more toxic - being associated with 10 x, 20 x, 30 x, 40 x, 50 x, 100 x or even 200 x the number of deaths compared to the less harmful 70% of the batches. Therefore, members of the public should be wary of the batch they are receiving, and doctors and nurses should ALWAYS check the batch number before administering it, to see if it is associated with an excessive number of deaths.*

162 "Nanotech found in Pfizer jab by New Zealand lab", Sue Grey Co-leader of Outdoors and Freedom Party and Dr Matt Shelton report findings to Parliament's Health Select Committee:

<https://odysee.com/@spearhead4truth:e/Nanotech-discovery-280122:9>

163 PHMPT FDA FOIA release of Pfizer's Post Marketing report to 28 February 2021 referenced in endnotes 117 and 118: <https://phmpt.org/wp-content/uploads/2021/11/5.3.6-postmarketing-experience.pdf>

150. Where the FDA knew of the extent of the adverse events resulting from Vaccination, it is impossible to consider the New Zealand Government, was ignorant of the harm caused by Pfizer's COVID-19 Vaccine. Nevertheless NZ proceeded to encourage, nudge, cajole, propagandise, scare, terrorise, blackmail and mandate, through the use of coercive force, the population to be vaccinated and [take one](#) for the team.¹⁶⁴

151. An individual's ability to full be informed and provide full and free consent is denied with the withholding of critical data. Whatever the NZ Government [knows](#)¹⁶⁵ about the Pfizer COVID-19 injectable and its contractual arrangements with the supplier it intends to keep them [secret](#),¹⁶⁶ as it is against the Government's definition of public interest, for masses of people to know. Whereas real public interest and truth, requires full disclosure given the controversy and politicisation that affects everything Covid. It takes considerable work to discover the FACTS of the Covid matter.

164 MSM republication of Newshub article 9 September 2021 "It's not the Aotearoa way': Ardern's thinly veiled warning to anti-vaxxers" <https://www.msn.com/en-nz/news/national/it-s-not-the-aotearoa-way-ardern-s-thinly-veiled-warning-to-anti-vaxxers/ar-AAOIVQ7> Extract of the PM's quotes; *Speaking at the press conference on Thursday afternoon, Ardern called on Kiwis to play their part - with a barely concealed jab at those who have so far refused to get vaccinated. "The progress in recent weeks has been significant... 90 percent is within [our] sights. Now we need to work together to see all of our communities get up to those rates and beyond," she said. "It's not the Aotearoa way to leave anyone behind and it just doesn't feel right. So here is our chance to lead the world again and that comes down to each and every one of us. We have the supply of vaccines we need, we have the workforce ready to do the job - so have that conversation with your whanau or friends. Help someone make a booking or give them a lift to a vaccination centre. Each action, large or small, gets us a step closer to the opportunities and freedoms we all want." Before taking questions, Ardern finished her opening remarks with a direct plea: "In the meantime, across all the debate... There remains one simple message: get vaccinated. It's the reason we should all feel hopeful."* That's it; **"Get Vaccinated" even if its risky and useless.**

165 "PFIZERLEAK: EXPOSING NEW ZEALAND'S MANUFACTURING OF MANDATED COMPLIANCE" Nadine Connock 19 December 2021: <https://dailytelegraph.co.nz/opinion/pfizerleak-exposing-new-zealands-manufacturing-of-mandated-compliance/> Extracted opening; *Nadine Connock investigates global regulatory capture and controlled bureaucratic incompetence. In the throes of an emerging global pandemic, I vividly remember experiencing my first red flag. Governments are paying people to stay at home? In a move that saw Workers Unions and Human Rights groups heads spin after decades of lobbying and campaigning for improvements in fairer and equitable working conditions, the majority of the population did not raise an eyebrow. Our Governments were doing the 'right' thing. Two years on, and society's global fabric has eroded into all manner of battlefields over vaccine equity, medical apartheid, and the politicization of science. The buzz word 'unprecedented' became standard sedative rhetoric. Yet what was not mainstream news was the unprecedented pressure to push through vaccine trials to achieve authorisation; financial incentives in untested technology; and censorship of scientific research. Warp speed parliamentary legislation changes were rushed through without public mandate. All in order to accommodate preferential bilateral trade agreements due to vaccine negotiations and acquisition. The New Zealand Labour Government Vaccine Taskforce citing "timeliness" (not due diligence) as utmost priority. But one aspect remains unchanged: BigPharmaTech is pocketing big bucks through fraudulent manufacturing and supply contracts secured under regulatory capture and indemnification overreach.*

166 OIA request by T. Baker on FYI.org webpage; "Pfizer vaccine provisional consent conditions information:" <https://fyi.org.nz/request/17184-pfizer-vaccine-provisional-consent-conditions-information> Information was refused by MoH based on commercially sensitivity or information not held which means that Pfizer hasn't upheld and met the conditions required under Provisional Approval of 3 February 2021.

152. The definition for what constitutes a vaccine¹⁶⁷ has recently been altered,¹⁶⁸ to allow for gene therapy mRNA injectables to be defined as vaccines. The COVID-19 mRNA Vaccinations code for a protein, that is a computer simulation of a S spike protein from the SARS-CoV-2 virus Alpha variant. The Salk institute found the S spike protein, to be toxic to human beings and that the virus is associated with vascular¹⁶⁹ disease. Extract from Salk publication April 2021,

In the new study, the researchers created a “pseudovirus” that was surrounded by SARS-CoV-2 classic crown of spike proteins, but did not contain any actual virus. Exposure to this pseudovirus resulted in damage to the lungs and arteries of an animal model—proving that the spike protein alone was enough to cause disease. Tissue samples showed inflammation in endothelial cells lining the pulmonary artery walls.

The team then replicated this process in the lab, exposing healthy endothelial cells (which line arteries) to the spike protein. They showed that the spike protein damaged the cells by binding ACE2. This binding disrupted ACE2’s molecular signaling to mitochondria (organelles that generate energy for cells), causing the mitochondria to become damaged and fragmented.

Previous studies have shown a similar effect when cells were exposed to the SARS-CoV-2 virus, but this is the first study to show that the damage occurs when cells are exposed to the spike protein on its own.

“If you remove the replicating capabilities of the virus, it still has a major damaging effect on the vascular cells, simply by virtue of its ability to bind to this ACE2 receptor, the S protein receptor, now famous thanks to COVID,” Manor explains. “Further studies with mutant spike proteins will also provide new insight towards the infectivity and severity of mutant SARS CoV-2 viruses.”

153. Given the SARS-CoV-2 S spike protein is toxic to humans, its introduction through mRNA injection, enables mRNA to infect cells and code for the production of billions, if not trillions of copies of the computer simulated S-spike protein. S-spikes disperse through the

167 Webarchive of Merriam Webster dictionary entry for 'vaccine' from 2019:

<https://web.archive.org/web/20190123105554/https://www.merriam-webster.com/dictionary/vaccine>

Definition of vaccine: a preparation of killed microorganisms, living attenuated organisms, or living fully virulent organisms that is administered to produce or artificially increase immunity to a particular disease

168 Contemporary definition of a vaccine includes reference to mRNA injectables: <https://www.merriam-webster.com/dictionary/vaccine> now includes the following definition; *b: a preparation of genetic material (such as a strand of synthesized messenger RNA) that is used by the cells of the body to produce an antigenic substance (such as a fragment of virus spike protein)*

169 “The novel coronavirus’ spike protein plays additional key role in illness” published 30 April 2021: <https://www.salk.edu/news-release/the-novel-coronavirus-spike-protein-plays-additional-key-role-in-illness/> Salk researchers and collaborators show how the protein damages cells, confirming COVID-19 as a primarily vascular disease

human body and its vascular system under the guise of a therapeutic medicine called a Vaccine. It is an extreme and egregious experiment, when rolled out to all New Zealand inhabitants and the world of people, without their full, free and informed consent. The S-spike is the most toxic bit of the viral entity. Why didn't the mRNA innovators consider a more benign protein from the SARS-CoV-2 virus? Dr Robert Malone on the matter or [risk](#),¹⁷⁰ and benefit, of the COVID-19 viral vector and mRNA vaccine candidates.

154. The description of the Pfizer mRNA injectable COVID-19 Vaccine product, and its potential deleterious effects, is expounded in the interview with Dr Daniel [Nagase](#),¹⁷¹ a senior practising clinician, who makes plain some of the vectors of action which might explain some of the injury, and mortality, temporally associated with the COVID-19 Vaccines and particularly the Pfizer mRNA product. Extracted Dr. Nagase's observations from the interview;

Dr. Daniel Nagase graduated from Dalhousie Medical School in 2004, is a registered member of the College of Physicians and Surgeons in Alberta where he has been a doctor for over 15 years, an emergency doctor for 10 years and has treated patients in rural under-serviced communities throughout Alberta since 2015. Dr. Nagase was fired after treating three Covid patients with Ivermectin at the Rimbey Hospital and Care Centre. Listen to him speak on the dangers of the injection from a microbiology perspective.

Pfizer's COVID vaccine trial results; are these statistics "acceptable"?

Absolutely not. They wouldn't be acceptable for any medication brought to market, this magnitude of side effects, 31% either died, had permanent disability or were not recovered. It's insane that at the time of the report to government authorities, April 30th, 2021 that this drug, this injection wasn't pulled off the market immediately.

Explaining some devastating known side effects

Sequela is some type of a problem that lingers even though you recovered. Let's say you had an extremely high fever with seizures and the seizures never actually went away, you keep getting occasional seizures every now and then, or you have paralysis of an arm or a leg after the seizure and that just doesn't go away.

¹⁷⁰ Dr Robert Malone speaks at Defeat the Mandates - Washington, D.C. - 1/23/2022 full speech 15 minz "If there is risk there must be free choice," and "To deny this is to deny human dignity:" <https://www.youtube.com/watch?v=TY2frp7S4g0> Dr. Malone's speech is an indictment against the COVID-19 Response narrative, consider it evidence as he speaks as a scientist in the area of his speciality – expert testimony.

¹⁷¹ Breaking News: Pfizer's Own Stats: 1200+/40,000 Trial Participants Dead | Interview with Dr. Nagase December 13, 2021: <https://strongandfreecanada.org/vlog/breaking-news-pfizers-own-stats-1200-40000-trial-participants-dead-interview-with-dr-nagase/>

Reverse transcriptase is where mRNA is turned into DNA, and depending on where that segment of DNA accidentally interrupts and integrates itself into the cells DNA, you can either be causing cancer, you can be causing mutations, or you might not cause anything at all. It's completely random. The reverse transcriptase itself can lead this mRNA injection into causing new mutations in the DNA.

Effects on pregnant women

Out of 274 pregnancy cases where pregnant women received this injection, there were 75 serious reported clinical events. 75 over 274. That's a 27% serious clinical event instance. Any pregnant woman who received this injection after April 30th, 2021 should be suing their obstetrician for malpractice. Absolutely unheard of.

Effects on our children

There were 34 instances where children under the age of 12 were given this injection between December 1st and February 28th. Of those 34 children, 24 had serious side effects. Of those 24 kids who had a serious case after getting this injection 16 were resolved or resolving, 13 had not resolved and five were unknown.

Risks of genetic damage to children

We're not even talking about the genetic damage. This is just the damage that they discovered in the first three months between December 1st and February 28th, a pregnancy is nine full months. We don't know how many of the other cases that were non-serious in the first two months might turn into serious events, miscarriages stillbirths, birth defects, deformities, developmental delay, which is where a child doesn't develop the ability to walk, talk or think at a normal rate. In previous years, it was called mental retardation. We have no idea what the long-term effects are.

Are smaller doses for children safe and effective?

No, as long as there's enough of a dose, if it's a 1/3, one quarter, one tenth a dose, it only changes the amount of time it takes to produce copies of itself. It'll just take a little bit longer at one tenth of the dose than at the full adult dose. There is no safe dose for this injection.

155. There is no way that any person, can credibly assert, that the NZ Pfizer mRNA COVID-19 Vaccine being mandated, and coerced onto the New Zealand citizens, is either a proven SAFE, or EFFECTIVE Vaccine or therapeutic product. Trials are ongoing

according to Pfizer's Comirnaty data sheets, and provisional approval [documents](#)¹⁷² provided to the NZ Government/Medsafe.

156. Further the Government's key Covid messengers, including the Prime Minister Jacinda Ardern, repeatedly offered the NZ citizens the platitude, or false promise, that no one would be [forced](#)¹⁷³ to take the COVID-19 vaccination. The first such utterance was mid 2020, and more recently, [August](#)¹⁷⁴ 2021, in an OIA answer from MoH Officer Clare Perry, Deputy Director-General Health System Improvement and Innovation.

Pfizer COVID-19 Vaccine is not effective

157. The data indicating the [declining](#) effectiveness of the various EUA approved COVID-19 injectables was available to health authorities and governments from early in the rollout. "[Diary of a Scientist in New Zealand](#)" by Dr. Guy Hatchard published, January 2, 2022 has this to say about when the world knew the COVID-19 Vaccines were ineffective (extract from Dr Hatchard's Diary – note I have hyperlinked the references in the extract):

Sometime early in 2021, there must have been a NZ government decision to accept at face value data from Pfizer that the vaccine was 95% effective and completely safe.

On this basis they launched a public advertising campaign emphasising its complete safety and effectiveness. Yet even in January before our vaccine rollout, studies were surfacing indicating that the effectiveness of the Covid vaccines [dropped](#) off rapidly.

¹⁷² NZ Gazette 3 February 2021 Pfizer Comirnaty (COVID-19 mRNA vaccine):

<https://medsafe.govt.nz/COVID-19/Comirnaty-Gazette.pdf> *Provisional Consent to the Distribution of a New Medicine Pursuant to section 23(1) of the Medicines Act 1981, the Minister of Health hereby provisionally consents to the sale, supply or use in New Zealand of the new medicine set out in the Schedule hereto: Comirnaty (COVID-19 mRNA vaccine) Active Ingredient: BNT162b2 [mRNA] 0.5mg/mL Pfizer New Zealand Limited*

¹⁷³ Newshub article; "Coronavirus: Jacinda Ardern confident enough Kiwis will get COVID-19 vaccine for herd immunity without being forced to" published 22 September 2020:

<https://www.newshub.co.nz/home/politics/2020/09/coronavirus-jacinda-ardern-confident-enough-kiwis-will-get-covid-19-vaccine-for-herd-immunity-without-being-forced-to.html> *On Tuesday Prime Minister Jacinda Ardern went a step further, saying not only will there be no forced vaccinations, but those who choose to opt-out won't face any penalties at all. "No, and we haven't for any vaccination in New Zealand applied penalties in that way," Ardern told The AM Show, after being asked if there might be tax penalties or other sanctions for refusing a COVID-19 vaccine. "But I would say for anyone who doesn't take up an effective and tested and safe vaccine when it's available, that will come at a risk to them."*

¹⁷⁴ 5 August 2021 response to an OIA request asking seventeen (17) questions of the MoH in relation to the COVID-19 vaccine program in NZ: <https://www.health.govt.nz/system/files/documents/information-release/h202109490.pdf> Answer by Deputy Director of Health Clare Perry to question #17 states; **"Additionally, it is not mandatory to be vaccinated against COVID-19"**

This was quantified as about 39% after six months. By the end of May Israeli scientists had found a risk of some degree of myocarditis in as many as 1 in 2,500 recipients, especially after the second Pfizer dose. These warning signs did not appear to have any impact on government policy or messaging.

As the year went on key studies carried a clearer message. A study in the European Journal of Epidemiology published on 30th September found incidence of COVID-19 is [unrelated](#) to levels of vaccination across 68 countries and 2947 counties in the United States.

On October 13th a study in Viruses reported that the Covid spike protein [inhibits](#) cellular DNA repair in vitro.

On October 25th, a study published in the Lancet of 1.6 million individuals in Sweden found that effectiveness of mRNA vaccines becomes [undetectable](#) after 7 months.

Read the whole [article](#) and more on Dr Guy Hatchard's [website](#).

158. It is claimed that, Pfizer's COVID-19 Vaccine is safe and showed 95% efficacy 7 days after the 2nd dose. But that 95% was actually [Relative Risk Reduction](#).¹⁷⁵ Absolute Risk Reduction was only 0.84%. That requires a lot of people to be vaccinated to save one individual from being infected and an astronomical number to save one life, whilst the more injected with the toxic S spike producing mRNA raises the number at risk from AEFI/AESI harm, injury and death.

159. The requirement for COVID-19 Vaccine boosters, signifies the lack of sterilising immunity induced in those 'vaccinated against the COVID-19 disease. The credulous members of the [public](#)¹⁷⁶ who believe the official COVID-19 narrative, also accept frequent

¹⁷⁵ **Smart Health Choices: Making Sense of Health Advice. Published 2008**, Chapter 18 "Relative risk, relative and absolute risk reduction, number needed to treat and confidence intervals:" <https://www.ncbi.nlm.nih.gov/books/NBK63647/> *Relative and absolute risks: How do you interpret the results of a randomised controlled trial? A common measure of a treatment is to look at the frequency of bad outcomes of a disease in the group being treated compared with those who were not treated. For instance, supposing that a well-designed randomised controlled trial in children with a particular disease found that 20 per cent of the control group developed bad outcomes, compared with only 12 per cent of those receiving treatment. Should you agree to give this treatment to your child? Without knowing more about the adverse effects of the therapy, it appears to reduce some of the bad outcomes of the disease. But is its effect meaningful? This is where you need to consider the risk of treatment versus no treatment. In healthcare, risk refers to the probability of a bad outcome in people with the disease. Absolute risk reduction (ARR) – also called risk difference (RD) – is the most useful way of presenting research results to help your decision-making.*

¹⁷⁶ **"Mattias Desmet on Our Grave Situation"** interviewed by Chris Martenson on his Peak Prosperity podcast show, published 3 December 2021: <https://www.youtube.com/watch?v=CRo-ieBEw-8> The video ought to be watched for proper comprehension of Mass Formation in populations leading to totalitarian states, and the description needs to be read and placed on the public record for posterity as NZ and the World move along the novel pathway – description from the youtube link; *Professor Mattias Desmet talks about his work that connects past historical episodes of what is called "Mass Formation" (aka Mass*

adjustments to COVID-19 policy, as per necessity. My perception of [necessity](#)¹⁷⁷ is what is necessary to maintain the credibility, replication and mass acceptance of the official Covid narrative, which is;

1. COVID-19 is caused by a novel pathogenic coronavirus SARS-CoV-2.
2. COVID-19 pathogen is a zoonotic emergence (natural, rather than biolab creation of a synthetic chimera).
3. COVID-19 is both highly infectious and deadly.
4. COVID-19 positive diagnosis is measured by PCR test.
5. COVID-19 in early 2020 had no known cure amongst available medicines and therapeutics in the global medicine cabinet.
6. COVID-19 illness would over run hospital ICU capacity causing a break down of the Health system.
7. COVID-19 is best kept out of NZ for as long as possible no matter the cost to other policy considerations; public health and mental wellbeing, economy, social spirit, trampling of rights and democratic practice and which required NZ to seal the borders and adopt an elimination strategy.
8. COVID-19 in early 2020 could only be mediated through lockdown, social distancing and other non-pharmaceutical interventions.
9. COVID-19 would cause in NZ an estimated 30,000 (or more, from variance in the many models) thousands to die and countless thousands to become ill.

*Psychosis) and current events. The risks are as grave as they come. Unless a few brave and courageous people are willing to stand up and say "I don't agree!" history suggests that we will end up with a fully totalitarian outcome. That is a dark path. It inevitably leads to mass casualties and atrocities. Eventually all totalitarian systems end in their own destruction. My position (Chris Martenson) is "it doesn't have to be this way." We can do better. Let's avoid a future of atrocities and the complete destruction of our way of life. Unfortunately, those caught up in the Mass Formation event cannot see the larger or wider implications of their actions. They are very much like a hypnotized person with their field of view narrowed down to a singular threat or risk they have been told is the one-and-only threat they must conquer. So all of their attention goes there. It focusses down. Nothing else matters. Eventually they transfer their anger and rage at that enemy – which is Covid today – upon a more relatable a nearby object. Perhaps their neighbor. Perhaps the unvaccinated. Perhaps immigrants who are stealing their jobs, or those who aren't taking Climate Change seriously enough. With that transference, the path has been laid to re-trod some of the most awful and inhumane periods of history. We're there again and our own integrity demands that we do what we can to avoid going any further down that path. In this episode **Mattias tells us what can be done. We must never resort to violence. We must be courageous and speak up. We must hold everyone with compassion. But most of all, we must speak up.***

¹⁷⁷ Definition of necessity: <https://www.merriam-webster.com/dictionary/necessity> Definition of necessity
 1: the quality or state of being necessary 2 a: pressure of circumstance b: physical or moral compulsion
 c: impossibility of a contrary order or condition 4a: something that is necessary - REQUIREMENT b: an urgent need or desire - in such a way that it cannot be otherwise

10. COVID-19 cure would arrive in an vaccine, being developed at Warp Speed.
11. COVID-19 Vaccines are both safe and effective.
12. COVID-19 Vaccines will be voluntary.
13. COVID-19 Vaccination would enable New Zealanders to regain their lost freedoms.

160. All of the above (paragraph **159**) the narrative points are false, partial facts, or already rebutted by the science of COVID-19. In respect to point 1; “COVID-19 is caused by a novel pathogen SARS-CoV-2” is moot as many people who test positive with PCR are not symptomatic. The proven isolation of the SARS-CoV-2 virus is a contentious matter,¹⁷⁸ however, it appears to be that the 'bug' is a FACT. COVID-19 PCR diagnostics are not required for NZ Health authorities, to class some deceased individuals as, “died from COVID-19”, despite no diagnostic test result done confirming clinical diagnosis.

161. To counter claim 5's assertion; *COVID-19 in early 2020 had no known cure amongst available medicines and therapeutics, in the global medicine cabinet*; one significant FACT has been the level of censorship and denial by Authorities of the efficacy of early treatment of COVID-19 symptoms, using cheap generic drugs, is testament to the FACT that the COVID-19 gods demanded suppression of all treatments utilising generic, and off patent drugs. The COVID-19 gods demanded expensive, novel technology solutions and medications for their human stock.

162. World Council for Health, a science and evidence based medicine collaboration that formed to promote good health, developed; “Early Covid-19 [treatment](#) guidelines: A practical approach to home-based care for healthy families” published September 23, 2021 updated January 6, 2022.¹⁷⁹ All of the drugs, medicines and therapeutics referenced

¹⁷⁸ It is not my intent to prove or disprove the existence of SARS-CoV-2 that's been done affirmatively. I assert with the evidence provided elsewhere that the 'virus' or bug is a man made product of the bioweapons programs (gain of function research must be offensive to consider counter or defence measures such as vaccines to deadly chimeric viral entities) of the military industrial complex (militarism is an extension of an extremely exploitative tendency in some men and women) that holds the world in thrall. The controversial and global response to COVID-19 and the closed minded determination to 'vaccinate the planet – vaccine is the only cure' despite masses of contrary evidence is a clear indication of high level malevolent intent of those directing the global play (Shakespeare's Globe Theatre is metaphor). When one adds the copious funding arrangements where international finance constraints are temporally disconnected allowing (western) governments to increase their debt levels through massive qualitative easing is more evidence of a convergence of interest in a specific and/or developing COVID-19 outcome. “Always follow the money” is a basic focus of any forensic investigation. Evidence points to the FACT of a SARS-CoV-2 viral entity: <https://www.technocracy.news/mercola-yes-sars-cov-2-is-real-virus/> Love confirmed FACTS.

¹⁷⁹ World Council for Health “Early Covid-19 treatment guidelines: A practical approach to home-based care for healthy families” published 23 September 2021, updated 10 January 2022: <https://worldcouncilforhealth.org/resources/early-covid-19-treatment-guidelines-a-practical-approach-to-home-based-care-for-healthy-families/>

in the early treatment guidelines are approved medicines in NZ, under the Medicines Act 1981.

163. All of the above (from paragraph **159**) narrative points 1-13 would be disposed of, where New Zealand's health authorities and DHBs, adopted evidence based medicine practice, and followed international collaborations amongst clinicians, who searched for and found remedies, and cures formalised as treatment protocols, for their ill patients.

164. The COVID-19 gods' actors, go to great length to destroy public confidence, in the therapeutic use of off label generic drugs. One example is the [Surgisphere](#)¹⁸⁰ science scandal, directed at disestablishing any research into the efficacy of hydroxychloroquine (HCQ), in low dose clinical trials for the early treatment of COVID-19 patients. Surisphere used poor data to discredit HCQ as an effective treatment. At the time New Zealand and more nation states were trialling low dose HCQ for COVID-19 treatment, which was discontinued when Lancet published the Surisphere findings. HCQ use in clinical practice, or trials has not resumed (in the West), despite the published paper being disposed of and retracted. Ivermectin has suffered similar suppression and demonisation, including from the US FDA, despite ivermectin's proven efficacy for COVID-19 treatment and general acceptance. Ivermectin is on the WHO list of medical requirements for each nation, for the treatment of its residents.

165. In the meantime NZ Customs, on the orders of MoH, are blocking private [importations](#)¹⁸¹ of medicines, that individuals and their medical practitioners might prescribe under the Medicines Act, for symptomatic relief from COVID-19 illness.

180 Guardian article; "Surgisphere: governments and WHO changed Covid-19 policy based on suspect data from tiny US company" published 3 Jun 2020, *Surgisphere, whose employees appear to include a sci-fi writer and adult content model, provided database behind Lancet and New England Journal of Medicine hydroxychloroquine studies*: <https://www.theguardian.com/world/2020/jun/03/covid-19-surgisphere-who-world-health-organization-hydroxychloroquine> In other words they are scientific vandals who spread a lie.

181 Covid-19: Ivermectin import attempts grow five times despite warnings against use" published 3 November 2021: <https://www.stuff.co.nz/national/health/coronavirus/300444030/covid19-ivermectin-import-attempts-grow-five-times-despite-warnings-against-use> extract from the article which is strongly **biased against use of ivermectin for the treatment of COVID-19 patients despite it's proven efficacy**; *The number of Kiwis attempting to import ivermectin, a drug touted overseas as an alternative – and unproven – treatment for Covid-19, ballooned nearly five times in a month. Ivermectin is a prescription medicine approved for a limited number of conditions in New Zealand, including an intestinal disease caused by roundworm (strongyloidiasis), certain parasites in blood or tissue, or for scabies after prior treatment has failed. It is also used to treat parasites in livestock. Internationally it has been touted as a Covid-19 treatment or cure, but there is little evidence to support those claims. It is dangerous in high doses, and medicines safety authority Medsafe has published a warning about its use for Covid.*

166. Medsafe September 2021 [advisory](#),¹⁸² stressed that the importation of ivermectin for COVID-19 treatment is not recommended, unless prescribed by an authorised medical practitioner. The subtlty is nuanced as Medsafe/MoH are ordering seizure of authorised medical practitioners' imports of Covid-19 generic drugs such as ivermectin.

167. Whereas, Professor Robert [Clancy](#),¹⁸³ from the University of Newcastle, expert on immunology, offers a sensible approach to early treatment of COVID-19 patients, in his [interview](#)¹⁸⁴ with Dr John Campbell; "Immunology with Professor Robert Clancy," provides the audience with an informative description on the science and clinical application of immunity, in respect to the stages of the COVID-19 infection; first in the mucous membranes of the nasal and throat passages, and if it passes through into the lungs, COVID-19 triggers a systemic immune response, which is the inflammatory stage.

168. It is likely that a New Zealander who is COVID-19 Vaccination certified and has a Vaccine Passport, will soon find that their passport is [invalid](#)¹⁸⁵ without evidence of being boosted. Note: I state that it is *likely* the State will Order, or Legislate to require one to be

¹⁸² **You can not make this shit up!** Alert communication: Medsafe and the Ministry of Health strongly recommends that ivermectin is not used for prevention or treatment of COVID-19. Risks of importing or prescribing ivermectin for prevention or treatment of COVID-19 6 September 2021: <https://www.medsafe.govt.nz/safety/Alerts/ivermectin-covid19.htm> more; Medsafe has recently seen an increase in the attempted personal importation of ivermectin. Ivermectin is a prescription medicine typically used to treat parasites in humans. It is also used for prevention of heartworm in small animals and treating parasites in various animals. Ivermectin is NOT APPROVED to prevent or treat COVID-19, which means that Medsafe has not assessed the safety and efficacy for this use. Inappropriate use of ivermectin can be dangerous.

¹⁸³ **At last sanity:** Professor Robert Clancy Emeritus Professor of Pathology at the University of Newcastle Medical School' member of the Australian Academy of Science's COVID-19 Expert Database, essay on the Australian TGA decision to block doctors from prescribing ivermectin for COVID-19 patients; "A Sad and Shameful Day for Australian Medicine," published 13 September 2021: <https://quadrant.org.au/opinion/public-health/2021/09/a-sad-and-shameful-day-for-australian-medicine/>

¹⁸⁴ Dr John Campbell; "Immunology with Professor Robert Clancy" <https://youtu.be/FPPnyzvO7J4?t=1938> Prof Clancy provides the audience with an informative description on the science and clinical application of immunity in respect to the stages of the COVID-19 infection first in the mucous membranes of the nasal and throat passages and if it passes through into the lungs Covid triggers a systemic immune response which is the inflammatory stage. The time stamp is set to 32:18mins into the video where Dr John Campbell asks Prof Clancy about the beneficial use of early treatment protocols. It is interesting to note that they are cautious with their language because of censorship in respect to the mention of words such as ivermectin or hydroxychloroquine. **This is evidence of the suppression of practical health science in plain sight.**

¹⁸⁵ News Article MoH: "1.2 million eligible for booster shots from today; 44 people in hospital; 5 in ICU" published 5 January 2022. From today, anyone aged 18 and over who had their second vaccination at least four months ago can get their booster dose. <https://www.health.govt.nz/news-media/news-items/12-million-eligible-booster-shots-today-44-people-hospital-5-icu> more; *People can book an appointment with the COVID Vaccination Healthline team on 0800 28 29 26, or they can visit a walk-in vaccination site. More than 5,300 booster shots were administered yesterday (5,328). From 17 January 2022, people can book boosters at BookMyVaccine.nz if it's been four months since their second dose. Those who had their second dose at least 6 months ago, can book an appointment now through Book My Vaccine. From January 17, children aged between 5-12 will be eligible for the vaccine, those aged 12 and over are already eligible.*

boosted for ongoing validation of '[my vaccine pass](#)',¹⁸⁶ where Members refuse to entertain this Petition.

169. The requirement for boosters no matter whether one, two, three or twenty three is significant evidence that the present offering of COVID-19 Vaccinations are useless at stopping infection, or transmission of COVID-19. New Zealand has contracted for the purchase of millions more COVID-19 Vaccines from various corporations. Emergent evidence from the UK and elsewhere, indicates that COVID-19 Vaccination appears to [compromise immunity](#)¹⁸⁷ indefinitely against the virus. Who knows what else?

170. New Zealand vaccine passports become invalid after 6 months, or 1 June 2022, whichever is sooner. In foreign jurisdictions the requirement for booster shots to maintain vaccine passport authorisation are increasingly a legal necessity. There appears to be no definitive maximum number of COVID-19 Vaccinations, to satisfy the alleged 'health imperative' of the COVID-19 gods, rather the goal posts are moved on the whim of the arbitrary authority.

NZ COVID-19 Vaccine Rollout engages NZ BORA sections 8-11

171. Legal responsibility stops with YOU the REPRESENTATIVES who LEGISLATE COVID-19 Acts, the direct result of which is; ***the human harm and carnage that is caused.***

172. The NEW ZEALAND COURTS show no indication that they will interpret THE LAW in proper fashion.

173. NZ Parliamentary Representatives, must fix the mess and carnage YOU have created. It is a fact that the COVID-19 PFIZER VACCINE (including all Covid vaccines), is risky, with resultant death a real possibility and likelihood.

174. Section 8 of the BILL OF RIGHTS ACT 1990 under the title [life](#)¹⁸⁸ ***and security of the person*** is engaged:

186 "My Vaccine Pass" My Vaccine Pass is an official record of your COVID-19 vaccination status for use in Aotearoa New Zealand: <https://covid19.govt.nz/covid-19-vaccines/covid-19-vaccination-certificates/my-vaccine-pass/> re Vaccine Pass longevity; *It will expire 6 months from the date of issue, or on 1 June 2022, whichever comes sooner. We have set an expiry date to allow flexibility in how we respond to the changing nature of the pandemic. Get boosted and boosted..*

187 "Official data suggests the Triple Vaccinated are developing Acquired Immunodeficiency Syndrome at an alarming rate;" The Expose Jan 15 2022: <https://welveinamadworld.com/uk-data-shows-triple-vaccinated-developing-aids-at-an-alarming-rate/> There will be more deleterious effects as time will reveal.

188 NZ BORA Sections 8-11 title ***Life and security of the person:***
<https://legislation.govt.nz/act/public/1990/0109/latest/whole.html#DLM225505>

8 Right not to be deprived of life

No one shall be deprived of life except on such grounds as are established by law and are consistent with the principles of fundamental justice.

175. FACT: NZ citizens (and natural persons), are being killed, as a result of being injected with the Pfizer COVID-19 Vaccination product.

176. Where the New Zealand Government makes false statements about the safety of the Pfizer COVID-19 Vaccination product, and forces it on citizens (and natural persons), it is contributing to the killing. There can be no freely given informed consent, by any individual, where the full nature and extent of the risk of the COVID-19 Vaccines, are withheld.

177. The act of Culpable [Homicide](#)¹⁸⁹ engages sections 158 and 160 of the Crimes Act 1961. The crime is genocide at the courts of the world. More criminal charges might follow, where NZ Police become motivated to properly investigate the COVID-19 matter.

9 Right not to be subjected to torture or cruel treatment

Everyone has the right not to be subjected to torture or to cruel, degrading, or disproportionately severe treatment or punishment.

178. New Zealand's inhabitants (natural persons), have been terrorised into being injected with the Pfizer COVID-19 product. The level of propaganda is phenomenal; [paid media](#)¹⁹⁰ complicit in promoting fear of COVID-19, infomercials by select academics, and [advertisements](#)¹⁹¹ for the Pfizer product by the New Zealand Government. Pfizer doesn't need to promote its product, as the NZ Government is taking care of business.

179. To be forced into unemployment or ostracized from society and its milieu, for a decision in respect to a medical procedure, is perverse and means people; **are subjected to torture or to cruel, degrading, or disproportionately severe treatment or punishment.** Consider the plight of any who [KNOW](#),¹⁹² that the Pfizer COVID-19 mRNA

189 Crimes Act 1961 Section 160 Culpable Homicide:

<https://www.legislation.govt.nz/act/public/1961/0043/latest/DLM329302.html>

190 NZD\$55million Journalism funding: NZ On Air will fund public interest journalism through a three-year package designed to support 'at risk' journalism: <https://www.nzonair.govt.nz/funding/journalism-funding/>

191 UK Daily Mail Article 4 May 2021; "New Zealand's Covid-19 vaccine advert goes viral as Kiwis praise the slickly produced video that 'perfectly sums up the nation's unique attitude' - as students perform a stirring Haka:" <https://www.dailymail.co.uk/news/article-9541075/New-Zealands-Covid-19-vaccine-advert-goes-viral-Kiwis-praise-Covid-19-information-video.html#v-6325238193237769091>

192 Open Vaers provides accessible public information about post vaccine injury and death based on VAERS data: <https://openvaers.com/covid-data/mortality> 2021 mortality from all COVID-19 Vaccines was

COMIRNATY product is toxic, and it's potential to cause untold damage to one's body. Consider the stress forced upon the individual faced with the poison chalice decision; to be injected or not, balanced against the blackmail of losing one's job, and the economic and social ramifications of that. That is the choice forced on people by the NZ Government. Discrimination practiced against those who refuse COVID-19 Vaccination, is unlawful when considered, in light of [section 21](#)¹⁹³ the **Human Rights Act of 1993**.

21 Prohibited grounds of discrimination

(1) For the purposes of this Act, the prohibited grounds of discrimination are—

(h) disability, which means—

(vii) the presence in the body of organisms capable of causing illness:

(j) political opinion, which includes the lack of a particular political opinion or any political opinion:

180. Where the petitioner has accurately interpreted the Governments' COVID-19 response, in relation to the LAW in NZ as being unlawful, then any act to discriminate against any person based on their COVID-19 Vaccination status, whether reflected in a 'Vaccine Passport' or otherwise, is illegitimate and ***ultra vires***.

181. Those who are harmed, as a direct cause of the Pfizer COVID-19 COMIRNATY Vaccine (any COVID-19 Vaccine), are suffering torture of the most horrific type, particularly where they foresee a lifetime of punishment, for their effort on behalf of the team. Their [medical](#)¹⁹⁴ practitioner may deny, that the injury or harm is COVID-19 Vaccine related, as the medical profession are propagandised, into a false belief that the COVID-19 Vaccines are [safe](#)¹⁹⁵ and effective; A hypothetical typical Doctor Whomever might say to a COVID-19 Vaccine injured patient; "your condition must have been latent", or, "your myocarditis is a

21948 deaths. A further 769 deaths to 14 January 2022 the carnage continues, how many injured and seriously?

193 Human Rights Act 1993 Section 21 Prohibited grounds of discrimination:

<https://legislation.govt.nz/act/public/1993/0082/latest/whole.html#DLM304475> 21 Prohibited grounds of discrimination, (1) For the purposes of this Act, the prohibited grounds of discrimination are— (h) disability, which means— (vii) the presence in the body of organisms capable of causing illness: and; (j) political opinion, which includes the lack of a particular political opinion or any political opinion:

194 "Reiner Fuellmich and Dr. Sam White - There is no immunity for coordinated effort to murder"

<https://rumble.com/vrsdt1-reiner-fuellmich-and-dr-sam-white-there-is-no-immunity-for-coordinated-eff.html> Reiner Fuellmich, Viviane Fischer and Dr. Wolfgang Wodarg interviewing Dr. Sam White about ongoing legal processes in the UK and global organized manslaughter and the legal situation around it.

195 "Anna Hodgkinson recalls her harrowing experiences supporting her daughter Casey- with Liz Gunn" published on youtube 8 December 2021: <https://www.youtube.com/watch?v=WBQQ3ThJCWM> Casey Hodgkinson has been severely disabled as a direct result of accepting a COVID-19 Vaccination. It was initially denied that Casey's disability could be caused by the 'safe and effective' vaccine. How many others suffer the same fate at the hands of an unsympathetic medical profession to the FACT of COVID-19 Vaccine injury and harm?

result of [pandemic](#) stress.”¹⁹⁶ The novel disease of pandemic stress, might have larger morbidity than from the alleged novel coronavirus known as SARS-CoV-2.

182. Justice Palmer makes the [case](#)¹⁹⁷ at clause [21] of his judgement, in the Four Midwives judicial review, that the **section 11 right to refuse a medical intervention** was engaged. Palmer J further asserts that the COVID-19 Public Health Response Act 2020 as of the 8 November 2021 [hearing](#)¹⁹⁸ and as [enacted](#)¹⁹⁹ 13 May 2020 anticipated COVID-19 vaccination in early 2020, despite the contrary advice from the Justice Ministry, in respect to its 11 May 2020 declaration of consistency with BORA;

*Mr Perkins, for the Crown, submits s 4 of the Act envisages potentially coercive powers and s 11(1)(a) is a wide, plenary power. Its scheme and purpose are designed to facilitate democratically accountable Ministers taking flexible, and sometimes coercive, action to respond to a public health emergency. He stresses the breadth of the text of the chapeau. He submits s 11(1)(a)(v) is an apposite description of what the Order does. He points to s 9 as contemplating that Orders may limit rights, including the right to refuse medical treatment. He submits that safeguards ensure such limits are not unjustifiable and suggest Parliament was conscious it was delegating wide plenary powers. He submits the Act should be interpreted in the context of general constitutional safeguards including the right to judicial review and Mr Perkins accepts the principle of legality is engaged in relation to coerced medical treatment. He submits s 11(1)(a) is not general or ambiguous but is unmistakably plain. He relies on the Court of Appeal’s judgment in *Borrowdale v Director-General of Health*.*

No jurist to this point, pay any heed to the law stated in articles 4 and 7 of ICCPR.

183. Palmer J also concurred with Cooke J who heard a challenge by four aviation security service employees at the border at para [74] Palmer J states;

Cooke J also said “[i]t is perhaps of some surprise that such an important aspect of the response to the risk of COVID-19 has been implemented through a section that makes no express reference at all to vaccination.” Because the generally expressed empowering provision does not expressly address vaccination, he noted a degree of uncertainty arises from its use as the basis of such an order. And he said:

¹⁹⁶ UK Evening Standard article 10 December 2021; “Up to 300,000 people facing heart-related illnesses due to post-pandemic stress disorder, warn physicians:” <https://www.standard.co.uk/news/health/post-pandemic-stress-disorder-heart-conditions-covid-london-physicians-b969436.html>

¹⁹⁷ Four Midwives judgement by Justice Matthew Palmer November 2021 case CIV-2021-485-584 [2021] NZHC 3064: <https://www.courtsofnz.govt.nz/assets/cases/2021/2021-NZHC-3064.pdf>

¹⁹⁸ COVID-19 Public Health Response Act 2020 as of 26 November 2021: <https://legislation.govt.nz/act/public/2020/0012/294.0/096be8ed81b8274a.pdf>

¹⁹⁹ COVID-19 Public Health Response Act 2020 at Assent 13 May 2020: <https://legislation.govt.nz/act/public/2020/0012/30.0/096be8ed819df2c5.pdf>

It may be that significant measures of this kind are better suited to legislation that squarely addresses the issues that arise from the measures. None of this means that the Order is invalid, but neither should my conclusion be interpreted as clearing a path for more extensive use of this power for other circumstances.

To which Palmer stated at his para [75] **I concur**. (Petitioner's emphasis)

184. The Petitioner holds the view, that the Order is invalid. Any law is invalid, which overreaches and expands beyond its intended scope as legislated. The Ministry of Justice (MoJ), "[Consistency](#)"²⁰⁰ with the New Zealand Bill of Rights Act 1990: COVID-19 Public Health Response Bill", published 11 May 2020, make clear MoJ's considered interpretation of the extent of the powers envisaged: **it's ok to test, but, not to medicate**. If there's derogation of a fundamental right granted by legal statute, then it per se violates the intent and spirit of the law.

185. The current "circumstances" (the Covid response), are a clear and present danger to the public, caused not by any virus or disease, but by "emergency mandates" under the guise of authority (colour of authority). Therefore, any "extension" of these measures, already beyond the purview or scope of the law, is a violation of said law, and ought be acknowledged, **ultra vires**.

186. It may be that the foregoing represents, the actions of rulers making it up as they go, or rather, as directed from outside the Nation State's democratic and lawful structures. Cardiff Professor of Italian and Critical Theory, Fabio Vihgi, makes part of the case for an organised COVID-19 conspiracy in his well sourced [essay](#),²⁰¹ and observes;

Joining the dots is a simple enough exercise. If we do so, we might see a well-defined narrative outline emerge, whose succinct summary reads as follows: lockdowns and the global suspension of economic transactions were intended to 1) Allow the Fed to flood the ailing financial markets with freshly printed money while deferring hyperinflation; and 2) Introduce mass vaccination programmes and health passports as pillars of a neo-feudal regime of capitalist accumulation. As we shall see, the two aims merge into one.

187. The memo, directing governments to implement forced vaccinations, may not have been delivered until a later point in the Covid experiment. WHO in it's 13 April 2021 advice,

²⁰⁰ Ministry of Justice "Consistency with NZ Bill of Rights Act 1990: COVID-19 Public Health Response Bill" published 11 May 2020: <https://www.justice.govt.nz/assets/Documents/Publications/COVID-19-Public-Health-Response-Bill.pdf>

²⁰¹ "A Self Fulfilling Prophecy: Systemic Collapse and Pandemic Simulation" by Fabio Vihgi Professor of Politics Cardiff University, published 16 August 2021: <https://thephilosophicalsalon.com/a-self-fulfilling-prophecy-systemic-collapse-and-pandemic-simulation/>

cautioned the world to carefully balance any policy decision to enforce COVID-19 Vaccination upon resistant, or reluctant populations, or demographics. The Petitioner senses the mask memo happened around May or June 2020.

188. In any event the likelihood of discovery, and full disclosure of who was directing the play in NZ is moot. The FACT that the US FDA [resists](#)²⁰² making public its data and files on the Pfizer COVID-19 mRNA Vaccine product, despite earlier US Court directions to do so, is cause for interest and inquiry. New Zealand approvals often rely on FDA data and/or prior approvals.

10 Right not to be subjected to medical or scientific experimentation

Every person has the right not to be subjected to medical or scientific experimentation without that person's consent.

Jacobson v. Massachusetts – US case law

189. In [Jacobson](#)²⁰³ v. Massachusetts, 197 U.S. 11 (1905)

[Source](#)²⁰⁴ of following extract; “Jacobson v Massachusetts: It’s Not Your Great-Great-Grandfather’s Public Health Law” published April 2005.

As the 20th century began, epidemics of infectious diseases such as smallpox remained a recurrent threat. A Massachusetts statute granted city boards of health the authority to require vaccination “when necessary for public health or safety.” In 1902, when smallpox surged in Cambridge, the city’s board of health issued an order pursuant to this authority that required all adults to be vaccinated to halt the disease. The statutory penalty for refusing vaccination was a monetary fine of \$5

202 Till the recent decision by the Texas Court expediting FDA FOIA release of Pfizer documents the FDA was dragging the chain and obfuscating: <https://www.washingtonpost.com/opinions/2021/12/13/55-years-fulfill-records-request-clearly-fda-needs-serious-reform-its-data-sharing-practices/>

203 Justia US Supreme Court, “Jacobson v. Massachusetts, 197 U.S. 11 (1905)” <https://supreme.justia.com/cases/federal/us/197/11/>

204 “Jacobson v Massachusetts: It’s Not Your Great-Great-Grandfather’s Public Health Law” published April 2005: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1449224/> extracted Abstract; Jacobson v Massachusetts, a 1905 US Supreme Court decision, raised questions about the power of state government to protect the public’s health and the Constitution’s protection of personal liberty. We examined conceptions about state power and personal liberty in Jacobson and later cases that expanded, superseded, or even ignored those ideas. Public health and constitutional law have evolved to better protect both health and human rights. States’ sovereign power to make laws of all kinds has not changed in the past century. What has changed is the Court’s recognition of the importance of individual liberty and how it limits that power. Preserving the public’s health in the 21st century requires preserving respect for personal liberty. (Petitioner’s emphasis)

(about \$100 today). There was no provision for actually forcing vaccination on any person.

Henning Jacobson refused vaccination, claiming that he and his son had had bad reactions to earlier vaccinations. The Massachusetts Supreme Judicial Court found it unnecessary to worry about any possible harm from vaccination, because no one could actually be forced to be vaccinated: "If a person should deem it important that vaccination should not be performed in his case, and the authorities should think otherwise, it is not in their power to vaccinate him by force, and the worst that could happen to him under the statute would be the payment of \$5." Jacobson was fined, and he appealed to the US Supreme Court.

On behalf of the majority of the Bench Justice Harlan

Although he largely deferred to the legislature, Harlan noted that requiring a vaccination for certain people with certain health conditions would be cruel and inhumane. This would justify a court in shielding them from the enforcement of the law. The Massachusetts law did not suggest that it would lead to this result, though, and the plaintiff did not show that he had a medical condition that made him unfit for vaccination.

Also;

The police power of a State, whether exercised by the legislature, or by a local body acting under its authority, may be exerted in such circumstances or by regulations so arbitrary and oppressive in particular cases as to justify the interference of the courts to prevent wrong and oppression.

The 2005 article and commentary on the applicability of Jacobson v Massachusetts notes for our illumination;

For example, it noted that the law should not be understood to apply to anyone who could show that vaccination would impair his health or probably cause his death.

Nevertheless, Jacobson has been used in US courts to [justify](#)²⁰⁵ legislated, or forced COVID-19 Vaccination.

205 Jacobson vs Massachusetts, Wikipedia:

https://en.wikipedia.org/wiki/Jacobson_v._Massachusetts#Subsequent_developments A lot of cases rely on the law as outlined in Jacobson, however, further discussion by the Petitioner will point to the difference between the nature of the smallpox vaccine and the experimental COVID-19 Vaccines most developed with novel methods and technologies making the comparison ludicrous. For one thing the smallpox vaccines apparently had high efficacy.

190. Where COVID-19 Vaccines were proven with a known safety profile, Jacobson might apply to assist with the NZ Government's policy, to limit or derogate from section 11 BORA *Right to refuse to undergo medical treatment*, however, the respective injections are different species all together and cannot be reconciled. There is a marked difference between the [smallpox vaccination](#)²⁰⁶ and any of the COVID-19 [injectables](#)²⁰⁷ including Pfizer's COMIRNATY, BNT162b2 [mRNA] Vaccine.

191. In Jacobson, the smallpox vaccine was not experimental. It was proven effective and had a low death rate. [Smallpox](#)²⁰⁸ is a highly lethal disease, with a case fatality rate of up to 30% depending on the type of smallpox. A smallpox epidemic may fall within the scope of a public emergency that threatened the life of the community, potentially justifying the administration a "proven vaccine or inoculation." The smallpox vaccine produces sterilising antibodies resulting in herd immunity in the community, where it is deployed. Mandatory inoculation, with a proven **safe** product, may be consistent with the exigencies of the situation and most would accept that and volunteer for the inoculation. There was also no reason advanced in the case, to believe Jacobson would have been harmed by the vaccine.

192. With COVID we have a quite different situation. The new "mRNA vaccines", have been through a foreshortened and expedited approval process, which in the US enabled the Pfizer product to attain "Emergency Use Approval" (EUA), and in New Zealand Provisional Approval. Stage 4 Post Market testing, is reflected in the novel COVID-19 Vaccines being administered to the whole population, which is unprecedented. Long term safety data is unknown. The **safety** of the mRNA COVID-19 Vaccines is doubted, by independent scientists and clinicians.

The Petitioner asserts that the mRNA injectables are medical experimentation, not treatment as in Jacobson.

193. COVID-19 Vaccines are novel and still under trial, as long term adverse effects are being collated for assessment, both by the corporations producing the products (Pfizer and more), and the government health authorities who provide regulatory oversight. Medsafe has not provided full approval, for reasons that the full data, on the safety and efficacy of the Pfizer (and more) COVID-19 Vaccines are not collated, or known, rather it issued

²⁰⁶ History of the development of smallpox vaccines, Wikipedia:

https://en.wikipedia.org/wiki/Smallpox_vaccine

²⁰⁷ Dr. Ray Sahelian MD retired blog: <https://www.raysahelian.com/> Dr Sahelian says; *"I am convinced that the benefits promoted by experts on TV regarding these vaccines are much less than what they promise, and the adverse reactions are significantly more than they want us to believe. The effects of these vaccines on the human body are infinitely more complex than anyone can imagine... a million shades of gray, you may say."*

²⁰⁸ Smallpox is a lethal disease with death an outcome in ~30% of cases depending on the type of smallpox virus agent: <https://en.wikipedia.org/wiki/Smallpox>

Provisional Approval under a later amended [section 23](#)²⁰⁹ clause of the Medicines Act 1981.

194. COVID-19 (alpha variant) had an IFR of at most 0.15% (compared with 0.1% for the average seasonal flu), but possible only a fraction of that figure, given the known falsification of death records and lack of seroprevalence data, to ascertain the real infection denominator. SARS-CoV-2 is no more a “deadly mutating virus” than seasonal influenza, despite the claims of the NZ Government, or its Attorney General Hon David [Parker](#), when attempting to justify the Government's derogation from NZ BORA, at the NZ Centre for Public Law event December 2021.²¹⁰ Subsequent strains to Alpha variant appear to be associated with less morbidity. Where Alpha is similar in morbidity to influenza, and Omicron is similar to a cold, it is therefore clear, there is not a risk to the life of the country from the virus. The risk to the nation is caused by the COVID-19 Response.

195. There are safe proven alternatives available, so there is no reason to take risks. There may be a political imperative determined by the COVID-19 gods, however, the logic of mere mortals such as this humble Petitioner, fails to make sense of Vaccinating everyone, if health is the imperative.

196. The Pfizer COVID-19 Vaccine product does not produce sterilising antibodies, so it cannot result in herd immunity. Hence there is no public benefit and so no reduction in **risk to the life of the country** whether one is Vaccinated or otherwise. The Vaccinated may create a large risk to the health system, where their long term immune system response is compromised by the COVID-19 Vaccine.

197. According to Pfizer, their COVID-19 Vaccine product was only designed to reduce symptoms in the recipient. As such it is equivalent to a Tetanus or Diphtheria vaccine, which also only benefit the recipient. They do not, and cannot, create herd immunity. The claim is, that with less patients to treat in hospital, there is a public benefit, in that more people can get medical treatment they might have missed out on with higher demands on hospitals from symptomatic COVID-19 patients. This of course, ignores the availability of primary and or early treatments, that would significantly reduce hospitalisations.

209 Medicines Act 1981 Section 23(1) as amended 25 May 2021, by section 4 of the Medicines Amendment Act 2021 (2021 No 16): <https://www.legislation.govt.nz/act/public/1981/0118/latest/DLM55061.html> now reads; 23 Minister may give provisional consent (1) Notwithstanding sections 20 to 22, the Minister may, by notice, in accordance with this section, give provisional consent to the sale or supply or use of a new medicine if the Minister is of the opinion that it is desirable that the medicine be sold, supplied, or used.

210 “Hon David Parker, The legal and constitutional implications of New Zealand's fight against Covid” address given to this NZ Centre for Public Law event at Victoria University 6 December 2021: <https://www.wgtn.ac.nz/public-law/events/past-events/2021-events2/hon-david-parker-the-legal-and-constitutional-implications-of-new-zealands-fight-against-covid> In this address, the Attorney-General, Hon David Parker, spoke about the legal and constitutional implications of New Zealand's response to the COVID-19 pandemic, changes to the response prompted by the Delta variant, implementation of the COVID-19 Response Framework and the underlying Bill of Rights issues.

198. It is not appropriate for the Courts to sit back and say “the executive has decided it is safe and effective, so we are staying out of it”. Holding the Executive to account, is one of the key reasons for having a judiciary under a Rule of Law balance of powers structure. In Jacobson the Court was only to defer “in the first instance”, not when the decision is challenged by medical/scientific experts.

199. In the 4 aviation workers case, Cooke J wrongly applied the test of when it is reasonable to derogate from *section 11 BORA right to refuse medical treatment*, rather than, also acknowledging *section 10 scientific experimentation is engaged*. He held, that if there was some remote chance there might be some public benefit from the vax, that was sufficient to derogate from the right in a free and democratic society. **That is not the test set out in Article 4 ICCPR or Jacobson.** Further society is no longer free.²¹¹

FACT the PFIZER COVID-19 VACCINE is an experiment

200. FACT the COVID-19 mRNA gene therapy injectable science experiment is a failure²¹². It is a failure for reasons of safety; toxicological, autoimmune deficiencies, and

²¹¹ Sure there are degrees of freedom in a free society, where a prisoner is denied right to free movement and more constraints resulting from a presumed guilty finding and sentencing, a free person is no longer free, in a state that applies arbitrary constraints. One of NZ's values in the Flag Referendum was Freedom see **endnote #225** and note what the 2015/2016 Flag Referendum Statutory Panel said: *The panel reported that **feedback found the themes of freedom, history, equality, respect and family to be the most significant to New Zealanders** – go figure what New Zealand's people want their society to be ground within.. **ordinary people want interesting and stable free democratic states to foster their respective human potential. Respect involves trust and trust requires evidence.***

²¹² “What if the largest experiment on human beings in history is a failure? A report from an Indiana life insurance company raises serious concerns.” by Robert W Malone MD, MS published 3 January 2022 <https://rwmalonemd.substack.com/p/what-if-the-largest-experiment-on> Dr Malone; *A seasoned stock analyst colleague texted me a link today, and when I clicked it open, I could hardly believe what I was reading. What a headline. “Indiana life insurance CEO says deaths are up 40% among people ages 18-64”. This headline is a nuclear truth bomb masquerading as an insurance agent’s dry manila envelope full of actuarial tables. People frequently write to Jill and myself. People we have never met. They call, they arrive at the farm by appointment or unannounced, they fill our email in boxes with their inquiries. They all want something; time, attention, an interview. Many want to tell us about their fear, illness, nightmares, or (what often seems like) outright paranoid conspiracies. And then, over time, these fears and “conspiracies” keep getting confirmed. As Jan Jekielek (a senior editor with The Epoch Times) recently said to me, it is getting harder and harder to tell which ones are mere conspiracy theories and which are true reality. One farm visitor told me of his foreshadowing massive numbers of deaths within three years consequent to the genetic vaccines, and that this was all about the “Great Reset” and the depopulation agenda of the World Economic Forum (WEF). I tried to reassure him that, in my opinion, this was highly unlikely- while privately thinking about how easily people fall into this type of conspiracy ideation, and how I need to be careful to avoid going there when confronting so many public health decisions that appear either incompetent or nefarious. At the time, I only knew of the WEF as the host of a big annual party in Davos Switzerland where the uber rich and the hoi oligoi of the Western nations went to watch Ted talks, drink the best wine, see and be seen. Silly me. What a long, strange trip this has been. I doubt that even Hunter S. Thompson could have imagined it in his most drug and booze addled state. Suffice to say, I nominate Ralph Steadman as official illustrator of the SARS-CoV-2 pandemic. Or a resurrected Hieronymus Bosch. But I am wandering from a point that I am afraid to clearly state. It is starting to look to me like the largest experiment on human beings in recorded history has failed. **And, if this rather dry report from a senior Indiana life insurance executive holds true,***

mutagenic effects, including the the tragic mortality and harm to people who suffer myocardial, and pericardial failure, blood clots including strokes, and for women who are pregnant, or breast feeding injury to the baby, and more hundreds of listed injury risks in Pfizer's FDA documentation made public through US FOIA process.

201. Experimental mRNA injectables as currently employed, are not an answer to any question relating to human health and wellbeing. From the Petitioner's perspective of the COVID-19 experiment, it is obvious that future oversight, and ethics, of any biotechnology research ought be transparent, and easily reviewed by an interested public in real time. The PFIZER COVID-19 VACCINE (and more COVID-19 Vaccines) is an experiment with global reach.

202. Weaponisation of a disease, no matter the pretext must be banned forthwith, for it is evil. Where the various laws relating to bioterrorism are deficient, they require amendment. Where any are blackmailed to participate in a corrupt scheme, which involves terrorising the population, it invokes the [Terrorism](#)²¹³ Suppression Act 2002. Section 5 bears upon our COVID-19 pandemic problem and the Authoritarian response;

5 Terrorist act defined

(1) An act is a terrorist act for the purposes of this Act if—

(a) the act falls within subsection (2); or

(b) the act is an act against a specified terrorism convention (as defined in section 4(1)); or

(c) the act is a terrorist act in armed conflict (as defined in section 4(1)).

(2) An act falls within this subsection if it is intended to cause, in any 1 or more countries, 1 or more of the outcomes specified in subsection (3), and is carried out for the purpose of advancing an ideological, political, or religious cause, and with the following intention:

(a) to induce terror in a civilian population; or

(b) to unduly compel or to force a government or an international organisation to do or abstain from doing any act.

(3) The outcomes referred to in subsection (2) are—

then Reiner Fuellmich's "Crimes against Humanity" push for convening new Nuremberg trials starts to look a lot less quixotic and a lot more prophetic. (Petitioner's emphasis)

213 Terrorism Suppression Act 2002 Section 5 *Terrorist act defined*:

<https://www.legislation.govt.nz/act/public/2002/0034/55.0/DLM152702.html>

(a) the death of, or other serious bodily injury to, 1 or more persons (other than a person carrying out the act):

(b) a serious risk to the health or safety of a population:

*(c) destruction of, or serious damage to, property of great value or importance, or **major economic loss**, or major environmental damage, if likely to result in 1 or more outcomes specified in paragraphs (a), (b), and (d):*

*(d) **serious interference** with, or serious disruption to, an infrastructure facility, if likely to endanger human life:*

(e) introduction or release of a disease-bearing organism, if likely to devastate the national economy of a country.

203. The Petitioner asserts, the NZ Government must know that the SARS-CoV-2 viral entity is a result of the global bioweapons program, and its release is deliberate, or an accident, though more likely a deliberate actor (it only takes one nefarious actor to throw the bomb or pull the trigger, or infect the Wuhan Military Games 18-26 October 2019). It is either extreme opportunism or sythesised response from a **global health syndicate** of actors, given the full spectrum globally organised response, at least of the West, where the cabal has power. The NZ Government's purposeful and deliberate use of the **COVID-19 is the plague** pretext to goad the population with fear, is terrorism as defined by the Act. Additionally there are large harms perpetrated by Authority in the COVID-19 Response.



²¹⁴ Screen capture from C19legacy.com number killed account denied treatment throughout the COVID-19 Pandemic as at 1 February 2022

Denial of COVID-19 early treatment is organised injury and harm

204. It is painful to know, that competent medical personnel, clinicians, nurses and researchers, were denied access to safe and effective COVID-19 drugs and therapies, that treated COVID-19 patients successfully in in-patient trials and as formalised protocols, once repeatedly proven in clinical practice. None died of treatment from anti viral and anti inflammatory medicines, where the treatment was provided early and properly; correct medication for each stage of COVID-19 infection, and dose is critical, as with any treatment. There is negligible ivermectin adverse event reported injury or death despite four (4) billion prescribed doses since the 1990s. Early treatment is sufficient to end the pandemic, presently of those who contract COVID-19, almost all, 99.85% recover and retain lasting immune protection. Those who do not contract COVID-19, already have sufficient immunity to the virus, potentially through prior contact with more and different

²¹⁴ Screen capture 1 February 2022: <https://c19legacy.com/> 3,172,308 unnecessary deaths: Based on adoption and early outpatient use of the current best treatment when it was known to be effective from multiple studies at p = 0.01 (ivermectin from Oct 9, 2020, and HCQ from May 19, 2020), and adjusting for the estimated fraction of the world that adopted these treatments. The total number of COVID-19 deaths is 5,638,849. This is gross negligence or malevolence or worse genocide. We know that the memo was sent wide. All governments have restricted or denied ivermectin and hydroxychloroquine except for a few outliers polite society and the MSM fail to mention; India, Brazil, Africa prophylactically against parasites.

coronaviruses. Medical science knows there is cross immunity through infection with other common coronaviruses, as in the case of virus particles associated with common colds.

205. Many died through denial of early treatment, which again engages Sec 8 *Right not to be deprived of life*. Is denial of early treatment a part of the COVID-19 experiment? It certainly engages law in respect to, due diligence and duty to care for the welfare of the people. What was the outcome of any review into the denial of medical treatments? In which other disease do health authorities, and clinicians, generally deny early treatment of infectious patients – deny treatment to lower the pathogenicity of the infecting agent? Authorities have [denied treatment](#),²¹⁵ prolonged suffering and facilitated unnecessary death. [Science](#),²¹⁶ not ideology is key to anything.

206. Early treatment [guidelines](#)²¹⁷ formalised into a general protocol by the World Council for Health, might be referred to the Health Select committee for discussion with MoH Officers.

207. The Petitioner's October 2021 evidence to the Health Select Committee in respect to the COVID-19 Public Health Response Amendment Bill ([No 2](#)²¹⁸), the Petitioner offered much in the way of scientific research, which established the following findings as listed in the [paper](#)²¹⁹;

Summary of Findings

215 Authorities have denied treatment and prolonged suffering and facilitated unnecessary death study C19legacy webpage: <https://c19legacy.com/> as of 26 Jan 2022 - 3,225,696 unnecessary deaths.

216 Science or ideology? The NZ university at the crossroads" 26 January 2022:

<https://www.newsroom.co.nz/science-or-ideology-the-nz-university-at-the-crossroads> Extracted opening: *No matter how intense or heated the discussion may be, NZ universities need to address the difference between ideology and science, writes Elizabeth Rata. Opinion: New Zealand's universities are at a defining crossroads. Do we remain a universitas, a community of scholars developing knowledge according to the universal principles and methods of science or do we continue down the path of a racialised ideology? The science-ideology battle is nothing new to universities. Dialectical materialism was the ruling ideology in Stalin's Soviet Union. Christianity was the ideology in the pre-Darwinian centuries of English universities. In post-1980s' New Zealand it is the racial ideology of two political categories of people defined by their ancestry.*

217 World Council for Health; "Early Treatment Guidelines A Practical Approach to Home Based Care for Healthy Families" what more could one ask for? <https://worldcouncilforhealth.org/resources/early-covid-19-treatment-guidelines-a-practical-approach-to-home-based-care-for-healthy-families/>

218 COVID-19 Public Health Response Amendment Bill (No 21):

<https://www.legislation.govt.nz/bill/government/2021/0068/latest/whole.html#LMS552303>

219 Greg's evidence to the Health Committee re COVID-19 Public Health Response Amendment Bill (No 2):

<http://values-compasspointsinaposttruthworld.blogspot.com/2021/10/gregs-evidence-to-health-committee-re.html> extract of one point on fear and budgeting; *From the outset of the Covid-19 phenomena every bit of information was politicised. Fear was employed to drive people to seek security from the scourge of being infected with the Covid distemper. Why would a government that prides itself on facilitating societal wellbeing including using wellbeing indicators to frame its budget use fear to attain a nefarious agenda? All new spending must advance one of five government priorities: improving mental health, reducing child poverty, addressing the inequalities faced by indigenous Maori and Pacific island people, thriving in a digital age, and transitioning to a low-emission, sustainable economy. New Zealand's change in policy represents a shift that economists have long theorized could be a more effective use of government spending.*

- 1. It is one thing to make a mistake and rectify it upon the discovery of superior knowledge, it is another thing entirely to isolate oneself from reason and truth by doubling down and compounding the error.*
- 2. What is reported as science is a limited fraction of the available knowledge from critically minded clinicians, medical scientists and publicly available sources.*
- 3. Dr John Ioannidis, Stanford epidemiology, most recent paper (version July 2021) on the Covid-19 distemper's lethality places the overall infection fatality rate at 0.15% which is extremely age stratified and afflicts those already immune compromised and or with comorbidities.*
- 4. The key driver to apprehend in the development of the Covid pandemic is fear.*
- 5. The Covid-19 solution is early treatment not more oppressive jackboots and denials of human rights.*
- 6. The murder count caused through health authorities refusing early treatment for Covid-19 sufferers is approaching 3 million dead.*
- 7. The risk-benefit calculus is therefore clear: the experimental vaccines are needless, ineffective and dangerous. Actors authorising, coercing or administering experimental COVID-19 vaccination are exposing populations and patients to serious, unnecessary, and unjustified medical risks.*
- 8. The evidence is overwhelming that society doesn't need more novel expensive drugs and vaccines with dubious safety profiles. Where early treatment is afforded Covid-19 symptoms sufferers the much vaunted overrun of New Zealand's hospital capacity will be avoided now and into the future where there is the necessary reopening of the nation to foreign travellers and returning NZ residents.*
- 9. My testimony and evidence finds that the Original Covid Response Act is an unlawful imposition in that is unnecessary and more harmful to society than the 'non pandemic' it aims to prevent. (My reference to "non pandemic" is an attempt to identify the hype and politicisation that are automatic supporters of every new twist and turn in the Covid saga)*
- 10. The New Zealand Government's Covid response has negatively impacted all the areas mapped to underpin and facilitate social and individual wellbeing in "Our living standards framework."*

208. MoH Officers, and other Experts who [pronounce](#)²²⁰ in the public space, on behalf of the official Covid-19 narrative, and offer facts that contradict the foregoing, are wrong in FACT.

11 Right to refuse to undergo medical treatment

Everyone has the right to refuse to undergo any medical treatment.

209. Dr Guy Hatchard sums up the developing COVID-19 story in his [essay](#),²²¹ published 31 January 2022; "Time to Bring Government and Media to Account". A couple of passages:

The mRNA Vaccine is Not Effective

Long before the mandates came in there was abundant data that the vaccine waned in effectiveness rapidly.

There was also worrying data that areas with high vaccine rates around the world did not have low case numbers and low deaths.

Therefore there was insufficient data to warrant coercion.

All this has been hashed over in so many blogs and letters to the government.

As a statistician, I am very clear from such anomalous data that there are other factors at work that need to be researched very carefully.

Did we get that?

No, we got mandates and we got interdepartmental messaging that the threat of Covid to health was so dire that we could ignore basic principles of disclosure.

Independent watchdogs such as the Advertising Standards Authority were convinced by this dishonest drivel to take a hands off stance.

220 Lawyer and politician Sue Grey; *Explaining a bizarre and very concerning OIA response from MinHealth about NZ's anti viral of choice for COVID-19, Remdesiver. "I couldn't understand why they chose this as the treatment of choice. It turns out that they can't explain either"* 26 January 2022 video post: <https://www.facebook.com/sue.grey.9469/videos/4956868354358534> OIA answer Facebook photos of the two (2) page response: <https://www.facebook.com/sue.grey.9469/posts/1028299084392528> The OIA answer from MoH states a doctor might prescribe any medicine off label to treat any disease with patient free consent, however, the same MoH Orders Customs to confiscate imports of medicines that might be useful for the treatment of COVID-19 specifically ivermectin and hydroxychloroquine. Catch 22 hypocrisy.

221, Time to Bring Government and Media to Account" by Guy Hatchard, 31 January 2022: <https://hatchardreport.com/time-to-bring-government-and-media-to-account/>

The latest data released by the UK government itself under OIA puts total deaths solely due to Covid over the whole period of the pandemic at 17,000 not the 155,000 we have been frightened with.

210. To further underpin the Petitioner's thesis, the anti-thesis is provided by [Ian Powell](#),²²² who attempts to [counter](#)²²³ a LinkedIn post by a David Page. In Ian Powel's and David Page's words;

Page's attack is more on my comments about what was required to ensure such a low death rate (the elimination of community transmission through zero tolerance strategy) than vaccine implementation. In his own words:

Your pride in NZ's 'achievement' speaks volumes and is typical of a small-mindedness that pervades NZ's response.

What of the impact on general health from deferred ops? The social effects on children, families and livelihoods from domestic violence to loss of income to mental health? What, indeed, was the economic cost to be borne by generations to come?

You do not refer either to fortress NZ, a state without natural immunity, isolated by propagandised fear, and dependent therefore on a program of booster upon booster, with no end in sight.

Conveniently, you do not refer either to the persecution of 40% of Kiwi, many of whom are health professionals – victimised with livelihoods destroyed by mandates that are an abomination in any democratic, liberty-loving nation claiming to value human rights, kindness and inclusivity of all citizens.

Typically for a health technocrat, you don't consider the full balance sheet – you present the same old hackneyed upbeat, backslapping 'achievements' that puffed up media types project onto a dejected, fed up populace too tired to argue.

One measure of success is the mortality rate, but on every other measure, NZ has failed. A hermit state is a dead one.

²²² Ian Powell about on Otaihangas Second Opinion: <https://otaihangescondopinion.wordpress.com/about/> Extracted bio (note Ian Powell is not a doctor); *Executive Director of the Association of Salaried Medical Specialists, the professional union representing senior doctors and dentists in New Zealand, for over 30 years, until December 2019. He is now a health systems, labour market, and political commentator living in the small river estuary community of Otaihangas (the place by the tide). This blog offers second opinions on these issues by drilling deeper into them. "I'm here not to let you be contented with too little."* (William Morris) He has an MA in History and Political Science from the University of Canterbury and a Diploma of Industrial Relations from Victoria University of Wellington.

²²³ "Trashing New Zealand's pandemic response" blog by Ian Powell, published 27 January 2022: <https://otaihangescondopinion.wordpress.com/2022/01/27/trashing-new-zealands-pandemic-response/>

This was followed by a brief 'call to arms' declaring that "We can't let this propaganda [my article (Ian Powell's article)] go unchallenged". Four presumably co-thinkers are highlighted in this second post. An embryo of a campaign?

The evidence the Petitioner presents in their paper suggests the view or perspective of David Page is closer to alignment with truth and FACT, than that of Ian Powell.

211. Along with Sections 8, 9 and 10, [Section 11 of BORA](#)²²⁴ ought be made sacrosanct, as it is obvious that the law must be written to forestall a repetition, or another version, of the COVID-19 RESPONSE being employed to **force** any medicine, or injectable, or other technology, upon any individual, no matter the circumstances.

212. The proposed amendment would make clear, that New Zealand's constitution reflects rule of law principles, and respects, and upholds the life, and security of its citizens (all natural persons) – it is elegant, in that the solution is applied only to those rights, under the heading; **Life and security of the person** – The Petitioner urges you to enact the following amendment to NZ BORA;

5A Unjustified limitations

None of Sections 4, 5, 6 provide any justified limits on rights and freedoms contained in sections 8, 9, 10 and 11.

BORA legislation in review

213. Following is Sir Geoffery Palmer's [perspective](#)²²⁵ written in 2015, reflecting on 25 years of the operation of BORA and comparing it with other Commonwealth and US jurisdictions. Sir Geoff²²⁶ closes his review with the following comments (written 2015);

224 Section 11 BORA *Right to refuse to undergo medical treatment: Everyone has the right to refuse to undergo any medical treatment:*

<https://legislation.govt.nz/act/public/1990/0109/latest/whole.html#DLM225505>

225 "What the New Zealand Bill of Rights Aimed to do, Why it did not succeed and how it can be repaired" by Sir Geoffery Palmer 2015 (various published forms and dates): <https://www.wgtn.ac.nz/public-law/publications/nz-journal-of-public-and-international-law/previous-issues/volume-14-issue-2-december-2016/Palmer.pdf>

226 Sir Geoffery Palmer (from the essay) *Barrister; Distinguished Fellow, Faculty of Law and New Zealand Centre for Public Law, Victoria University of Wellington; Global Affiliated Professor of Law, University of Iowa. A version of this article was presented to the Legal Research Foundation Conference marking 25 years of the New Zealand Bill of Rights Act and 800 years of Magna Carta, Auckland, 25 September 2015. I have benefitted from comments by Mai Chen, Associate Professor Joel Colón-Ríos, Professor Claudia Geiringer, Professor Mark Hickford, Sir Kenneth Keith, Dr Matthew Palmer QC as he then was and Professor Margaret Wilson. Research and editorial work was performed by Rachel Opie. This work stimulated the project to prepare and publish a codified written constitution for New Zealand that was supported by the Law Foundation: Geoffrey Palmer and Andrew Butler Constitution Aotearoa New Zealand (Victoria University Press, Wellington, 2016). The book was published on 21 September 2016.*

There are serious challenges ahead for public policy in New Zealand. The global geopolitical situation raises many issues. Economic turmoil could occur and populist sentiments could produce ugly outcomes. The transformational changes that will be necessary because of climate change will challenge the delivery of fairness to people in our society. Preservation of the liberal democratic state seems important. It would be better to bed in something solid before adverse events occur. In these senses the reforms here being advocated are conservative, designed to preserve fairness and democratic values. The basic human rights principles we have enacted and with which we have now had 25 years' experience should be elevated in the degree of protection they enjoy in the New Zealand legal system.

Despite the introduction of MMP, New Zealand still lacks the necessary checks and balances on the use of public power that it lacked in 1984. A unicameral legislature is capable of breaching human rights and has done so since the NZ Bill of Rights Act was passed. But, both the government machine and the courts now have some facility with NZ Bill of Rights Act issues and how they impact on government decision-making. It would be safe enough now to elevate the status of the NZ Bill of Rights Act, and it can be done so as to insulate court decisions on it against reversal by a simple majority in Parliament. It can be inferred from the relatively conservative interpretations that the courts have given the Bill that the system of government and the body politic will not be unduly disturbed by such a development.

The Parliament does not rigorously analyse human rights issues and lacks the institutional mechanisms for doing so. Our constitutional law is too thin and the flexibility of the public law system knows no limits. This sets up a situation where, if we do not act:

The death of democracy is not likely to be an assassination from ambush. It will be a slow extinction from apathy, indifference and undernourishment.

214. Whilst Sir Geoff Palmer was prescient in his summation of the ground in which NZ and its constitution is situated, he missed the fact that the destruction of the Bill of Rights would be by ambush, in a global operation run on behalf of a particular set of interests – and definitely not in the public interest, which is for health and wellbeing in freedom and democracy.

Conclusion

215. Please fix this problem properly. You are New Zealanders. Consider the themes in the National Anthem²²⁷ (free land protected by sublime authority) and reflect upon NZ as a rule of law democracy that values freedom, rights, and history. It wasn't long ago, that you asked New Zealanders what they **Stand For**²²⁸. New Zealanders shared their deepest desires and values when asked what they stand for. You are their representatives and ought represent their values in a state where democracy has any lawful meaning.



²²⁹ NZ Flag Referendum 2015/2016 values associated with New Zealand by 43,000 participants. Larger words represent more popular values.

216. I urge the Petitions Committee to recommend a conscience vote of the Representatives, when the House comes to consider, the substantive matter of the petition to **amend Section 5 and add a new section 5A to the NZ Bill of Rights Act 1990.**

²²⁷ NZ National Anthem Lyrics, **God Defend New Zealand:** [https://mch.govt.nz/files/National%20Anthem%20words%20\(D-0567007\).PDF](https://mch.govt.nz/files/National%20Anthem%20words%20(D-0567007).PDF) Extract; God defend our free land. From dissension, envy, hate, And corruption guard our state, Make our country good and great, God defend New Zealand

²²⁸ Local Government and Environment select committee hearing in respect to Local Government Act (LGA) 2002 Amendment Bill (NO 2) my Supplementary paper entitled; "Aotearoa New Zealand Values – What We Stand For – What Does Our Government Stand For?" https://www.parliament.nz/resource/mi-NZ/51SCLGE_EVI_00DBHOH_BILL69266_1_A530171/bb31ee2c738de5192bed98d21834bd2ac687b717 one page were to whomever cares to pick up the challenge.

²²⁹ StandFor values in wordcloud format from the 43,000 people who participated in the Values component of the 2015/2016 Flag Change referendum: https://en.wikipedia.org/wiki/2015-2016_New_Zealand_flag_referendums extract; *During the public engagement process, the Flag Consideration Panel travelled around the country for workshops and hui. These in-person consultation events were noted to have markedly low attendance. The consideration panel noted strong online engagement with over 850,000 visits to the website and 1,180,000 engagements on social media. The panel reported that feedback found the themes of freedom, history, equality, respect and family to be the most significant to New Zealanders..*

Many thanks for the opportunity to share the foregoing.

I trust it aids in your search for truth in Law.

Greg Rzesniowiecki

Attached to the this paper, please review

Addendum A: Case to NZ Police report 30 October 2021 from paragraph 111

Attention NZ Police: Report of the homicide of many New Zealanders (30 October 2021)

From: Greg Rzesniowiecki, Public Advocate

Subject: Information that leads to potential charges of Culpable Homicide Sec 160 of the Crimes Act 1961, for a large number killed by those coercing and or mandating the New Zealand population be Vaccinated with Pfizer Comirnaty mRNA injection product.

[1] Crimes Act 1961;

Sec 158 Homicide defined

Homicide is the killing of a human being by another, directly or indirectly, by any means whatsoever.

and

Sec 160 Culpable homicide

(1) Homicide may be either culpable or not culpable.

(2) Homicide is culpable when it consists in the killing of any person—

(a) by an unlawful act; or

(b) by an omission without lawful excuse to perform or observe any legal duty; or

(c) by both combined; or

(d) by causing that person by threats or fear of violence, or by deception, to do an act which causes his or her death; or

(e) by wilfully frightening a child under the age of 16 years or a sick person.

(3) Except as provided in section 178, culpable homicide is either murder or manslaughter.

(4) Homicide that is not culpable is not an offence.

[2] Following is the testimony of Naturopath Lynda Wharton in her letter to Prime Minister Jacinda Ardern in respect to the carnage caused to New Zealanders who are coerced and now mandated to accept the Pfizer Comirnaty mRNA injection product.

The letter is posted to Lynda Wharton's Facebook page and maybe hasn't been sent to NZ PM Jacinda Ardern, nevertheless, it highlights Lynda's experience and insight into the human carnage, death and injury caused through Pfizer Comirnaty mRNA injection product – as such it is testimony to factual matters.

Lynda runs a facebook page “The Health Forum NZ” which gathers testimonials from those who have been injured by Covid Vaccination in New Zealand. The Vaccination product is the Pfizer Comirnaty mRNA injected product.

Please read Lynda Wharton's extensive letter and consider that the stories of affliction caused from the Vaccine are representative of the trauma inflicted upon many who are Vaccinated, available here:

<https://www.facebook.com/groups/thehealthforumnz/posts/486348905798871/>

A LETTER TO OUR PRIME MINISTER

Dear Jacinda,

I am a New Zealander...a mother and a grandmother.

The closest i have been to you was when we jiggled side by side in the VIP area of a U2 concert a couple of years ago. I remember thinking how tiny and pretty you were.

I am a sensitive empath, and watching the pain in your eyes as you comforted the bereaved and traumatised after the mosque massacre, and White Island...i thought i recognised the same in you.

I know your Misinformation Officer will quickly find this post and hopefully share it with you...

I am taking it upon myself to share a grassroots snapshot in time, of the immense suffering so many of your people are enduring right now.

I host a community of nearly 35,000 New Zealanders whose lives have been changed by the Covid 19 vaccine.

Many who gather here are living with the daily legacy of suffering serious adverse reactions to our "safe and effective" covid solution.

Some are paralysed or have lost their health and vitality as a result of a stroke, heart attack, blood clot or myocarditis after their jab.

Others are dealing with a paralysed face, or ongoing extreme exhaustion, crippling pain or daily headaches that see them confined to bed for weeks on end.

When they try to share their story (as many thousands tried to on your recent face book post), they are smashed with angry vitriol...cries of "misinformation" and "antivaxer"...even though they were "pro vax" enough to roll up their sleeve for the needle.

Having unexpectedly created a safe place for these marginalised and injured to gather, gives me daily insight into a New Zealand story the likes of which most unwitting Kiwi's have no awareness of. All they hear every day is "safe and effective....and they trust you and believe it.

The personal interactions i have with these families will leave a permanent heavy record in my heart.

I often think of the family whose beautiful brilliant medical specialist daughter is left permanently crippled by her post jab stroke.

Or the 22 year old woman who had to learn to walk and talk again after her stroke, following the jab she didnt want to have, but gave in to, in order to keep her job.

The family just 3 weeks ago who are wracked with trauma and grief after their precious 14 year old son collapsed dead in their garden, 3 days after his jab.

I have literally hundreds of such stories to share with you....as do the many who tried, unsuccessfully, to do so on your recent face book post.

You wont see a single one of them on the 6 o'clock news, the 1 o'clock update or the front page of the Herald.

Of course i realise that the vast majority of Kiwis will have their jab and have nothing more than a sore arm....but for many others life is changed and these broken

Kiwis (who did the right thing!!) deserve our compassionate acknowledgement and care, not our scorn and disbelief.

And now there is a new tsunami of grief and suffering growing....the thousands of New Zealanders who are now faced with a choice they believed would never be forced upon them.

Do they take a jab, that for a myriad of reasons they have chosen not to have....or do they lose their job, vocation, career of decades?

While some will find the fear of unemployment and financial destitution enough to drag them, kicking and screaming to the vaccine tent...

For others, no amount of pressure, coercion or personal cost will be enough to wrestle a consent from their arm.

I have received hundreds of messages from these soon to be unemployed experts.

We are set to loose literally thousands of years of vocational experience from the New Zealand work force. Doctors, nurses, teachers, psychiatrists, midwives and more. Yes even an Orthopedic Surgeon and a Forensic Psychiatrist will be walking. Some who are new to their careers and still paying off student loans....others with 20 or 30 years of valuable experience.

To those who have already had their jab, this might seem pure insanity. Why would a professional with everything to lose, not just simply call in to the vax centre at the end of a work shift, and be done with the turmoil, pressure and angst?

I'll share just a tiny few of the myriad reasons these incredible people have shared with me.

The reasons can be grouped, and the first group hinges on TRUST.

Try as they might, some just cannot rationalise their way into a place of trusting either Pfizer, or you and our Government.

They struggle to believe that the largest corporate and pharmaceutical felons in history can just be "trusted" with a rapidly developed, novel technology, medical product with absolutely ZERO long term safety data.

They also struggle with knowing that the contract our Government signed with Pfizer is confidential, and includes (this much we know) 100% liability protection for Pfizer.

These injured Kiwi's I've spoken about...if they are lucky their financial care will come from ACC (its not a given though). That's us. The tax payers. An "all care, no responsibility" contract with a pharmaceutical company with a track record like Pfizer, simply does not inspire confidence in those who do their due diligence.

Others of these smart and educated professionals (including many medics) have spent many hours reading the clinical trial papers, following the government adverse reaction (and efficacy) databases around the world.

They are deeply concerned by what they see. Unprecedented serious injury and death, the likes of which have never been witnessed with a vaccine before. With the exception of the many times inflated risk of heart inflammation in young males, the other serious injuries (or worse) seem to be randomly meted out as a form of medical Russian Roulette.

There is another group of soon to be unemployed, who have health issues that in any "ordinary" times, would see them exempted or even contraindicated from receiving this vaccine. Long histories of blood clots, heart attacks, neurodegeneration conditions, and yes even previous severe and life threatening allergic reactions. Instead they find themselves mandated, terrorised and terrified....including those who nearly died from their first dose, and are simply told they MUST have their second dose in a hospital with a crash cart and a resuscitation team at hand.

Then comes the group, often also encompassing the first two groups, who will walk away from their career as a stand for medical freedom.

These people believe that capitulating against their will to take a medical intervention, with unprecedented evidence of damage from around the world, is the greater of two evils.

Those with intelligence have so many unanswered questions...

Why do they not have the option of presenting a negative saliva test twice a week to ensure they are safe in the work place? (firstly....why do we not have \$20 saliva tests available like the rest of the world?)

Why is an "immunity passport" based on evidence of covid antibodies from previous infection, not enough to safely keep their job?

Why has our Government put no effort into providing us with an effective Early Treatment Outpatient program such as that used with overwhelming success by Dr Peter McCullough or Dr Zelenko? Instead those in MIQ are offered panadol while they wait to see if their infection will lead them to ICU.

Why are we not checking the vitamin D status of every man woman and child in the land, and providing them with safe and effective doses of vitamin D...now that we know so clearly that low vitamin D makes us a sitting target for both infection and a poor outcome (and we have endemic vitamin D deficiency in NZ with our "sun smart" messaging).

Why have we not used the last 20 months to educate, empower and lead our nation into a better state of health....starting with sharing the brutal truth that obesity greatly increases your risk of ICU and death.

Why have you done everything in your power to block our access to Ivermectin when the evidence of both the safety and efficacy for prevention and treatment of Covid is overwhelmingly positive?

Why are we not having any national debate and discussion around the risk/benefit analysis of vaccinating our children? New Zealanders have simply not been informed that their children face virtually no risk of a poor outcome from covid (unless their child is already severely health compromised). They are similarly unaware that their children face very real risks from taking the vaccine, including up to 25 times the usual risk of heart inflammation (young males), along with its potentially life shortening consequences.

Why do most New Zealanders not understand that as double vaccinated they can still both contract and transmit covid, get seriously ill from covid and die of covid.

We just have to look at the heavily vaccinated countries like Singapore, Israel and UK, to see that it will take much more than this "leaky" vaccine to put an end to our misery.

Why have New Zealanders not been told that the vaccine passport they covet, will likely disappear into thin air if they refuse to consent to a booster every six months in order to be considered "fully vaccinated"...along with the repeated re exposure to serious health risks.

I think enough has been said.

Your people are hurting....the vaccine injured or bereaved; the mandated and disillusioned, frightened and no longer trusting; and all those who have chosen (for a myriad of rational reasons) to decline the jab, and are now vilified, attacked, belittled second rate citizens in their own country.

Right now our nation has never felt more divided.

Mental health has never felt more thread bare. And never before have more questions been left unanswered.

Jacinda...

Its not too late for you to show the same compassion we witnessed as you embraced the traumatised Muslims at the mosque.

Its not too late to work with your people instead of against them.

<https://www.youtube.com/watch?v=vYF8bnmdQfY>

<https://www.youtube.com/watch?v=Y4MViwU3XOo>

<https://www.medsafe.govt.nz/COVID-19/vaccine-report-overview.asp>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8481107/>

<https://www.technologyreview.com/2021/07/30/1030390/vaccinated-getting-covid-delta-mask-mandate-superspreaders/>

<https://www.bmj.com/content/371/bmj.m3872/rr-5>

----- ends -----

Considerations and findings

[3] It is a fact that Vaccination with Pfizer Comirnaty mRNA injection product kills people.

Screen capture is from a Facebook post Friday 29 October 2021.



Big read; “Why are we vaccinating children against COVID-19?” published August 2021:

<https://www.sciencedirect.com/science/article/pii/S221475002100161X>

[4] The NZ Government is both coercing and mandating Covid Vaccination through Covid Vaccination Orders made under the Covid-19 Public Health Response Act's power to delegate to the Minister.

[5] The Minister (NZ Government) uses the power to make orders, mandating that people in groups; certain occupations and as individuals people who desire access to society's cultural milieu; theatre, concerts, cafes etc, accept Vaccination with the Comirnaty mRNA

gene therapy toxin (it is by definition a toxin as the human body mounts an immune response to it).

[6] In New Zealand more have been killed by Pfizer's Comirnaty mRNA injection product than died with Covid by at least an order of magnitude.

Evidence: see Appendices A and B for anonymised data sets which indicate the numbers killed and injured as a result of being Vaccinated.

[7] Additionally Covid-19 symptom curatives were withheld in New Zealand and overseas, I draw your attention to Australia where the TGA (Therapeutic Goods Agency) has banned the use of ivermectin for Covid-19 symptom treatment, itself an infringement on a doctor's right to treat a patient to the best of their ability with informed consent for any treatment offered:

<https://www.tga.gov.au/media-release/new-restrictions-prescribing-ivermectin-covid-19>

[8] C-19 Legacy website highlights the numbers murdered (culpable homicide definition by NZ Crimes Act 1961) globally caused directly through the denial of early treatment.

<https://c19legacy.com/> The murder count is approaching 3 million dead of the total Covid death count.

[9] Early treatment study <https://c19early.com/> demonstrates the efficacy and safety of Covid-19 early treatment with generic and off patent drugs and therapies.

<https://ivmmeta.com/> is a review of ivermectin and other early treatment protocols with considerable data and sourced references as to the efficacy demonstrated in the studies.

[10] New Zealand's Government and Health authorities have kept NZ locked up and or borders closed plus various emergency decrees since March 2020 for which endgame? Did the NZ Government intend keeping New Zealand locked down till the Pfizer Comirnaty mRNA injection product was available? The NZ Government denied that there was any other cures or therapies, which is a Big Lie (see paragraph [53]).

Mikki Willis documentary film maker's short video featuring Dr Zev Zelenko and his Zelenko Protocol to prevent and or treat Covid and viral infections, also highlights the politicisation of cheap generic drugs by governments and MSM media platforms:

<https://plandemicseries.com/zstack/>

[11] The Government used the discredited PCR test as a diagnostic tool to determine Covid cases, whereas a PCR denominated case may be uninfected by the SARS-CoV-2 virus.

A peer review of the paper on which most Covid PCR testing is based has comprehensively debunked the science behind it, finding major flaws. They conclude it is utterly unsuitable as a means for diagnosis: <https://cormandrostenreview.com/report/>

This paper will show numerous serious flaws in the Corman-Drosten paper, the significance of which has led to worldwide misdiagnosis of infections attributed to SARS-CoV-2 and associated with the disease COVID-19. We are confronted with stringent lockdowns which have destroyed many people's lives and livelihoods, limited access to education and these imposed restrictions by governments around the world are a direct attack on people's basic rights and their personal freedoms, resulting in collateral damage for entire economies on a global scale.

There are ten fatal problems with the Corman-Drosten paper which we will outline and explain in greater detail in the following sections.

For completeness here is the original Corman-Drosten paper which global PCR testing for Covid-19 was based upon: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6988269/>

More information raising concerns about Christian Drosten:

http://enformtk.u-aizu.ac.jp/howard/the_classified_drosten_files/

[12] Pfizer's Comirnaty product is authorised by NZ Government through a provisional approval under the Medicines Act which itself is deceptive as provisional approval was only intended for a medicine for a "limited number of patients" not for New Zealand Government participation in a global Vaccine experiment for the benefit of international interests including Pfizer's owners, by coercing and mandating its population to be Vaccinated. Medicines Amendment Bill passed under Urgency and in force from May 2021:

<https://www.legislation.govt.nz/bill/government/2021/0041/latest/whole.html#LMS496437>

New Zealand has extended the Provisional Approval of Pfizer Comirnaty mRNA injection product until November 2023, notice dated 28 October 2021:

<https://www.medsafe.govt.nz/COVID-19/status-of-applications.asp>

[13] Why is the Pfizer Comirnaty mRNA injection product the only cure to Covid-19 symptoms considered by this NZ Government?

Other treatments are available and proven both more effective and safer as they have virtually no adverse reactions and definitely no deaths from treatment reactions.

The Pfizer Comirnaty mRNA injection product has been sold to people as being highly effective, whereas it's absolute efficacy is less than a 1% benefit over not being Vaccinated:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7996517/> from the abstract of the paper:

Reporting absolute risk reduction measures is essential to prevent outcome reporting bias in evaluation of COVID-19 vaccine efficacy.

[14] I assert that killing of people as a result of their being forcibly injected with the Comirnaty Covid-19 mRNA Vaccination product under duress (coercion or mandate) is culpable homicide as per Sec 160 of the Crimes Act. Where Vaccination causes injury it is criminal assault.

NZ Crimes Act 1961 version as at 5 October 2021

Homicide

Section 158 "Homicide defined"

Homicide is the killing of a human being by another, directly or indirectly, by any means whatsoever.

<https://legislation.govt.nz/act/public/1961/0043/latest/whole.html#DLM328520>

Issue then is culpability

Section 160 "Culpable homicide"

(1) Homicide may be either culpable or not culpable.

(2) Homicide is culpable when it consists in the killing of any person—

(a) by an unlawful act; or

(b) by an omission without lawful excuse to perform or observe any legal duty; or

(c) by both combined; or

(d) by causing that person by threats or fear of violence, or by deception, to do an act which causes his or her death; or

(e) by wilfully frightening a child under the age of 16 years or a sick person.

(3) Except as provided in section 178, culpable homicide is either murder or manslaughter.

(4) Homicide that is not culpable is not an offence.

Further Section 167 of the Crimes Act “Murder defined”

Culpable homicide is murder in each of the following cases:

(a) if the offender means to cause the death of the person killed:

(b) if the offender means to cause to the person killed any bodily injury that is known to the offender to be likely to cause death, and is reckless whether death ensues or not:

(c) if the offender means to cause death, or, being so reckless as aforesaid, means to cause such bodily injury as aforesaid to one person, and by accident or mistake kills another person, though he or she does not mean to hurt the person killed:

(d) if the offender for any unlawful object does an act that he or she knows to be likely to cause death, and thereby kills any person, though he or she may have desired that his or her object should be effected without hurting any one.

Which disposes of any problem about intent to kill, as the act of killing many individuals resulting from the NZ Government's Vaccination program is an incontrovertible fact.

[15] Those accused as culpable for murder and/or manslaughter are;

- New Zealand Government Ministers and officials, their agencies and contractors in their all of government approach to Covid, and;
- The Fourth Estate or the legacy mainstream media who used fear and biased information (lies) as a stick to beat the population to submit to being Vaccinated with the Pfizer Comirnaty mRNA injection product, and those who advise the Government from the science and or academic community, and;
- Any person or party yet to be discovered.

[16] **Specific persons to be investigated for their participation in the crime are;**

- The Prime Minister, Deputy Prime Minister, Health Minister, Covid Response Minister and relevant heads of departments, Managements that enforce Vaccination mandates, Vaccinators;
- Heads and editors of media organisations at; RNZ, Newshub, OneNews/TVNZ, Herald/NZME, Stuff, The Guardian, and more of the smaller platforms all promote the same paranoid fear of Covid-19 symptoms and that the only cure is the Vaccine;
- Public figures such as Professor Michael Baker, Associate Professor Siouxsie Wiles, Professor Sean Hendy, Associate Professor Helen Petousis Harris and more who promote Vaccination and demand mandates or strong coercive measures to encourage uptake.

[17] To underline the point of bias and misdirection given to the public from the MSM news media, this post from Lynda Wharton on a Newshub article about the people that spoke up to the Prime Minister when she asked about adverse reactions on her Facebook timeline.

PM Jacinda Ardern's facebook post 26 September 2021 asking people about adverse reactions generated 35,000 comments:

<https://www.facebook.com/jacindaardern/posts/10158140116102441>

Newshub article 1 October 2021; "COVID-19: Top researcher questions Jacinda Ardern letting social media posts be 'polluted' with anti-vaccination comments" by Zane Small:

<https://www.newshub.co.nz/home/politics/2021/10/covid-19-top-researcher-questions-jacinda-ardern-letting-social-media-posts-be-polluted-with-anti-vaccination-comments.html>

Newshub's attitude to those injured through Vaccination is to label them as anti-vaxxers an absurdity in itself given the cause of their injury or close connections' death.

Lynda notes that Newshub's ownership is held by large hedge fund operations that also have significant holdings in Vaccine producers including Pfizer (I will attach the content of this from a private group The Health Forum NZ **Attachment 1**):

<https://www.facebook.com/groups/thehealthforumnz/posts/473272630439832/>

Further two published articles by Newsroom dated 28/29 October 2021 indicate the chasm between those peddling the 'official Covid narrative' compared to those who know that there is a large number of New Zealanders killed and injured account of Vaccination by Pfizer's Comirnaty mRNA injection product.

A. Marc Daalder writes; “Medsafe’s vaccine safety reports misused by anti-vaxxers”

<https://www.newsroom.co.nz/medsafes-vaccine-safety-reports-misused-by-anti-vaxxers>

B. Ex MP The Hon. Peter Dunne writes; “It's only the unvaccinated who matter now”

<https://www.newsroom.co.nz/peter-dunne-the-unvaccinated-are-those-who-matter>

In both articles the whole of the problem of the “Covid pandemic” and the ability to open the borders and allow people to return to something approaching the freedoms people had as a right prior to Covid is contingent upon the unvaccinated or anti-vaxxers submitting to Vaccination. There is no factual basis to Newsroom writers' presumptions other than arbitrary notions that the unvaccinated are a health problem. Note both articles infer or state specifically that Covid Vaccination is the only method of fighting Covid-19 infection, despite the abundant knowledge that Covid-19 Vaccinated people can become infected, transmit Covid-19 and be hospitalised and or die from Covid-19 symptoms. US CDC page on Covid-19 Vaccinated breakthrough infections:

<https://www.cdc.gov/vaccines/covid-19/health-departments/breakthrough-cases.html>

Note the CDC statement says;

Vaccine breakthrough cases are expected. COVID-19 vaccines are effective and are a critical tool to bring the pandemic under control; however, no vaccine is 100% effective at preventing illness. Some fully vaccinated people will get sick, and some will even be hospitalized or die from COVID-19. However, there is evidence that vaccination may make illness less severe for those who are vaccinated and still get sick. The risk of infection, hospitalization, and death are all much lower in vaccinated people compared to unvaccinated.

The NZ Government is mandating Covid-19 Vaccination despite the serious harms caused by the Vaccines and the fact that there's no long term safety data with the stated advantage decreed by the US CDC being; “However, there is evidence that **vaccination may**

make illness less severe for those who are vaccinated and still get sick. The risk of infection, hospitalization, and death are all much lower in vaccinated people compared to unvaccinated.”

Covid-19 Vaccination is a treatment (neither safe nor effective), it is not a neutralising vaccine. The following blog post by NZ scientists that are associated with “Covid Plan B” draw attention to Peter Doshi’s devastating BMJ critique of the Pfizer vaccine data. Which leaves the Israel experience as our most reliable current guide – and Israel is reporting relative efficiency below 40% whereas the marketing claim is better than 95% effective.

<https://www.covidplanb.co.nz/epidemiology/bmj-critiques-pfizer-data-efficiency-waning/>

[18] The often repeated mantra is “get Vaccinated to get your freedoms back.”

At which point were my freedoms discontinued?

Why is my freedom now conditional upon being Vaccinated?

[19] Were I to travel to Australia (my ancestral home) and return to New Zealand I would be mandated to be Vaccinated – that is Assault under the Crimes Act as I do not consent.

[20] Are these NZ Government and allied 'Vaccinate everyone' actors the ultimate directors of the human carnage and mass murder of people?

Additionally is there a larger conspiracy?

[21] The NZ Government may be working in criminal association with foreign parties - it is self evidently the case when one considers the similarities in actions; Covid responses (lockdowns and mask mandates), talking and narrative points across national borders which diverge from factual knowledge. Everywhere (Western nations) governments and health authorities denied early treatment for Covid-19 symptoms.

Thoughts from Christine Margarete Anderson who is a German politician serving as an Alternative for Germany Member of the European Parliament.

<https://twitter.com/SikhForTruth/status/1454093966715019282> she states in the short video;

“In the entire history of mankind there has never been a political elite sincerely concerned about the wellbeing of regular people. What makes any of us think that it is different now.”

[22] Some higher authority or foreign power appears to be issuing directions for the national leaders and health authorities given the pattern and development of the Covid phenomena. Each stage or moment in the Covid saga is surrounded with controversy.

My papers referenced in paragraphs [63] and [64] provide more detail in respect to the global Covid phenomena.

How did the Covid-19 disease arise?

The earliest stories dispersed in the news media was of an outbreak of a novel respiratory disease in Wuhan China which was then associated with the wet food market, however, 14 of the 41 people who were earliest infected had no association with the Wuhan wet food market:

<https://pubmed.ncbi.nlm.nih.gov/31986264/>

The earliest utterances from the scientific and political community was that the bug responsible called SARS-CoV-2 was a zoonotic emergence, that is a jump from bats to an intermediate species such as a pangolin to humans. Early on the official narrative proclaimed that individuals who suspected a biological laboratory release whether purposeful or accidental as conspiracy theorists, much as anti-vaxxer is used perjoratively against those sceptical of the various Covid-19 Vaccinations on offer and being mandated.

Whereas the truth is that US National Institute for Allergies and Infectious Diseases (NIAID) was funding a mob called Eco Health Alliance led by a Peter Dazsak to undertake Gain of Function research into various pathogens including bat coronaviruses. Some of the scientific experimentation and gain of function work was contracted to the Wuhan Institute of Virology. Officials from the National Institute for Health (NIH) parent of NIAID, categorically denied any knowledge of contracted research into bat coronaviruses. The following thread from the Washington Post's Josh Rogin highlights the duplicity and mendacious denial of knowledge of NIH/NIAID contracted bat coronavirus gain of function research.

<https://threadreaderapp.com/thread/1452787954947088385.html>

Given the extraordinary denial and cover up, SARS-CoV-2 origins is a critical matter to investigate where the world of people and their police forces wish to ensure there is no repeat of the Covid-19 pandemic, through the purposeful or accidental release of biological

pathogens.

[23] I assert the overall Covid response and Vaccination program is a crime against humanity organised by a criminal gang that has personnel at the top of at least the Western nations and global non-government organisations including philanthropic organisations that promote the toxic Covid jabs.

[24] There is no disputing the definition of culpable homicide in the Crimes Act 1961.

[25] There can be no dispute that individuals are being coerced into being 'Vaccinated' and in some occupational areas there are Orders mandating Vaccination to retain employment in those areas.

[26] There is ample evidence that many people are being killed by being Vaccinated.

[27] There is ample evidence that more have died from Vaccination than died with Covid in New Zealand.

[28] There is ample evidence that many thousands are being injured from Vaccination.

[29] Based on the foregoing, I as a reasonable person capable of logical and clear thinking, assert that many more will be killed and injured where the NZ Government continues with the Pfizer Comirnaty mRNA injection product project and Vaccinates more people using its powers of encouragement, coercion and mandates.

[30] COVID-19 Public Health Response (Vaccinations) Order 2021 issued by NZ Government and the schedule of persons or classes of persons mandated to be Vaccinated.

<https://www.legislation.govt.nz/regulation/public/2021/0094/latest/whole.html#LMS487909>

[31] The COVID-19 Public Health Response (Vaccinations) Order 2021 issued by NZ Government now includes Section 7A Exemption from duty under clause 7, however, that exemption takes no account of any other concern an individual might have with the Pfizer Comirnaty mRNA injection product and as such does not mitigate in any sense against the mandate to be Vaccinated which might be the mandate that causes one to be killed or harmed.

[32] There is no recognition of Contentious Objection to any of the Covid-19 Vaccinations. This is critical as the New Zealand Bill of Rights 1990 (BORA) provides;

Part 2 Civil and political rights

Life and security of the person

Sec 8 Right not to be deprived of life

No one shall be deprived of life except on such grounds as are established by law and are consistent with the principles of fundamental justice.

Sec 9 Right not to be subjected to torture or cruel treatment

Everyone has the right not to be subjected to torture or to cruel, degrading, or disproportionately severe treatment or punishment.

Sec 10 Right not to be subjected to medical or scientific experimentation

Every person has the right not to be subjected to medical or scientific experimentation without that person's consent.

Sec 11 Right to refuse to undergo medical treatment

Everyone has the right to refuse to undergo any medical treatment.

Sec 13 Freedom of thought, conscience, and religion

Everyone has the right to freedom of thought, conscience, religion, and belief, including the right to adopt and to hold opinions without interference.

Sec 14 Freedom of expression

Everyone has the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind in any form.

Sec 15 Manifestation of religion and belief

Every person has the right to manifest that person's religion or belief in worship, observance, practice, or teaching, either individually or in community with others, and either in public or in private.

Sec 16 Freedom of peaceful assembly

Everyone has the right to freedom of peaceful assembly.

Sec 17 Freedom of association

Everyone has the right to freedom of association.

Sec 18 Freedom of movement

(1) Everyone lawfully in New Zealand has the right to freedom of movement and residence in New Zealand.

(2) Every New Zealand citizen has the right to enter New Zealand.

(3) Everyone has the right to leave New Zealand.

(4) No one who is not a New Zealand citizen and who is lawfully in New Zealand shall be required to leave New Zealand except under a decision taken on grounds prescribed by law.

Non-discrimination and minority rights

Sec 19 Freedom from discrimination

(1) Everyone has the right to freedom from discrimination on the grounds of discrimination in the Human Rights Act 1993.

(2) Measures taken in good faith for the purpose of assisting or advancing persons or groups of persons disadvantaged because of discrimination that is unlawful by virtue of Part 2 of the Human Rights Act 1993 do not constitute discrimination.

Sec 20 Rights of minorities

A person who belongs to an ethnic, religious, or linguistic minority in New Zealand shall not be denied the right, in community with other members of that minority, to enjoy the culture, to profess and practise the religion, or to use the language, of that minority.

<https://www.legislation.govt.nz/act/public/1990/0109/latest/DLM224792.html>

Covid Responses and Vaccination mandates, vaccine passports and more are direct breaches of NZ's Bill of Rights Act.

Note the COVID-19 Public Health Response Act 2020 provides in Section 9 as follows;

<https://www.legislation.govt.nz/act/public/2020/0012/latest/whole.html#LMS344175>

Sec 9 Minister may make COVID-19 orders

- (1) The Minister may make a COVID-19 order in accordance with the following provisions:*
- (a) the Minister must have had regard to advice from the Director-General about—*
- (i) the risks of the outbreak or spread of COVID-19; and*
- (ii) the nature and extent of measures (whether voluntary or enforceable) that are appropriate to address those risks; and*
- (b) the Minister may have had regard to any decision by the Government on the level of public health measures appropriate to respond to those risks and avoid, mitigate, or remedy the effects of the outbreak or spread of COVID-19 (which decision may have taken into account any social, economic, or other factors); and*
- (ba) the Minister must be satisfied that the order does not limit or is a justified limit on the rights and freedoms in the New Zealand Bill of Rights Act 1990; and***
- (c) the Minister—*
- (i) must have consulted the Prime Minister, the Minister of Justice, and the Minister of Health; and*
- (ii) may have consulted any other Minister that the Minister (as defined in this Act) thinks fit; and*
- (d) before making the order, the Minister must be satisfied that the order is appropriate to achieve the purpose of this Act.*
- (2) Nothing in this section requires the Minister to receive specific advice from the Director-General about the content of a proposed order or proposal to amend, extend, or revoke an order.*

There is no legal or lawful justification for the Covid-19 Vaccination mandates. The New Zealand Government is in breach of the New Zealand Bill of Rights Act 1991.

[33] As well as culpability for homicide the NZ Government and allies coercing and or mandating New Zealand citizens and residents to be Vaccinated are injuring many thousands of people through severe adverse reactions caused by Vaccination. Section 190 of the Crimes Act; “Injuring by unlawful act”

Every one is liable to imprisonment for a term not exceeding 3 years who injures any other person in such circumstances that if death had been caused he or she would have been guilty of manslaughter.

Sections 188 Wounding with intent, and; 189 Injuring with intent have application.

[34] There is ample evidence that governments and health authorities everywhere including New Zealand denied the efficacy of repurposed drugs and therapies which would have benefited Covid patients were they administered.

[35] A crime may be commissioned or an omission to perform a duty i.e. duty to care, public responsibility, fiscal responsibility, denial of treatment. Section 157 of the Crimes Act 1961 states;

Sec 157 Duty to avoid omissions dangerous to life

Every one who undertakes to do any act the omission to do which is or may be dangerous to life is under a legal duty to do that act, and is criminally responsible for the consequences of omitting without lawful excuse to discharge that duty.

[36] First crime is refusal to allow and or facilitate early treatment of Covid symptoms. Please reflect upon "in which other disease does NZ Health Authorities withhold treatment?"

[37] Second element of the act of criminality is the coercion and mandate to accept a proprietary product with no long term safety data, provisionally approved, and with a large kill rate and injury or harms to thousands of the participants.

[38] Additionally there is substantial testimony and evidence which establishes a pattern of doctors and medical officials downplaying the role of the Comirnaty Vaccination in the death or injury to the victim.

This is the case at the global level with peer reviewed publications suddenly withdrawing a peer reviewed science research paper which discloses the level of harm and injury resulting from Covid-19 Vaccinations. The following video makes clear what is being perpetrated. Bret Weinstein and Heather Heying (both PhDs in Biology) discuss the withdrawal of Jessica Rose and Peter A. McCullough's paper; "Report on Myocarditis Adverse Events in the U.S. Vaccine Adverse Events Reporting System (VAERS) in Association with COVID-19 Injectable Biological Products"

https://www.youtube.com/watch?v=4_kW7_9azxl

Pulled paper here:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8483988/>

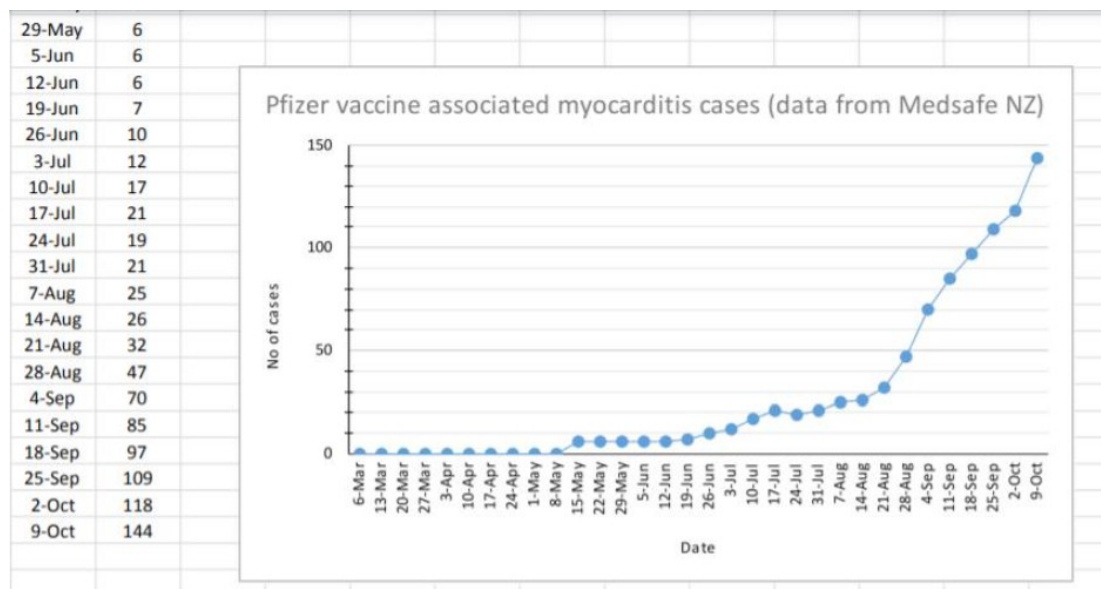
Webarchive copy of the published paper prior to being pulled by the publisher:

<https://web.archive.org/web/20211002192421/https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8483988/> Abstract;

Following the global rollout and administration of the Pfizer Inc./BioNTech BNT162b2 and Moderna mRNA-1273 vaccines on December 17, 2020, in the United States, and of the Janssen Ad26.COV2.S product on April 1st, 2021, in an unprecedented manner, hundreds of thousands of individuals have reported adverse events (AEs) using the Vaccine Adverse Events Reports System (VAERS). We used VAERS data to examine cardiac AEs, primarily myocarditis, reported following injection of the first or second dose of the COVID-19 injectable products. Myocarditis rates reported in VAERS were significantly higher in youths between the ages of 13 to 23 ($p < 0.0001$) with ~80% occurring in males. Within 8 weeks of the public offering of COVID-19 products to the 12-15-year-old age group, we found 19 times the expected number of myocarditis cases in the vaccination volunteers over background myocarditis rates for this age group. In addition, a 5-fold increase in myocarditis rate was observed subsequent to dose 2 as opposed to dose 1 in 15-year-old males. A total of 67% of all cases occurred with BNT162b2. Of the total myocarditis AE reports, 6 individuals died (1.1%) and of these, 2 were under 20 years of age - 1 was 13. These findings suggest a markedly higher risk for myocarditis subsequent to COVID-19 injectable product use than for other known vaccines, and this is well above known background rates for myocarditis. COVID-19 injectable products are novel and have a genetic, pathogenic mechanism of action causing uncontrolled expression of SARS-CoV-2 spike protein within human cells. When you combine this fact with the temporal relationship of AE occurrence and reporting, biological plausibility of cause and effect, and the fact that these data are internally and externally consistent with emerging sources of clinical data, it supports a conclusion that the COVID-19 biological products are deterministic for the myocarditis cases observed after injection.

The paper makes the case that severe myocarditis and death result directly from the Pfizer Comirnaty mRNA injection product.

The following graph (captured from a post by Naturopath Lynda Wharton) of myocarditis cases in New Zealand shows a very strong signal that the Pfizer Comirnaty mRNA injection product is toxic and causes severe disability.



[39] The NZ Medical Council is trying doctors who refuse to endorse or caution against acceptance of the Pfizer Comirnaty mRNA injection product.

<https://www.rnz.co.nz/news/national/445179/doctors-spreading-misinformation-about-covid-19-may-lose-their-job-medical-council>

A letter to the Medical Council from an individual in defence of Plimmerton doctor Matt Shelton who is under charges from the NZ Medical Council;

<https://nzdsos.com/wp-content/uploads/2021/09/210909-Christopher-Watson-to-MCNZ-re-Matt.pdf>

NZ Medical Council policy on informed consent to medical procedures updated and republished June 2021:

<https://www.mcnz.org.nz/assets/standards/c43a3affc3/Statement-on-informed-consent.pdf>

[40] A reasonable person could not suspect the New Zealand Government is ignorant of the carnage, harm and personal injury or homicide inflicted by their Covid Vaccination project.

[41] A reasonable person could not suspect the New Zealand Government is ignorant of the damage to society and political economy caused through their Covid Repsonse.

[42] Despite likely knowing of the carnage their acts are causing the NZ Government act as if blind to the destruction. Or worse the New Zealand Government do not care for the welfare of those afflicted as a result of Vaccination with Pfizer's Comirnaty mRNA injection product.

[43] The New Zealand Government must know more than I do about the deleterious effects of it's Vaccination program and the consequences of of it and the larger all of Government Covid response which has loaded the nation with a huge debt and diminished economy. Or is the willful blindness doctrine at work?

http://criminalnotebook.ca/index.php/Knowledge_and_Wilful_Blindness

To be clear the NZ Crimes Act 1961 states in Section 25 **Ignorance of law**

The fact that an offender is ignorant of the law is not an excuse for any offence committed by him or her.

[44] The human carnage caused by the Pfizer Comirnaty toxic mRNA gene therapy jab is a growing crime in commission.

[45] The mRNA turn's one's body into a S-spike producing machine making billions of the entity which cause one's immune system to kill the S-spike producing cells.

<https://www.raysahelian.com/index.html> US Doctor Ray Sahelian states;

I now have a clearer understanding of how these vaccines influence our immune system and organs, how they could be of benefit, and how they cause the multiple short, medium, and long term adverse effects.

I am convinced that the benefits promoted by experts on TV regarding these vaccines are less than what they promise, and the adverse reactions are more than they want us to believe. The effects of these vaccines on the human body are infinitely more complex than anyone can imagine... a million shades of gray, you

may say.

Comirnaty Data Sheet from Medsafe website does not indicate that Vaccination by Pfizer's Comirnaty mRNA injection product is safe or effective:

<https://medsafe.govt.nz/Profs/datasheet/c/comirnatyinj.pdf>

[46] The mRNA created S spike proteins might/will infect vascular cells in ones' vital organs; heart, brain, lungs, liver, kidneys.. anywhere as blood goes everywhere, apparently there are lots of spontaneous abortions amongst pregnant women soon after accepting Vaccination. The data sheet referenced in paragraph [45] above has this to say about Vaccinating pregnant women;

Pregnancy

There is limited experience with use of COMIRNATY in pregnant women. Animal studies do not indicate direct or indirect harmful effects with respect to pregnancy, embryo/fetal development, parturition or post-natal development (see Fertility). Administration of COMIRNATY in pregnancy should only be considered when the potential benefits outweigh any potential risks for the mother and fetus.

[47] Vaccine caused abortions are a wasteful unnecessary crime as pregnant women are of an age and likely fitness to ward off Covid-19 symptoms with ease particularly where early treatment is enabled.

[48] Lynda Wharton makes the point that there is minimal public reporting of vaccine adverse reaction or death, rather lots of official denial of the tragedy that people risk as they are coerced to accept the toxic Russian Roulette kill or maim shot. Paragraph [17] references a Newsroom article by journalist Marc Daalder; ***“Medsafe’s vaccine safety reports misused by anti-vaxxers”*** which appears to be advocating the removal of Vaccination adverse event reporting from the Medsafe website, which hints at a further denial of information necessary to properly and fully inform the public.

[49] My testimony and that of many others is that the mantra that the “vaccine is safe and effective” is not a factual representation of the Pfizer Comirnaty mRNA injection product.

Where an authority misrepresents information and actively denies important data such as the true level of adverse events and deaths from Vaccination, the public are being deceived. Section 240 of the Crimes Act; “Obtaining by deception or causing loss by

deception” might apply particularly where it states;

(2) In this section, deception means—

(a) a false representation, whether oral, documentary, or by conduct, where the person making the representation intends to deceive any other person and—

(i) knows that it is false in a material particular; or

(ii) is reckless as to whether it is false in a material particular; or

(b) an omission to disclose a material particular, with intent to deceive any person, in circumstances where there is a duty to disclose it; or

(c) a fraudulent device, trick, or stratagem used with intent to deceive any person.

[50] Given the deception by the Government and its allies appears to be to sell a particular commercial product, it is reprehensible to falsely advertise its merits.

[51] I assert people with just a headache or similar localised discomfort in association with being Vaccinated are likely to have suffered damage to their tissues in those regions of their body. Damage may not present as an injury until much later in one's life. Science is still researching the long term effects of injecting people with mRNA gene therapy products.

[52] How can a society arrive at reasonable conclusions when key data and information enabling the making of a sound conclusion is deliberately withheld by Government, MSM news media and Non Government Organisations such as the NZ Medical Council or DHBs.

[53] Truth is one answer to the Big Lie.

https://en.wikipedia.org/wiki/Big_lie#U.S._psychological_profile_of_Hitler extract is self explanatory;

The phrase "big lie" was also used in a report prepared during the war by the United States Office of Strategic Services in describing Hitler's psychological profile:

His primary rules were: never allow the public to cool off; never admit a fault or wrong; never concede that there may be some good in your enemy; never leave room for alternatives; never accept blame; concentrate on one enemy at a time and blame him for everything that goes wrong; people will believe a big lie sooner than a little one; and if you repeat it frequently enough people will sooner or later believe

it.

[54] NZ Police must investigate whether accusations in this Notice constitute crime. The Policing Act of 2008 establishes the legislative framework from which NZ Police obtain their power to act. Below the link are Sections 8 and 9 of the Act outlined in full:

<https://www.legislation.govt.nz/act/public/2008/0072/latest/whole.html#DLM1102125>

Part 2 Organisation and governance

Subpart 1—New Zealand Police, principles, functions, and roles of others

Sec 8 Principles

This Act is based on the following principles:

- (a) principled, effective, and efficient policing services are a cornerstone of a free and democratic society under the rule of law:*
- (b) effective policing relies on a wide measure of public support and confidence:*
- (c) policing services are provided under a national framework but also have a local community focus:*
- (d) policing services are provided in a manner that respects human rights:*
- (e) policing services are provided independently and impartially:*
- (f) in providing policing services every Police employee is required to act professionally, ethically, and with integrity.*

Sec 9 Functions of Police

The functions of the Police include—

- (a) keeping the peace:*
- (b) maintaining public safety:*
- (c) law enforcement:*
- (d) crime prevention:*
- (e) community support and reassurance:*

(f) national security:

(g) participation in policing activities outside New Zealand:

(h) emergency management.

These are the key principles and functions of the NZ Police institution. The remainder of the act is organisational.

A key principle is; “policing services are provided independently and impartially” and key functions are; “maintaining public safety, law enforcement and crime prevention.”

In properly investigating this Police Report and doing it justice, the NZ Police will be upholding the Law that governs the NZ Police institution and New Zealand.

[55] For context please read this letter by Mounties for Freedom published 21 October 2021.

Royal Canadian Mounted Police (RCMP) membership is torn over Vaccine mandates and other Covid measure they have been directed to enforce against the Canadian public. Mounties penned this eloquent letter to their Police Commissioner over the matter of what is lawful and that which is not Law.

According to these investigators and police officers from all levels of the RCMP Covid mandates are unlawful and criminal assault in respect to Covid Vaccine mandates.

<https://mounties4freedom.ca/>

Canadian Prime Minister Trudeau is mandating Covid Vaccination to all Federal public officials including the Mounties.

Mounties for Freedom representative Corporal Daniel Bulford, an officer in the RCMP speaks with journalist Keean Bexte over Trudeau's "first step" to tame the national police force and what his plans are for the rest of the population. Corporal Bulford was on Prime Minister Trudeau's sniper team to secure him when in public.

<https://superu.net/video/5d7b1847-e1d9-483b-8266-5b7cd084fedf/>

[56] NZ Government is now considering a Vaccine mandate Order for the NZ Police.

<https://www.stuff.co.nz/national/politics/300439764/covid19-nz-government-considering-vaccine-mandate-for-police>

Is a NZ Police force made up of only those officers that accept the Covid Vaccination a beneficial or desirable outcome? NZ Police officers who prefer not to be Vaccinated will suffer the same fate as those who also refuse the mandates to maintain their employment. Potentially many are also “contentious objectors” to the Covid Vaccination mandate.

“First they came” poem by Martin Niemöller in the aftermath of Nazi Germany extermination of minorities and others;

First they came for the Communists

And I did not speak out

Because I was not a Communist

Then they came for the Socialists

And I did not speak out

Because I was not a Socialist

Then they came for the trade unionists

And I did not speak out

Because I was not a trade unionist

Then they came for the Jews

And I did not speak out

Because I was not a Jew

Then they came for me

And there was no one left

To speak out for me.

https://www.amnesty.org.uk/files/2019-01/First%20They%20Came%20by%20Martin%20Niem%C3%B6ller_0.pdf

[57] Whom is organising this diminishment and cull of the human species? Please report your findings in a public manner.

In closing..

[58] The mantra is “get Vaccinated to get your freedoms back.”

At which point were my freedoms discontinued?

Why is my freedom now conditional upon being Vaccinated?

[59] Why am I to suffer the RISK of damage, harm and injury or death from the Vaccine to satisfy an arbitrary, unlawful and nonsense mandate to participate in society – what freedom is there in that status.

Thus if I submit to be Vaccinated I would surrender to assault upon my person, and in the case of death from Vaccine harm, I would be coerced to my own death.

That is a terrible thing to ask of any human by a caring government - that one consents to self harm.

[60] I've written previously to the New Zealand Parliament Representatives and Government Ministers in respect to the Covid matter which outlines my discoveries and comprehension of the issue, including;

the origins of the SARS-CoV-2 virus – man made chimera,

its release from a laboratory – likely purposeful especially when one considers the lockstep response across the Western nations,

the low level of lethality or morbidity of the viral infection – similar to seasonal influenza or outbreak of cold illnesses in care facilities for elderly and infirm,

the inappropriate use of PCR tests as a means of diagnosing Covid cases,

the politicisation, withholding or banning of early treatment and cures

the lockdowns did little to prevent infection and much to damage society and its fabric,

the lockdowns were an economic intervention that transformed and redirected commerce and financial flows to large corporations the result being small and medium enterprises taking a big hit - over 9000 business closures in Auckland in August 2021. Economic impoverishment is the result.

[61] Not only I but many individuals, organisations and business owners have brought similar or parallel information to the NZ Government through its many processes and

agencies. As such the institution of NZ Parliament nor the NZ Government can claim ignorance of the matters I have drawn to their attention in relation to the Covid matter.

[62] Despite the early utterance by NZ Government ministers; “there will be no Vaccine mandates,” the NZ Government is issuing more Vaccine Mandate Orders which in my view make them undeniably culpable of homicide (murder/manslaughter) where a person Vaccinated dies as a result of the mandated procedure.

August 2020 the NZ PM Jacinda Ardern is quoted by the national broadcaster stating that Vaccination mandates will not be required in New Zealand. What has changed since then?

<https://www.1news.co.nz/2020/08/19/mandatory-covid-19-vaccine-nz-and-australias-different-approaches/>

It would be a credulous fool that took anything the NZ Government said about Covid or Vaccinations at face value.

Prior evidence papers to NZ Government on Covid phenomena

[63] February 2021 paper to the NZ Parliament Foreign Affairs Defence and Trade select committee RCEP treaty examination which addresses the Covid matter; origins, planning, government response, politicisation of treatments and initial concerns with the safety or efficacy of the Covid Vaccines:

https://www.parliament.nz/resource/en-NZ/53SCFD_EVI_104189_FD177/e80f0867c2b32ac39bbb06b499116c630d2f679b

[64] My paper to the Health select committee of the NZ Parliament in respect to the COVID-19 Public Health Response Amendment Bill (No 2) contains much which updates the above paper in respect to RCEP and Covid:

<https://values-compasspointsinaposttruthworld.blogspot.com/2021/10/gregs-evidence-to-health-committee-re.html> which includes the following observations about the lethality of Covid-19;

Dr Ioannidis most recent paper (version July 2021) on the Covid-19 distemper's lethality places the overall infection fatality rate at 0.15% which is extremely age stratified and afflicts those already immune compromised and or with comorbidities.

“Infection fatality rate of COVID-19 in community-dwelling populations with emphasis on the elderly: An overview”

<https://www.medrxiv.org/content/10.1101/2021.07.08.21260210v1.full.pdf>

A summary of the findings here;

<https://lostworldoutpost.com/stanford-study-on-covid-infection-mortality-rates/>

A study by Cathrine Axfors and John P.A. Ioannidis from the Departments of Medicine, of Epidemiology and Population Health, of Biomedical Data Science, and of Statistics, Stanford University.

In short here is the take-away data:

Age Infection Survival Rate of COVID.

0-19	99.9973%
20-29	99.986%
30-39	99.969%
40-49	99.918%
50-59	99.73%
60-69	99.41%
70+	97.6% (non-inst.)
70+	94.5% (all)

This hardly looks like a pandemic.

[65] Where accusations or allegations of serious Crime under the Crimes Act are brought to the attention of NZ Police backed by credible evidence and testimony it is reason and justification to act by fully investigating the accusations, particularly in respect to the potential murder of hundreds of New Zealanders.

In sentencing the Christchurch Mosque attacker Justice Cameron Mander outlines his reasoning and thoughts; “Sentencing purposes” from paragraph [124] of his decision:

<https://www.courtsofnz.govt.nz/assets/cases/R-v-Tarrant-sentencing-remarks-20200827.pdf>

Justice Mander's remarks could equally apply to the New Zealand Government Executive (Cabinet of Ministers) who cause such terrific carnage; death and injury to New Zealanders;

[124] Mr Tarrant, in sentencing you my prime objectives are threefold. First and foremost, to condemn your crimes and to denounce your actions. Second, to hold you accountable for the terrible harm you have caused — in plain terms, to attempt to impose some commensurate punishment. I do that on behalf of the whole community, which in particular includes the victims of your crimes and their families, all of whom are a part of New Zealand's multicultural society. Third, there is the need to protect the community from a person capable of committing cold-blooded murder on such a scale and who presents such a grave risk to public safety.

[125] A predominant feature of your offending is that your homicidal actions constituted an act of terrorism and that your victims were targeted predominantly because of their religion but also their ethnicity, their race and their colour. I am required to impose a sentence that appropriately takes into account and reflects those particular aggravating features of your crimes and the distorted motivations that lay behind them.

In the case of the Christchurch Terrorist Attack the victims were in two locations at the Deans Ave and Linwood Rd Mosques.

In the matter I bring to your attention, the Covid Vaccination victims killed and injured are scattered across the nation.

The Christchurch terror attack appears more gruesome and traumatic because of the immediacy and suddenness of the strike, whereas in truth the carnage, suffering and injury from the NZ Government's Pfizer Comirnaty mRNA injection product program is a far greater harm in terms of the harm caused and continuing.

The Covid Vaccination carnage is ongoing, growing and there's strong signals already despite the lack of long term safety data that further deleterious effects will become apparent with the elapse of time. Any potential mandating of booster Vaccinations or other mRNA gene therapy injection products yet to be marketed to the public will exacerbate the harm.

I urge NZ Police to immediately commence an investigation into the homicide by Covid-19 Vaccination of New Zealanders where it is not already initiated. Where it is already under investigation please add my Police Report to the material under consideration.

In truth and honour

Greg Rzesniowiecki

Contact details supplied

Appendix A

File AE-redacted-211017 is an anonymised spread sheet of adverse events and deaths gathered privately through Lynda Wharton's facebook page and or private reports. It lists 1000 adverse events or deaths.

It cannot be the total of adverse events attributable to the Pfizer Comirnaty mRNA injection product.

Appendix B

Deaths Citizens Database revised is a collection of 230 reports of death post Vaccination. As the name infers it is a private undertaking. Reports are direct from family, anecdotal testimony from associates, and reports discovered on social media and subsequently confirmed that the deceased had recently been Vaccinated.

Likewise with Appendix A the Citizens Database cannot contain all potential deaths resulting from Vaccination. A real potential is that this represents the tip of a large iceberg.

Attachment 1 from paragraph [17]

<https://www.facebook.com/groups/thehealthforumnz/posts/473272630439832/>

Lynda Wharton

1 October 2021

THE RAT I HAVE BEEN SMELLING HAS NOW TURNED INTO A STINK BOMB...

Newshub.

What the hell is up with Newshub?

I have never in my life seen a media outlet more committed to "gaslighting" anyone who so much as squeaks the possibility of a CV V injury.

Following the Prime Ministers nuclear explosion of a post asking for people to talk about their "side effects"....

Newshub published the most awful article implying that every one of those injured or grieving New Zealanders were bonkers, tin foil hat wearing liars.

It was a new LOW for New Zealand media.

I've just finished reading another of their journalistic masterpieces driving longer nails into this particular coffin...just in case by any chance, a single New Zealander (besides the injured) believed there could possibly be more than a sore arm from this "safe and effective" jab.

I decided to go for a google roam, to see if i could finally work out exactly what the motivation is for these heinous hit pieces.

Boy did i find my answers.

Here is my trail....

you may like to meander this path and check my findings out for yourself.

In December 2020 Newshub NZ was purchased by DISCOVERY CHANNEL (an American company).

Five months later in May 2021 Discovery merged with Warner, to create a mega mega media company.

Who owns this new behemoth?

A company called AT and T own 71% and Discovery own 29%.

So who are the top shareholders in AT and T?

Vanguard and Blackrock.

Who are the top shareholders in Vanguard?

Blackrock

Who are the top shareholders in Blackrock?

Vanguard

WHO ARE THE TOP SHAREHOLDERS OF PFIZER.....

BLACKROCK

AND

VANGUARD

If you don't believe me, just follow the same google trail.

Here is the link to the last part of my journey

So here on the backside of the world, where thousands of CV V hurting Kiwi's are being dismissed by our largest News organisation.....

What more can i say....

COMMENTING DISABLED AS IT WILL BE A BUN FIGHT.

POST FOR YOUR INFORMATION ONLY

<https://money.cnn.com/quote/shareholders/shareholders.html?symb=PFE&subView=institutional>

NEW ZEALAND CHINESE LANGUAGE WEEK 2022

Submission 02



你好 Nǐ hǎo

New Zealand Chinese Language Week 新西兰中文周 2022

It's now less than six months to go until New Zealand Chinese Language Week 2022 kicks off and we're excited to outline plans for new initiatives and activities to celebrate this year.

The New Zealand Chinese Language Week (NZCLW) is being held 25 September to 1 October 2022. We want to involve people from all around the country, so this means we are asking the Council for three things:

- Someone who can be the liaison person for us to contact about activities in your area district
- A Mayoral video of support to be featured during the NZCLW week
- And a chance to present to your council's Annual Plan 2022/23 for a contribution to the week's activities in your area and events of \$2,000.

The New Zealand Chinese Language Week Charitable Trust is a New Zealand-driven initiative set up in 2014 to encourage the learning of Chinese language in New Zealand.

Our aim is to strengthen communities through inclusion and embracing diversity. What better way is there to understand another culture than through language?

A large part of the Trust's work is to recognise and celebrate the diversity of the community in New Zealand – Chinese people have been part of Aotearoa New Zealand's story for 180 years and have many important stories to tell. This is even more important now, with the new school curriculum focusing on local history within our country.



www.nzclw.com | Email: nzclw@nzclw.com

#NZCLW



NEW ZEALAND CHINESE LANGUAGE WEEK 2022



This year's New Zealand Chinese Language Week's theme is "Sharing our Stories", and we hope to hear a lot of the stories that make our community diverse and vibrant.

A large part of the Trust's work is to recognise and celebrate the diversity of the community in New Zealand – Chinese people have been part of Aotearoa New Zealand's story for 180 years and have many important stories to tell. This is even more important now, with the new school curriculum focusing on local history within our country.

This year's New Zealand Chinese Language Week's theme is "Sharing our Stories", and we hope to hear a lot of the stories that make our community diverse and vibrant.

As in previous years, we expect a lot of events to involve celebrations with food and drink and hospitality – all features of Chinese and New Zealand Māori and European cultures.

The Trust is committed to providing resources to enable different groups to share common experiences, and one of the ways we demonstrate this is by each year publishing a children's book in three languages – Mandarin Chinese (characters and pīn yīn), English, and te reo Māori.

The feedback we get on this book – which is distributed free to schools and public libraries – is unanimous about its value. Librarians and teachers around New Zealand tell us that readers, particularly children, love seeing themselves, their families, and their language in the books.

Your own library may well have been part of previous years' events and activities around New Zealand Chinese Language Week.

We want to ensure that more communities around New Zealand have the opportunity to take part in New Zealand Chinese Language Week, so we would like to have someone from your council be the contact point for us to share resources to enable your community to be involved. This may be someone on your public library staff, or a community development staffer.



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#NZCLW



NEW ZEALAND CHINESE LANGUAGE WEEK 2022



Many communities around New Zealand have significant social, cultural, educational, and other links with China and Chinese people in their districts. New Zealand Chinese Language Week is an excellent opportunity to celebrate those.

We would also like to get a video of support to be featured during the NZCLW week from yourself as Mayor.

Your video plays an important part in the week. It shows a commitment to being a welcoming, open society that embraces all the many cultures that make up our society. Participants in NZCLW have been impressed and heartened by the depth and breadth of the support from local government during previous weeks.

Finally, we at NZCLW Trust would welcome the opportunity to submit to your council's Annual Plan Submission 2022/2023. We wish to apply for a \$2,000 grant to fund activities for New Zealand Chinese Language Week in your region and would like to appear in person to support this application.

Thank you for your consideration. We look forward to hearing how your council will celebrate New Zealand Chinese Language Week 2022 from September 25 to 1 October.

For more information, please don't hesitate to visit the NZCLW website: www.nzclw.com or email our Project Team at nzclw@nzclw.com

Many thanks and kindest regards

Jo Coughlan | Chair of New Zealand Chinese Language Week



www.nzclw.com | Email: nzclw@nzclw.com

#NZCLW



Submission 03

Submission of Ngāi Tamawhariua ki Katikati

to the

Western Bay of Plenty
District Council

on the

2022-2023 Annual Plan

Contact details:

Merle Samuels

Chair

Te Rereatūkāhia Marae

chair.terereatukahia.marae@gmail.com

Introduction

This submission is made by Ngāi Tamawhariua.

Ko Ngāi Te Rangi te Iwi
Ko Mataatua te waka
Ko Tauranga te moana
Ko Mauao te maunga
Ko Te Rereatūkāhia te awa
Ko Te Rereatūkāhia te marae
Ko Tamawhariua te tīpuna whare
Ko Hikonga te kuia whare
Ko Whakahinga te wharekai
Ko Ngāi Tamawhariua te hapū

Thank you for the opportunity to comment on the Western Bay of Plenty District Council 2022-2023 Annual Plan.

We re-iterate and update our submission of 2021 to WBOPDC Long term Plan:

As a result of Raupatu (forced sale, eviction and relocation) in 1868, our communities (kāinga) were uprooted from our lands (whenua) and relocated to the margins of our rohe (for example Te Rereatukāhia). We were disconnected from accessing our resources (taonga) and associated customary practices (tikanga), resulting in us becoming both physically (hauora) and spiritually (wairua) disconnected from our birth right, our whenua, Te Puna-Katikati block of 34,484ha. Our absolute sovereignty (tino rangatiratanga) over our ancestral estates (mana o te whenua) was dismantled and native title extinguished when our estate was compulsory-purchased (Raupatu) by the crown and on-sold to incoming settlers who were kept ignorant of the immoral acquisition and sale transfers.

The trauma of Raupatu is cross-generational. Recent publications, nationally and internationally now show clear causal links between trauma of historical land confiscations inflicted on Indigenous peoples and the health, wellbeing of their descendants today. Unless redressed the trauma will continue to manifest, ultimately becoming a cost that our collective communities can no longer afford. The continued misremembering of the historical actualities of land transfer in Te Puna- Katikati district must not continue, for the sake of all our people, Pākehā and Māori. Our culture, our health and the future of our tamariki have been in crisis since 1868 and the more today's generation lose sight of their customary responsibilities (Kaitiakitanga) to their evicted people (tangata), exploited lands (whenua) and capitalised resources (taonga) the deeper the social, political and economic crisis becomes for our community.

Nevertheless, knowing our past and the cause of our trauma means we can also now begin addressing our future from a space of compassion and reconnection, assisting our wider Pākehā community to properly understand the human cost still being paid by us for their accumulating privilege and wealth, which has surrounded our impoverished and climate threatened community of Te Rereatukahia every day since 1868. We recognise that we now carry a deep knowledge gap to our whenua because the opportunity to practice and engage our leadership (rangatiratanga) over our forests, waterways, soils and springs was forcibly extinguished by Raupatu. We are finally in the process of reconnecting to what it means to be Māori; Kaitiakitanga is central to this. We too are human, and we want to be recognised as equals who have paid in full – 34,484 ha to be exact – and seek to move forward and work alongside WBOPDC to re-establish a secure, vibrant and connected future for all who live on our ancestral estates of Te Puna-Katikati.

We therefore urge you to formally note the existence of Te Ara Mua (the Partnership Forum) and make room at governance level for your paid-in-full Te Tiriti partner, Ngāi Tamawhariua. The objectives of the Partnership Forums are to address issues of significance for Māori, recommend ways to enhance Māori capacity and capability to contribute to Council decision making, ensure Council is meeting its legislative obligations to Māori and to build Council understanding of the Te Tiriti of Waitangi.

This plan provides Ngā Whetu – a framework for identifying issues of significance for Māori in line with Tiriti of Waitangi principles that have been adopted by Council and the clear statutory obligations that Council has to Māori. We of course argue that it is not the principles to which we respond, but to Te Tiriti itself, a foundational constitutional document, which invited the Crown to govern in a nation state called New Zealand. The plan also outlines Ngā Kaihoe, an annual work programme for the Partnership Forums to drive actions that address issues of significance. We believe our preamble above has clearly outlined that mission.

As the Partnership Forums are comprised of both Elected Members and representatives of Hapū and Iwi within the District, they reflect the aspirations of all parties. We think that, whilst this forum has provided a space for talk, that the actions expressed in the current long-term plan that give effect to this talk, have been limited.

We also note the Local Government Act 2002:

Section 4 Tiriti of Waitangi:

Section 14 (1)(d) In performing its role, a local authority must act in accordance with the principle of providing opportunities for Māori to contribute to its decision making processes.

Section 82 (2) Principles of consultation – must have processes for consulting Māori.

Further, we note that Resource Management Act:

Section 2 Tiriti of Waitangi Section 6 (e) Defining and having regard for kaitiakitanga i.e. kaitiakitanga means the exercise of guardianship by the Tangata Whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship.

Section 7 (a) Having particular regard to kaitiakitanga.

Section 8 Tiriti of Waitangi - all persons exercising functions and powers under the Act, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Tiriti of Waitangi (Te Tiriti o Waitangi).

Section 33 Transfer of powers – where one or more functions, duties or powers can be transferred, including to an Iwi authority.

Section 74 (2A) Taking into account Iwi management plans when preparing or changing the District Plan. Section 1 s 3 Schedule specifically refers to consultation with Iwi authorities

In 1987, the United Nations Brundtland Commission defined sustainability as “meeting the needs of the present without compromising the ability of future generations to meet their own needs.” Our concerns are directly linked to climate change and the environment. These are the big issues faced by all of humanity and if they are not taken seriously and acted upon, then we are compromising the rights of future generations’ access to resources and a reasonable standard of living. This is our mokopuna, your grandchildren and beyond.

Climate Change

Little has changed here since our submission into the long term plan. We are still a coastal marae community and vulnerable to projected impacts of climate change and sea-level rise. In order for us to get a clearer picture of what this could mean for us, we have engaged BECA to undertake modelling of what could happen to our whenua. This modelling will also consider impacts on Tutaetaka, our island urupā.

What we do know is that our future is uncertain and at risk.

We want to engage in meaningful discussion about accessing suitable whenua for the development of a new papakāinga and urupā. Little progress has been made to date on this: Section 82 (2) Section 8. Section 14 (1)(d) refer to Te Tiriti o Waitangi.

We are surrounded by low-lying ground that is in various horticulture or housing development. Given projected climate change impacts, we see this as short-sighted. We are looking to securing our future over the longer term.

As discussed in submission to the long-term plan, the benefits for our future are as follows:

We will feel reassured as the Hapū, knowing that there are processes and provisions in place for the upcoming papakāinga, which will house and accommodate our future generations in warm and healthy homes.

-
- We will have healthy homes: our tamariki will be better able to learn
 - Hapū members who live away from papakāinga, will be able to return to their tūrangawaewae
 - We can return to a more traditional way of life where we live communally, including growing and harvesting our own food
 - We will feel proud of our Māori heritage
-
- We will feel more connected to the whenua that was once ours
 - We will be healthier
 - Our future generations will be re-connected to Te Ao Māori

Climate change is now a core component of infrastructure planning and modelling for WBOPDC. Projections as per 2018 – 2028 plan are as follows:

- Projected increasing summer rainfall with heavier downfalls
- More extreme weather and storm events
- Rising sea level
- Increased coastal erosion and inundation

Failure to respond to these issues will lead to significant future challenges and costs.

The outcomes for us are:

- The relocation of our traditional papakāinga be actively pursued in the 2022 – 2023 annual plan and beyond. We see this as a staged approach beginning with Hot Springs Road site as discussed at recent hui
- That meaningful and progressive conversations are implemented immediately and acted upon
- Our future is secure and protected
- Our health and cultural well-being thrive
- Our tamariki thrive
- We are a vibrant, connected and safe community from this time onwards.

The Environment

Not much has changed here since our submission to the long-term plan. Business as usual seems to be the order of the day. We see new orchards and new subdivisions on low-lying land.

We are the kaitiaki of the area. We have been for at least 400 years. Traditionally we have a deep connection with the natural world. Kaitiakitanga means guardianship and protection and is a way of managing the environment based on a Māori worldview, for the benefit of current and future generations.

Updating from submission into long-term plan:

- Has anything been done to reduce the impact of horticulture, agriculture, industry, roading and housing development on the waterways, including the harbour?

- We continue on our journey into the future. A future where we hope that we have abundant kai moana, clean rivers and happy, healthy whanau

We seek to restore the environment to a level that can sustain future generations. As we have previously said, we seek urgency for the restoration of the Taiao. This is difficult for us as we see business as usual going on around us.

We submit that the following be included in the Annual Plan 2022 – 2023:

- The Taiao (environment) is the priority in all planning decisions
- Regional and District Councils need to minimise the pollution and do more around the allocation of consenting for dangerous substances (ecotoxins, poisons etc) being released into our waterways, including on their own land
- Industry needs to stop putting ecotoxins into the waste water which is discharged off Matakana Island
- Wetlands needs to be restored in order to minimise pollution into waterways and the Benthic Layer
- The natural environment is a valued and significant cultural asset and as such is treated as priority when Council is planning for development of any kind
- All measures to restore the environment are taken

The outcomes that we want to see are:

- The environment is the priority in all planning decisions
- Change in policy around consenting about use of ecotoxins and dangerous poisons in horticulture and industry. These are leaching into the environment and are in fact destroying it
- Councils changing policy around the allocation of surface and ground water take in order to stop the impacts on low river flow
- Clear, healthy and clean waterways
- Abundant aquatic life in all waterways

The IPCC's Working Group II report, Climate Change 2022: Impacts, Adaptation and Vulnerability was released on 3rd March 2022. The authors of the report say that there is a brief window of time for us all to take this seriously and act. The argument that New Zealand Aotearoa is a small country with small population so our emissions are relatively low does not stack up. In 2018 per capita emissions of greenhouse gasses, New Zealand was sixth in the world. The total combined emissions from countries like New Zealand that emit less than 1% of the total emissions make up approximately 25% of the total emissions. We are far from clean and green.

The 3 recent IPCC reports together, suggest that although all nations have to do everything they can to limit GHG emissions, we also have to prepare for the worst-case scenario, which will bring:

- significant sea level rise
- more serious and frequent droughts and flood events.

Under current policies and business as usual, we are heading towards a future of over 3°C temperature rise by the end of the century, and increasing beyond that. Despite 20 years of numerous reports telling us we are heading for disaster, nothing has changed. In fact, emissions in many cases have increased. Nations have made pledges, including New Zealand Aotearoa, yet we continue the same behaviour, i.e. short term thing to maximise profits without a thought for how future generations are going to live.

This future can only be averted by concerted global efforts by individuals, communities, business, local and central government. A concerted effort to take this seriously and commit to action would see GHG emissions peak by 2025 and then halve by mid 2030s – an almost impossible feat, especially given vested interests in the fossil fuel industry and the slow rate of policy change.

The window for action is closing fast. Aotearoa is at a critical juncture for humanity and the natural systems we depend on. If greenhouse gas emissions are not rapidly reduced, we face an alarming future, and alongside this many

of earth's systems and resources are becoming critically polluted and/or depleted. In the western world we continue to live beyond the capacity of Earth's systems to support us. We know this yet we continue to act as if we can continue business as usual. Continued economic growth with finite resources is not sustainable.

Colonisation and the economic and political systems that have emerged from this continue to support serious inequities in power, wealth, health and wellbeing for Māori and indeed Indigenous peoples worldwide. This is exacerbated by climate change and resource depletion.

Article 2 of Te Tiriti guarantees Māori the unqualified exercise of rangatiratanga over their whenua, kāinga and taonga. Climate change impacts on all of these and many rural marae communities are already being seriously affected. Existing inequities and struggles due to the long-term impacts of land loss and colonisation will likely be exacerbated without marae-focussed strategies, policy co-development and engagement. It is, therefore, important for policy to have evidence-based perspectives from marae communities who will directly bear the effects of policies. Te Tiriti provides the foundation to transition towards an equitable, just and fair low carbon future.

Our Future

We continue our journey with Project Kāinga. While this is a work in progress, we are clear about the following:

- Te Rereatūkāhia Marae is flourishing
- Te reo, kawa and tikanga are part of our everyday life
- Te Rereatūkāhia Awa and all other rivers are running strong and clean with abundant kai
- Kotahitanga: united and strong hapū-leadership – common purpose
- Safe housing in the current pā and new papakāinga for all our hapū
- Kaimoana in abundance to sustain whanau
- Look back to the past (clean waters) to guide our future
- A happy, healthy hapū
- Secure Urupā
- Healthy Marae
- Healthy Awa
- Healthy Whenua
- Healthy Tangata

We requested in previous submission that the development of new urupā be added to the long Term Plan. While there has been discussion around this, we want to see that it is recorded with a budget against it. We wish to include that the proposed area is still under negotiation and discussion is had around this and to include access to Te Rereatūkāhia Awa be created from the Urupā site.

In our submission to the long term plan, we stated:

“we would like to directly engage in discussion with Council around the future governance and management of our geothermal springs, including Sapphire Springs and Athenree. We have been excluded from customary access and custodianship (Article 11 Rangitiratanga: RMA: kaitiakitanga) over our taonga, vis a vis thermal springs since 1868”.

We would like to see some clear and specific action on the following points:

1. WBOPDC work collaboratively with Ngai Tamawhariua to access appropriate land for papakainga development. We see this as a short to medium term process. We acknowledge the potential progress made at the hui on 30th March, but see this as just the beginning
2. Communication of developments around urupā
3. Regular updates in regard to availability of possible sites for our new papakāinga
4. Engagement with WBOPDC around future governance and management of our geothermal springs, as per our request in previous submission

Comments on LTP

- Council is also intending to work with Tangata Whenua to identify current and future requirements for urupā: ***we have been disappointed with the communication or lack thereof to date***
- Develop plans for natural burial areas earmarked for Te Puke cemetery, and for the new cemetery to be opened on Hot Springs Road: ***we note lack of urupā here***
- Cemetery/Urupa Land Purchase & Development - West
 - 2022: \$60k
 - 2024: \$211k
 - 2025: \$325k
 - 2026: \$334k

You will see on previous submission that we asked for clarification around this. We heard nothing back

- Māori provide their own cemeteries, i.e. urupā: ***this is recorded as a social negative: please explain what you mean by this***

- Preservation of history: ***Who's history are you preserving?***
- Water as a taonga: Council will continue ongoing work on sub-catchment management plans for storm water management that protects ecological and cultural values: ***Please ensure that we are kept up to date***

- Developing Māori capacity to contribute to decision-making: ***Can you please provide us with more detail?***

- Climate change: Overall, there will be more extreme weather and storm events (potentially three times more frequent) and increased risk from natural hazards such as coastal erosion and inundation. Increased coastal flooding may affect roading networks and community infrastructure such as coastal parks and walkways: ***No mention here of vulnerable, coastal, Maori communities***

- Climate change: Land use planning that takes into account more frequent and more extreme weather events – and stricter regulations on where and how to build: ***We assume that you are not doing this currently, ie there are a substantial amount of new building close to the high tide level at Waihi Beach***

- Climate change: Distributed power generation (local generation, more resilient): ***We are keen to hear some detail around this***

- Climate change: Some community relocation away from high-risk locations. ***We are pleased that you have identified this and we look forward to working together to ensure the safety and security of future generations of our hapū***

- Climate change: Regulations and legislative requirements to reduce limit or stop emissions: ***We are very interested to hear your intentions here and see action***

- Working with Tangata Whenua: Build the capacity of Tangata Whenua to support the development of comprehensive Iwi and Hapū Management Plans. Improve capability and capacity to engage with and respond to Tangata Whenua. ***What are you doing?***

- We will engage with communities and Tangata Whenua through the process of obtaining comprehensive storm water consents and in structure planning processes

- Where possible we will work to enhance and support opportunities for our communities to learn more about our cultural and historic heritage. ***Can we have more detail around this?***

- Council will support, as appropriate, the development of the Māori economy: ***We are keen to see this in action in the near future***

We know that for Aotearoa to truly thrive then Māori have to thrive. That includes the Western Bay of Plenty. The time to act is now.

We will speak to this submission. Please advise time and date.

Submission 04

Te Puna Memorial Hall Committee**Submission on 2022-23 Draft Annual Plan**

Te Puna Memorial Hall Committee has noted the Funding Impact Statement relating to uniform targeted rates for Community Halls P.32

We support the proposed amount listed for TPMH for the coming year of \$6 per rateable unit – a total of \$9072. We note the rate for Te Puna Community Centre of \$41 for a total of \$61,992. Can local ratepayers please be given a summary of what is the planned work programme each year at the TPCC with this money and for how many years.

While our \$6 area of benefit is adequate for our known large overheads this year we seek Council assurance that should there be agreed larger commitments in the next few years that this can be negotiated if the total takes the two community hall rates to more than \$50. The Halls Policy states in 3.4.2 that if a targeted rate in any one year would exceed \$50 per ratepayer Council will work with the hall committee to consult on options. We suggest that this needs clarifying where there are two halls involved. This is especially significant where there has been a major long term capital work programme agreed for one hall.

We do not wish to speak but request clarification for future rating policy in our Te Puna halls area of benefit and a copy of the TPCC proposed works programme and the planned annual costs.

Thank you

Ian Duncalf
Chair
TPMHC

contact
J Gravit



Mā tō tātou hāpori
For our community

Fees and Charges 2022/23
Submissions Pack

Submission ID	First name	Surname	Organisation	Page No
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Fees and Charges 2022/23

Online Submissions

Submitter name: Nigel Smith

Organisation (if applicable): Accessible Properties New Zealand Ltd

Submitter ID: 1

Overall do you support reductions in FINCOS for development of community housing and Papakāinga?

Yes

Do you have any comments on changes you would like considered to:

Number of dwellings the reduction applies to

Types of housing it applies to (community housing and Papakāinga)

Accessible Properties supports waiver/reduction being applied to Community Housing Providers and Papakainga.

Level of the reduction (should be more or should be less)

Consideration also needs to be given to enabling and encouraging smaller developments of smaller units (1 and 2 bedroom), that may not be viable if attract the full fee and/or could be disadvantaged or discouraged verses building larger homes. By way of example it appears under the proposed framework if adding a single 1 bedroom unit, this would attract full Finco fee, whereas currently under the Minor Dwelling framework this would be assessed at 50%. There are many sites not suitable for redevelopment of greater scale and could be used to address the significant need for smaller units, however attracting a full Finco fee would likely see this type of solution, financially unviable.

Use of restrictive covenant

'More information would be desirable around this as raises a number of questions and potential issues. Such as;

- Impact and acceptability by funding partners, including banks, government and other parties with an interest and/or potentially an encumbrance on the title.
- Timeframe, how long would covenant apply for, ie if in perpetuity, at what point can a CHP sell, replace or upgrade if a property is no longer fit for purpose, or for example a CHP's contract to supply social housing expires.
- How would covenant be released and under what circumstances would FINCO fee be repayable, eg if sold at a later date to a tenant under an assisted home ownership type scheme?
- Assume covenant only lodged against new unit titles that are exempt from fee, ie not lodged against existing dwelling or equivalent replacement, or against the 1st exempt unit.

Eligibility criteria

As mentioned above, a pro-rata or level or discount applied to encourage and certainly not discourage smaller units. Need to address the issue raised above regards a single small unit attracting the same FINCO fee as a large family home, with significant more impact or draw on council infrastructure resources.

Anything else to do with FINCOS for development of community housing and Papakāinga?

Accessible Properties strongly supports the reduction and waiver of FINCO fees for Community Housing Providers and thanks Western Bay of Plenty District Council for this initiative. We would be happy to discuss and expand on above comments and further discuss the likes of Restrictive Covenants, the impact and workability of these, once further detail is available.

Please feel free to contact nigel.smith@accessibleproperties.co.nz if desired.

Do you have any comments on changes you would like considered to:

Animal services fees and charges

Building services fees and charges

Trading in public places licence fees and charges

Resource consent fees and charges

Elder housing rent

Kerbside collection fees and charges

Waste licencing fees and charges

Anything else to do with fees and charges?

From: [Nigel Smith](#)
To: [Have Your Say](#)
Subject: RE: Thank you for completing Fees and Charges Survey
Date: Thursday, 14 April 2022 6:08:19 pm
Attachments: [image001.png](#)

Hi,

On rereading responses, I realise I have omitted to comment under Eligibility around the issue of property ownership and specifically where property might be owned by an associated entity and/or being a partner organisation, or part of a Group structure. There will be varying examples of these arrangements, with some quite complex and further discussion might be needed to expand on this.

Accessible Properties certainly supports and would expect that related or inter-company ownership would not prohibit the reduction to FINCO fees being applied, where homes are being used by the Community Housing Provider for the intended purpose.

Happy to discuss.

Regards.

Nigel Smith | Housing Development Manager
Accessible Properties New Zealand Ltd



Fees and Charges 2022/23**Online Submissions**

Submitter name: Kevin Turanga

Organisation (if applicable):

Submitter ID: 2

Overall do you support reductions in FINCOS for development of community housing and Papakāinga?

Yes

Do you have any comments on changes you would like considered to:

Number of dwellings the reduction applies to

Types of housing it applies to (community housing and Papakāinga)

as previous

Level of the reduction (should be more or should be less)

as previous

Use of restrictive covenant

as previous

Eligibility criteria

It must be for both Tauīwi and Maori – equally.

No

Anything else to do with FINCOS for development of community housing and Papakāinga?

No

Do you have any comments on changes you would like considered to:**Animal services fees and charges****Building services fees and charges**

Lower the cost for consent and increase the time frame for a consent to be approved.

No

Trading in public places licence fees and charges**Resource consent fees and charges**

Fees to be lowered and speed of approval increased.

Elder housing rent

Drastically lower the cost for our elderly and Increase their support. Families of the Cared to be accountable for this cost also.

No

Kerbside collection fees and charges**Waste licencing fees and charges**

Waste charges should be lowered.

Anything else to do with fees and charges?

We get charged for a swimming pool that we don't use. This should be through a 'user-pay' system only (not by all ratepayers). If we have to be charged then we should be able to use it for free. Not pay for something and then charged again to use it.

Fees and Charges 2022/23**Online Submissions**

Submitter name: Wendy Wilson-Jenks

Organisation (if applicable):

Submitter ID: 3

Overall do you support reductions in FINCOS for development of community housing and Papakāinga?

No

Do you have any comments on changes you would like considered to:

Number of dwellings the reduction applies to

No

Types of housing it applies to (community housing and Papakāinga)

I do not consider this a Council core issue – put the money into your core policies ie roading, rubbish etc

Level of the reduction (should be more or should be less)

Zero

No

Use of restrictive covenant

No

Eligibility criteria

Anything else to do with FINCOS for development of community housing and Papakāinga?

Concentrate on your core Council duties, thanks

No

Do you have any comments on changes you would like considered to:

Animal services fees and charges

No

Building services fees and charges

No

Trading in public places licence fees and charges

No

Resource consent fees and charges

No

Elder housing rent

Kerbside collection fees and charges

When are you resuming scrap bin pick ups?? I hope you intend giving a rates rebate for this lack of service that we are directly paying for and not receiving...

No

Waste licencing fees and charges

No

Anything else to do with fees and charges?

Fees and Charges 2022/23

Online Submissions

Submitter name: Chris Johnstone
Organisation (if applicable): COLAB
Submitter ID: 4

Overall do you support reductions in FINCOS for development of community housing and Papakāinga?

Yes

Do you have any comments on changes you would like considered to:

Number of dwellings the reduction applies to

No

Types of housing it applies to (community housing and Papakāinga)

Support it being available for Papkainga and community housing. In terms of community housing there for a clear definition/criteria of what constitutes community housing and there is evidence that once established the housing operates accordingly. Specifically that the end users i.e. tenants/community are the beneficiaries and are paying a social rent.

No

Level of the reduction (should be more or should be less)

No

Use of restrictive covenant

Eligibility criteria

'General comment- In terms of the community housing an ideal might be that eligibility and subsequent subsidy is targeted to 'organisations delivering housing that is:

++high quality housing that is specifically targeted to meet identified need/gaps in the community i.e. larger dwellings, accessible 1 and 2 bedroom units (Life Mark Standards) that are conducive to aging in place etc

++Developments that a focused on building neighborhoods. Evidence from elsewhere suggests it is worthwhile creating opportunities for future homeowners/tenants to have input along the journey - perhaps strategies to encourage resident and community engagement, connections and participation in community life. In effect a multi-faceted placemaking approach. i.e. Placemaking capitalises on a local community's assets, inspiration, and potential, with the intention of creating public spaces that promote people's health, happiness, and well-being).

No

Anything else to do with FINCOS for development of community housing and Papakāinga?

Do you have any comments on changes you would like considered to:

Animal services fees and charges

Building services fees and charges

Trading in public places licence fees and charges

Resource consent fees and charges

No

Elder housing rent

Kerbside collection fees and charges

Waste licencing fees and charges

Anything else to do with fees and charges?

Fees and Charges 2022/23
Online Submissions

Submitter name: Linda Mitchell
Organisation (if applicable):
Submitter ID: 5

Overall do you support reductions in FINCOS for development of community housing and Papakāinga?

Not sure

Do you have any comments on changes you would like considered to:

Number of dwellings the reduction applies to

No

Types of housing it applies to (community housing and Papakāinga)

Would hope that these don't become 'slums'

Level of the reduction (should be more or should be less)

Don't agree with 100% reduction of dwellings after first. The infrastructure costs need to be covered at least – maybe 50%?

No

Use of restrictive covenant

No

Eligibility criteria

No

Anything else to do with FINCOS for development of community housing and Papakāinga?

No

Do you have any comments on changes you would like considered to:**Animal services fees and charges****Building services fees and charges****Trading in public places licence fees and charges**

No

Resource consent fees and charges

No

Elder housing rent**Kerbside collection fees and charges**

The ability to pick & choose bins service you want with an agreed reduction in service cost in line with choices. A greenwaste option would be fantastic too!

No

Waste licencing fees and charges

No

Anything else to do with fees and charges?

Fees and Charges 2022/23**Online Submissions**

Submitter name: French Kiwi

Organisation (if applicable):

Submitter ID: 6

Overall do you support reductions in FINCOS for development of community housing and Papakāinga?

No

Do you have any comments on changes you would like considered to:

Number of dwellings the reduction applies to

Types of housing it applies to (community housing and Papakāinga)

All types

Level of the reduction (should be more or should be less)

Refer to question 2

Use of restrictive covenant

Maximum height restriction of 2 storeys per dwelling

No

Eligibility criteria

No

Anything else to do with FINCOS for development of community housing and Papakāinga?

No

Do you have any comments on changes you would like considered to:**Animal services fees and charges**

No

Building services fees and charges

No

Trading in public places licence fees and charges**Resource consent fees and charges**

Far too high

Elder housing rent

Supply more affordable housing for elderly

Kerbside collection fees and charges

Poor service for high fees.. already paying rates for rubbish collection and still have to purchase a tag per collection.. It is double dipping and doesn't suit holiday makers or weekenders

No

Waste licencing fees and charges**Anything else to do with fees and charges?**

Rates are too high and keep going up meanwhile services received are abating and becoming obsolete (i.e library foot traffic plummeting)

Rubbish collection is based on private system of pay & collect (tags) despite being included in the Rates.

Either up the rubbish collection rate to cover collection or drop the Tag system or the "buy a special colored rubbish bag"!

Submission 07

Western Bay of Plenty District Council
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

11 April 2022



160 17th Avenue,
Tauranga South,
Tauranga 3112

classicgroup.co.nz
0508 4 252 774

Dear Sir/Madam

Western Bay FINCO's reduction proposal submission

Classic Group welcomes the opportunity to submit on the Western Bay of Plenty District Council's proposal for the reduction of Financial Contributions (FINCOs) for the development of community housing and Papakāinga.

Please find a submission on behalf of Classic Group Ltd below.

We have established relationships building for Tauranga Community Housing Trust and Accessible Properties NZ Ltd. This includes the delivery of new turn-key developments on newly acquired land, and the redevelopment of their existing sites.

Due to our involvement, we have had full transparency over the financial feasibility of these developments. We have also had full transparency over several development opportunities that were deemed financially unfeasible. Without doubt, there have been development opportunities that didn't proceed, where they payment vs non-payment of financial contributions would have made the difference.

Due to funding structures and capital availability, sometimes developments are not explicitly owned by Community Housing Providers. In these cases, the housing has been purpose built for the provider and they are granted a long-term lease, between 10-25 years. We would like to see the financial contribution exemption extended to cover these types of developments, i.e., where it can be demonstrated that there is a lease in place to the Community Housing Provider. This would also incentivise developers to work with Community Housing Providers in their developments.

We also support the removal of Financial Contributions for Papakāinga Housing. We commend the Council for taking a proactive approach to the acute need for housing in the district by supporting the development of community housing and Papakāinga.

If you have any questions in regards the above submission, please do not hesitate to contact Libby Gosling, Urban Design Manager, contact details as below.

Electronic address for service of submitter	[Redacted]
Telephone	
Postal address	

Yours sincerely

Peter Cooney
Director, Classic Group

From: [Vanessa Stewart](#)
To: [Have Your Say](#)
Subject: FW: Fees and Charges 2022/23 review submission
Date: Wednesday, 13 April 2022 11:14:58 am
Attachments: [20220411 WBOPDC FINCO reduction proposal submission Final.pdf](#)

Good morning

Further to our submission we would like to add the following as we understand Council are proposing a restrictive covenant be placed on the title basically that says if the use of the dwellings cease to be used for community housing, then financial contributions need to be repaid.

Classic Group submit that we think that this proposal is not workable in the long term.
In our opinion we submit that this should be limited to a 10 year time horizon which ties to the lease term with the community housing provider and also with the Long Term Plan planning horizon.

If you have any questions please contact myself or Libby Gosling

Vanessa Stewart
Planner



Submission 08

From: [Russell Dunstan](#)
To: [Have Your Say](#)
Subject: Draft Schedule of Fees and Charges 2022/23 - Submission
Date: Thursday, 21 April 2022 9:14:18 am
Attachments: [image001.jpg](#)

Good Morning

On behalf of Southern Cross Horticulture (SCH) please accept this submission on the Draft 22/23 Rates and Fees particularly regarding Rural Roading Contributions.

We firmly believe that the cost of the rural roading contribution is disproportionate to the impact of subdivision. The cost should be spread across the rate payer rather than loaded onto people completing subdivision. This method would provide for more stable collection of funding for rural roading maintenance and upgrades than subdivision contributions that can fluctuate.

It should also be noted that our rural roading contributions are the highest in the surrounding area by several thousand. How is this justified?

If you require clarification or further information, please contact me.

Thank you for your consideration.

Kind Regards

Russell Dunstan

Director



We support one child through kidscan for every person on our team, we encourage you to consider doing likewise so every child can have equal opportunity to attain an education and get a good start in life.



651080-M-P-C200



20 April 2022

Western Bay of Plenty District Council
Private Bag 12083
Tauranga Mail Centre
Tauranga 3143

Attention: Annual Plan Committee

Dear Sir/Madam,

The North 12 Limited Partnership
Submission on Annual Plan – Financial Contributions

Introduction

The North 12 Limited Partnership (N12LP) currently own the residentially zoned property at 83 Dunlop Road, Te Puke. Stage 1 of the development is being constructed at present and titles for this first stage will issue later this year.

N12LP also have contracts to purchase the adjoining properties located at 81 Dunlop Road and 69 Whitehead Avenue where resource consents are presently being sought. The total development yield anticipated across these properties is in the order of 400 lots/dwellings.

The philosophy of the Master Planned Development is to provide a well-designed, comprehensive development with a large component encompassing smaller sections upon which affordable housing can be constructed.

The land is fully located within the Te Puke Area 3 Structure Plan Area. The location of the properties is shown on the image below.

Stratum Consultants Ltd have been engaged on behalf of N12LP to prepare this submission to the Annual Plan.

ENGINEERS · PLANNERS · SURVEYORS · ENVIRONMENTAL

Rydal House, 29 Grey Street, PO Box 13651, Tauranga 3141 P 07 571 4500 WWW.STRATUM.NZ

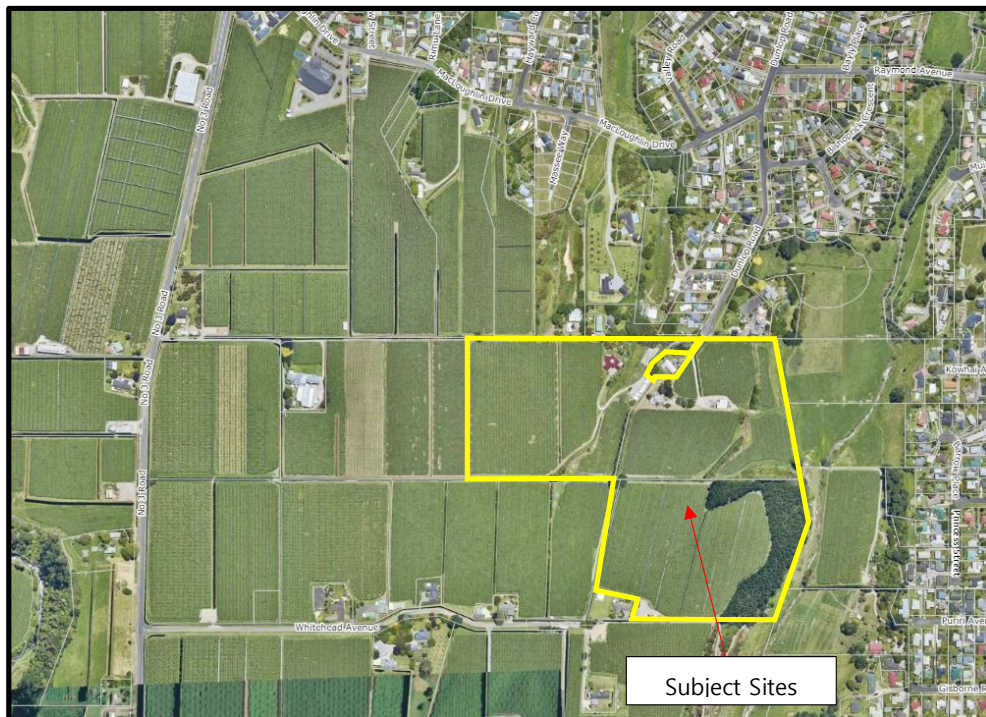


Figure 1: Properties Location

Submission on Financial Contributions

N12LP's general submission is that Council ensures that financial contributions fairly reflect the need to mitigate the effects of development and are kept to a minimum so that they are enabling of affordable housing.

Higher financial contributions than necessary add significantly to the cost of creating housing and impact affordable housing more acutely than other housing because they represent a greater proportion of the total cost of the dwelling than is the case for higher priced housing.

Summary

N12LP would be willing to meet with WBOPDC prior to decisions being made if required. N12LP also wish to be heard in support of their submission at the Annual Plan hearings.

If you require any further information or wish to discuss the above, please contact the writer on 07 571 4500 or via email at shae.crossan@stratum.nz.

Yours Faithfully,

STRATUM CONSULTANTS LTD

Shae Crossan
Planning Director

Submission 10

**Submission on behalf of Tauranga & WBOP Grey Power
to the WBOP District Council
on the Draft Schedule of Fees and Charges 2022/23**

20th April, 2022**Introduction**

Tauranga & WBOP Grey Power Association acknowledges and welcomes the Council's intent to address a significant barrier to development of community housing and Papakainga in the District, through the proposed reduction in FINCOS for developments of multiple dwellings held for assisted rental or ownership.

While this initiative receives our endorsement, we wish to raise some additional housing challenges, particularly for older people, where the Council could consider similar financial relief to facilitate better land-use for housing within our zoned urban centres.

The issues and some potential solutions are outlined below.

Housing Challenges for Older Local Residents

It is acknowledged that housing is a critical issue for several sectors within our community – eg Marae housing; Tongan housing, and suitable affordable homes for young working families being employed in the district.

Long-term Katikati residents looking to downsize from their 3-4 bedroom properties, that they are struggling to maintain, are facing significant barriers to remaining in Katikati. They have strong social networks in the town and want to remain within our community. With the majority of those aged over 75 being on fixed incomes (frequently with NZS as their sole income), the rising costs of home and grounds maintenance, as well as Council rates that increase significantly faster than the increases in NZS, creates a situation where remaining in their own home becomes unaffordable. Developers are generally focusing on more profitable 3-4 bedroom homes for younger retirees fleeing Auckland for the Bay of Plenty, rather than providing much needed warm, dry low maintenance homes into which older local people could downsize.

We have examples of couples in their late 70's/80's encouraged to sell their Katikati home to get the cash to downsize, to only discover that there is nothing suitable on the market and they have been forced to leave the district and find something suitable in a small rural town in Hauraki or Waikato, where they have no social network. This can be sole destroying for older people. Another couple in their 80's wanting to downsize sold their home for over \$800,000, subject to the vendors finding alternative 2 bedroom accommodation in Katikati. The sale was cancelled after 6 months as the vendors had found no retirement home or new smaller property that would allow them to keep their 2 companion house dogs.

Data from Katikati 2018 Census Data shows that 441 single households are occupied by someone aged over 65, and 178 of these occupied by someone over 80 years of age. Freeing up even 100, or less than 25% of these homes for younger families could have a significant positive impact on the Katikati Community. This would require a cooperative initiative between Council, Government, not for profits, and our local community aimed at rehousing our older residents. It will require innovation, willingness to simplify consenting procedures, minimising of development costs, and potential incentives to those downsizing and to developers of suitable housing for our older residents.

In addition, with an escalating % of retirees no longer owning their own home, the availability of affordable rental accommodation is abysmal in Katikati. Both the RSA Homewood Trust and WBOPDC, who have maintained below-market rate rents have increased their rents to exceed 30% of the NZS rate (close to 40% for a single person).

Median market rent for a 2 bedroom home, which is rare to find, in Katikati is stated to be \$385/wk as of 1st Sept 2021-28 February 2022 (Tenancy Services Website). \$385/week is 83% of the net weekly NZS for a single person living alone, and 54% of what a married couple would receive. For those with assets over \$8200 there is no accommodation supplement available, yet those in social housing are permitted to have just over \$40,000 in assets and their rent is pegged to 25% of their income. This anomaly needs to be rectified by Central Government, but Local Government in partnership with not for profits and locals could provide 1-2 bedroom homes at an affordable weekly rental not exceeding 25% of the retiree's income. As more rental stock in Katikati is sold off by landlords, or renovated for higher rent and families, those retirees with assets under \$20,000 are being forced to leave Katikati, or to become homeless.

Many properties in our towns are of a size where they could be subdivided and new homes constructed, however few home owners have the finances available to subdivide considering the costs of Resource Consents, FINCOS, building consents etc. This is a significant barrier for older residents wanting to downsize on their own sections, or to another site, who are unable to fund the development, due to lack of access to affordable bridging finance to achieve this. Involving a developer leads to higher profit margin requirements and a focus on homes that will attract a higher sales price, rather than providing a social service with more affordable homes being constructed.

Potential Solutions for Consideration.

The following recommendations are made to provide additional flexibility and community benefits to the proposed reduction of FINCOS for Community Housing and Papakainga.

1. Provide an incentive for owners to subdivide an existing residential section, where the result is provision of at least one new affordable home, assisted rental home, or assisted ownership home.
2. Provide an incentive for owners aged over 65 residing in a single or dual occupancy 3 or more bedroom home to subdivide their section with the purpose of constructing a smaller residence which the owners will move to and so free up the original property for a family.

3. Provide short-term affordable bridging finance/incentive for owners aged over 65, with limited cash resources, residing in a single or dual occupancy 3 or more bedroom home to downsize to a 1-2 bedroom home within the same town.
4. Be prepared to consider other individuals, Incorporated Societies, Charitable Trusts etc as eligible for the reduction of FINCOs if their development proposals would deliver up to 10 assisted rental or assisted home ownership.
5. Consider insisting that developments of 10 or more residential dwellings must include at least 10% of 1-2 bedroom affordable homes for the elderly.
6. Facilitate construction of additional communities of 1-2 bedroom homes for purchase or lease, on leasehold land for older people with modest financial resources, similar to the model of Seaford Park at Island View.

I would appreciate being able to speak to this submission on May 3rd.

Kind regards



David Marshall

Vice President Tauranga & WBOP Grey Power Association
Zone 3 Representative, Grey Power Federation Board.

11 April 2022

Office of the Mayor
1484 Cameron Road
TAURANGA 3112

Submission on Rates Remission and Roading Policies

Te Kāhui Mana Whenua o Tauranga Moana and Te Ihu o Te Waka o Te Arawa

Nā tō rourou, nāku te rourou ka ora ai te iwi, ka ora ai te tangata

E te Koromatua, tēnā koe,
Ki ngā Kai Kaunihera, tēnā koutou
Tēnei mātou o hoa i runga i ngā roopu Te Kāhui Mana Whenua o Tauranga Moana me Te Ihu o Te Waka o Te Arawa hoki e kawea mai nei ngā wawata, ngā hiahia o o mātou iwi o o mātou hapū e pā ana ki ēnei kaupapa nui whakaharahara.

We thank the Mayor and Councillors for the opportunity to provide this submission to the policies that are out for consultation alongside this year's Annual Plan.

This submission is made by your partners, the Tangata Whenua members of Te Kāhui Mana Whenua o Tauranga Moana and Te Ihu o Te Waka o Te Arawa (The Forums). There are currently twenty-seven (27) iwi and hapū that are members of the two forums, whose various rohe (traditional boundaries) spread across the entire Western Bay of Plenty District. This submission is made by us as representatives mandated to speak on behalf of those iwi and hapū and it should be noted that although this is a single submission it carries the mana and aspirations of all our iwi and hapū and their members. Indeed, previous census data puts this number at over 4000 members and as the census only allowed people to list two of their iwi and had no provision for hapū, this is a very conservative figure.

While this is a joint submission of the Forums, we acknowledge that some iwi and hapū may provide separate submissions.

One point that we would like to raise, ahead of the submission points below, is that tangata whenua are not represented at the Council decision-making table. We, as representatives for our respective hapū, are asked to provide our feedback, thoughts, and input into Council mahi but ultimately are not empowered in making the decisions which impact our whānau, trusts, hapū, iwi and whenua. This needs to be addressed moving

A4551042

forward so that decision making is a true reflection of the partnership between tangata whenua and Council.

We acknowledge the workshops we have had on these kaupapa with staff and elected members and the information provided through these.

1. Financial Contribution for Papakāinga

We support the proposed reduction in FINCOs under the Fees and Charges 2022/23 for Papakāinga.

We acknowledge the prior work in the development and implementation of the Papakāinga Toolkit – the toolkit provided a step by step approach to Papakāinga development and saw multiple agencies together to reduce the barriers for building on Māori land – that meant changing some of the planning rules that made it hard to build multiple housing on Māori land and to have a consistent approach across this mahi between Councils. Out of the toolkit also came a series of workshops designed to walk Māori land trusts and landowners through the toolkit and ultimately build housing on their whenua. It's important to also acknowledge Council's policy to provide a 50% reduction in Financial Contributions (FINCOs) for those that went through the Papakāinga workshops. Despite this good work, to our knowledge only one whānau/trust has benefitted from the current approach to reducing FINCOs so any step to further remove FINCOs as a barrier to Papakāinga development associated with development of Papakāinga is a step that we support.

The FINCOs reduction is one part of the equation and there are many more challenges that exist for the development of Papakāinga. The Forums encourage Council to work more closely with central government agencies and in partnership with iwi / hapū and Māori land trusts to make meaningful progress addressing these challenges so the aspirations for Māori housing can be realised. We would like to see Council organise a multi-agency roadshow in the near future to help inform whānau, trusts, hapū and iwi about funding, consenting and things they need to consider when developing whenua (land). We also note that the District Plan review will be a critical part of the picture in terms of enabling Papakāinga. It would be great to see Council look to support one or two Papakāinga developments through to the end stage of having houses built.

Maximum of 10 Dwellings

The Forums understand the policy applies for up to a maximum of 10 dwellings. This is one way to encourage more comprehensive development. However, Papakāinga are not limited to a certain number of dwellings, a Papakāinga can include communal facilities and gathering places. The Forums request consideration of how a Papakāinga development that includes facilities other than dwellings will be treated in relation to FINCOs.

Staged Applications

One scenario may be that a Māori land trust has a master plan for 20 dwellings as part of a Papakāinga. However, the resource consent application is for 'stage one' which is only 5 dwellings. Clarification is requested on whether the Stage 2 or subsequent applications

will also be required to pay one FINCO (equivalent to the FINCO normally charged for one household equivalent) or if the reduction will apply up to a maximum of 10 dwellings

District Plan Provisions

One area where the Forums would like early engagement is the District Plan provisions for Papakāinga. We need to ensure these are structured to make development of Papakāinga happen – provisions in the plan should encourage and enable this mahi.

The Forums would like to see a clear plan for engagement with iwi, hapū and Māori landowners on the District Plan provisions for Papakāinga.

2. Rates Remission on Māori Freehold Land

We were pleased to see the changes recommended by the Forums incorporated into the draft policy adopted by Council. We are also pleased to hear of the changes to the Local Government (Rating) Act 2002, particularly the recognition of whenua Māori as taonga tuku iho.

There are some roopu who are unwilling to engage with Council around rates on whenua Māori due to our experience with Council and the Crown historically around land confiscation, rating sales, and debt collection. We feel that more work needs to be done, alongside the proposed policy, to ensure our whānau/land trusts/hapū are aware of changes and can take advantage of the opportunities these bring about.

We do wish to raise an issue which may sit outside of the policy – the valuation of whenua Māori. We do not believe that a Western system should be used to assign a value to whenua Māori, nor can it quantify the true value of this land to the hapū. The approach of “best and highest use” should not apply to land which has been occupied since the arrival of Māori in the rohe (area) and handed down for over 700 years. We support Council providing education and support to understand the rating system and its implications for Māori landowners and to work towards reasonable solutions when problems arise.

3. Seal Extension Prioritisation Policy

We welcome the equal treatment of Māori roadway under the proposed Seal Extension Prioritisation Policy. We support the revocation of the Māori Roadways Policy, which includes requirement for a roadway to be vested with Council in order for a Māori Roadway to be sealed. The proposed Seal Extensions Prioritisation Policy approach to treat Māori Roadways in the same manner as public roads is supported, noting that agreement from the specific Māori Roadway owners is required prior to any upgrades being commenced.

We have some concerns that Māori roadway may be used more frequently by the public if they are upgraded. Ngāti Whakahemo experiences issues with this in Pukehina currently where a farm track has been formed and upgraded and now public try to access.

We note that the implementation of the policy is critical, to ensure that the intended approach is delivered on the ground. This includes effective engagement with Māori Roadway owners where their roadway is eligible for sealing.

4. Policy on Council Maintenance of Previously Unmaintained Roads

As above, we support the revocation of the Māori Roadways Policy and the policy intention to treat Māori Roadways in the same way as public roads in terms of when Council would start to maintain a gravel road.

We would like Council to expand the definition of “Community Facilities” under the policy to include ngahere (forest), maunga (mountains), spiritual features, waahi tapu, taonga and other sites of significance so that these can be considered when decisions about maintenance are being made. We support the inclusion of “Marae” and “Urupā” within the definition of “Community Facilities” as proposed in the draft policy.

Submission 12

SUBMISSION

TELEPHONE 0800 327 646 | WEBSITE WWW.FEDFARM.ORG.NZ



To: Western Bay of Plenty District Council
1484 Cameron Road, Tauranga
Barkes Corner, Greerton

Date: 21st of April 2022

Submission on: **Draft Fees and Charges 2022/23**

Submission by: Bay of Plenty Federated Farmers of New Zealand

DARRYL JENSEN

JESSE BRENNAN

Address for service:

1. INTRODUCTION

- 1.1 Bay of Plenty Federated Farmers appreciates this opportunity to submit on the Western Bay of Plenty District Council (**WBOPDC** or **Council**) draft fees and charges for 2022/23.
- 1.2 We acknowledge any submissions from individual members of Federated Farmers.
- 1.3 We would like the opportunity to speak to Council about our submission.
- 1.4 Federated Farmers is focused on the transparency of rate setting, rates equity and both the overall and relative cost of local government to agriculture. We submit to Annual Plans (**APs**) and Long-Term Plans (**LTPs**) throughout New Zealand and make constructive proposals every year to almost every council.
- 1.5 Federated Farmers is conscious that there may be significant 'consultation fatigue' out in the community, following the LTP consultation process and 18 months' worth of significant central government proposals.

Federated Farmers submission to Western Bay of Plenty District Council – Proposed Fees and Charges 2022/23

- 1.6 Our members do not want their busy silence to be misconstrued as disinterest in the proposed changes. Given the challenging regulatory and economic environment we are currently in, we acknowledge this may result in a low response rate to the consultation process.
- 1.7 Our submission provides general comments, and then focuses on transfer station charges, and resource management charges from the perspective of our farming members.

2. GENERAL COMMENTS

- 2.1 The Statement of Proposal (**SoP**) notes that the purpose of the review is to ensure that actual and reasonable costs associated with a service that benefits an individual are recovered.
- 2.2 We note that 2022 is an uncertain year for all ratepayers, as well as Council. Inflation is rising, the long-term impacts of the COVID-19 pandemic are unknown, and the future role of district council is uncertain. In terms of the proposed budget increase for 2022/23, we are of the opinion that lower costs, fit-for-purpose infrastructure and calculated spending is the best way that Council can assist the community right now.
- 2.3 Further, COVID-19, inflation and rising fuel and food prices are putting families under significant pressure. Our members as farmers also face additional substantial challenges, including labor shortages, compliance costs, supply chain problems and increases in farm input costs.
- 2.4 Federated Farmers supports user pays principles and therefore actual, fair, and reasonable fees structures. We simply note with concern the ever-increasing upward trend of all Council rates, fees, and charges.

3. ANIMAL SERVICES FEES AND CHARGES

- 3.1 We note that animal control is largely dominated by the management of urban dogs, compared to rural dogs.
- 3.2 We believe that animal owners need to take responsibility for their animals, and there should be costs to owners for the service undertaken by Council to keep both the community and animals safe.
- 3.3 Federated Farmers is supportive of increases to charges for dog impoundment fees for both registered and unregistered dogs, and after-hours pick-up fees.

4. REDUCTION OF FINANCIAL CONTRIBUTIONS

- 4.1 Council is proposing to charge one household equivalent as base charge for community housing and papakāinga, with a 100 percent (%) reduction in financial contributions (**FINCOs**) for developments up to 10 dwellings.
- 4.2 We note that FINCOs are used to fund the additional infrastructure (such as water, wastewater, stormwater, and facilities) that may be required to service new developments.
- 4.3 While Federated Farmers can appreciate the intent of the reduction, we believe it is not the responsibility of Council to establish social equity.
- 4.4 It is acknowledged that the District Plan provides policies that enable reductions and waivers of financial contributions. Federated Farmers is of the opinion that any reduction should be rigorously calculated against impacts on council services and funding.

- 4.5 We also note that many water, wastewater, stormwater, and recreation and leisure FINCOs are proposed to be reduced, and in a few cases increased (water for central and eastern areas, wastewater for Waihi beach and Maketu/little Waihi areas, and stormwater for Waihi beach).
- 4.6 Council does not provide any context or sufficient reasoning for the proposed changes. In the fees and charges draft document, is noted that FINCOs may change in response to capital works identified to be carried out as part of the Annual Plan. However, the AP for 2022/23 is solely consulting on the Pukehina Development Rate. We also note that there is no rationalisation for the increases detailed in the SoP.
- 4.7 Given the growth that the Western Bay of Plenty District is experiencing, Federated Farmers generally supports the principal of user pays for those who cause the need for the new infrastructure and services, rather than the existing community. However, it is acknowledged that existing communities can also benefit from new infrastructure and services
- 4.8 Federated Farmers requests Council to provides justification and explanation of the proposed FINCO changes against impacts on Council services. An explanation on any potential impacts for general rate payers should also be provided, for context.

5. BUILDING SERVICE CHARGES

- 5.1 Council is proposing increases to fees for title endorsements, and for building consent fees and charges for certificates of compliance, additional fees categories based on the value of project and type of work to reflect time involved.
- 5.2 The proposed increases are somewhat nonsensical, given that these figures are only minimum fees and any costs associated with processing over and above this figure are charged to the Applicant. As a result, Federated Farmers is neutral on the proposed increases given it is largely a user-pays service.

6. RESOURCE CONSENT CHARGES

- 6.1 Federated Farmers can appreciate that WBOPDC is experiencing significant growth and an influx of resource consent applications.
- 6.2 To recover actual and reasonable costs, Council proposes to increase numerous fees for subdivisions, land use consent applications, planning advice for pre-application meetings, monitoring and compliance inspection charges, and engineering design approval.
- 6.3 We note that high resource management fees generally can result in perverse outcomes such as unconsented and uncertified work. In addition to this being a potential safety concern, it may also create a compliance issue for the Council
- 6.4 As previously noted, the proposed increases are minimum fees regardless, and any costs associated with processing over and above this figure are charged to the Applicant. As a result, Federated Farmers is neutral on the proposed increases.
- 6.5 Federated Farmers does not agree with the proposed charge for planning advice and pre-application meetings, and associated time and cost.
- 6.6 We believe that pre-application meetings are a useful tool for the community to understand regulatory requirements and establish a connection with Council. Adding a cost element to this service may become a disincentive for the community to engage with Council altogether.

- 6.7 We note that South Waikato District Council (proposed 2022/23 fees and charges), Matamata Piako District Council (2021/22 fees and charges), and Waikato District Council (2021/24 charges) all offer the first hour of advice free.
- 6.8 Federated Farmers recommends that planning advice and pre-application meetings are capped at 1 hour of free service, after which point time and cost will be on charged. We believe this provides a balance between smaller scale proposals, and larger and thus more complex developments which may require more time and involvement by Council. Employment of this approach would provide consistency with other district councils.
- 6.9 In terms of the proposed increases to monitoring and compliance inspection charges, and fees for engineering design approval, we are neutral. We note that once again that these are minimum charges, and any additional costs are on-charged to the consent holder and/or applicant. We note in the SoP that the increase to minimum engineering design approval fees (proposed increase to \$800) is to align with base fees for s224(c) activities, as it is equal in its complexity and content. However, the s224 fees as outlined in the draft fees and charges document is \$1000.
- 6.10 While we do not anticipate such charges being of significance to our members, we highly recommend that Council is consistent and vigilant with its rationalisation for fees increases given these are user pays services.

7. GENERAL COMMENTS

- 7.1 We note that additional kerbside collection charges are proposed, to refine the charging process and also respond to customer requests for additional services.
- 7.2 Federated Farmers would like to take the opportunity to remind Council that there are rural access inequities to waste recovery and recycling services.
- 7.3 Federated Farmers would like to see Council actively working with AgRecovery to establish free drop off hubs for farm plastics. AgRecovery is seeking product stewardship accreditation from the Ministry for the Environment (**MfE**) for farm plastics in 2023/34. AgRecovery estimates it will recover 80% of farm plastics within three years of accreditation.
- 7.4 This will have a meaningful impact on rural waste streams and therefore reduce pressure on Council landfills. However, those recovery facilities need to be planned for to ensure the service is accessible for all rural people.
- 7.5 Further, we note that MfE has identified that in order to reduce greenhouse gas emissions across New Zealand, we need to remove organic waste from landfills. We would appreciate a response from WBOPDC as to whether this situation is being planned for, and what the long-term organic waste recovery fees impact may be.

Federated Farmers thanks Western Bay of Plenty District Council for considering our submission.

Federated Farmers is a not-for-profit primary sector policy and advocacy organisation that represents the majority of farming businesses in New Zealand. Federated Farmers has a long and proud history of representing the interests of New Zealand's farmers.

The Federation aims to add value to its members' farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment;
- Our members' families and their staff have access to services essential to the needs of the rural community; and
- Our members adopt responsible management and environmental practices.

This submission is representative of member views and reflect the fact that local government rating and spending policies impact on our member's daily lives as farmers and members of local communities.





Removing Library Fines: Submission 13

Improving community access and investment

Fines were introduced to encourage members to return books. Evidence suggests this is ineffective and creates barriers to use. The fines model is outdated considering increases in e-resources. Overdue fines are out of step with Council strategies to increase use of libraries, empower communities and further their well-being. 31% of NZ public libraries are completely fines free and this is increasing each year.

Fines are not a sustainable form of revenue

If everyone returned their items on time, there would be no revenue

33%

33% of fees & charges incurred was never collected by Auckland Libraries in 2020. Libraries' revenue from fines has decreased over the last 5 years due to increased use of e-resources.

\$\$\$

Collecting fines is expensive -costs include hours of staff time, collection agency costs and ill will. Some libraries reported it costs them more to collect fines than the amount they were collecting.

Fines don't bring back materials faster

Libraries that have eliminated overdue fines get materials back at the same rate (or even faster). Your Library will continue to send overdue notices and charge borrowers for items not returned.

5%

Salt Lake Public Library's late-return rate dropped from 9% to 4% following fine elimination.

3x

Without the threat of a library fine books were *three times* as likely to be returned -The City of Sydney

Fines DO have a negative impact

35,000

Prior to being fines free about 35,000 Tamaki Makaurau library members were blocked annually from borrowing because they owed more than \$10.



Most libraries report that those blocked from borrowing for unpaid fines are over-represented in poorer neighbourhoods, and by Māori and Pacific.

"I didn't want to come back to the library -I was scared about the fine. I'm so happy now there isn't fines." ~Upper Hutt Library Customer

"We didn't have books in my house so I went to the library for my homework. Then I got some overdue fines, and my family couldn't afford to pay them. I never went back".

Dropping fines will increase use

16%

16% ↑ children's issues after removal of fines at San Rafael Library

18%

18% ↑ in membership after removal of fines at Library Upper Hutt City Libraries

8,000

8,000 ↑ in membership in Tasmania when overdue fees were scrapped

And this is the source.... https://library-nd.libguides.com/ld.php?content_id=54796504



Annual Plan

Mahere ā tau

2022-2023



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A plan we can all be proud of
He mahere whakahī tā mātou

Message from the Mayor
He karere nō te Koromatua

A handwritten signature in blue ink that reads "Garry Hibben".

The Annual Plan process this year

Te hanga o tēnei Mahere ā tau

The Annual Plan is Council's updated plans for the coming financial year (1 July 2022 - 30 June 2023), setting out the work we are planning to undertake in your community. This Annual Plan is year two of the Long Term Plan (LTP) 2021-2031.

We considered what was outlined in the LTP and assessed what changes are needed to reflect current circumstances and community needs. We remain committed to what we said we would do in the LTP.

This year the only big change being considered affects the Pukehina Development Rate. For this reason Council undertook targeted engagement with the Pukehina community. This was the only material or significant change being considered.

We appreciate COVID-19 and the increased cost of living has presented challenges for everyone in the District and have taken this into account through the Annual Plan process.





Our District, Our People

Tō tātou Takiwā, tō tātou Iwi

Western Bay of Plenty District is one of the faster growing areas in New Zealand.

As at 30 June 2021 the Western Bay of Plenty District's estimated population is 57,355. The population is expected to reach around 69,980 by 2038.

Between the 2013 and 2018 censuses, the population of the District grew by 17.5% (7,630 people); it is estimated that the population will grow by 8.4% (4,864 people) in the next five years. Most of this growth has come from immigrants and migration from other parts of New Zealand.

Our District at a glance

To tatou Takiwa ma te titiro

19% of the District's population identify themselves as Māori which is higher than the national average of 17%.

Agriculture and horticulture are the main economic drivers of the Western Bay of Plenty District and the greater Tauranga and Western Bay sub-region.

Over 90% of the people in the **Kaimai Ward** indicated they were of European ethnicity in 2018.

15% indicated they were Māori in the **Kaimai Ward** for the same period.

19% of the population in the District are less than 15-years-old very close to the national average of 20%.

Population statistics on this page are from the 2018 Census.



21% of residents in the District are over 65-years-old higher than the national average of 15%.

The Asian ethnicity in the **Katikati/Waihi Beach Ward** increased from 606 people in 2013 to 816 people in 2018 (+35%), while the Pacific People ethnicity increased from 342 people to 432 people (+26%) for the same period.

The District has a warm, sunny climate with an average of 2346 sunshine hours per year.

The District has a moderate rainfall of 1200 – 2400 mm per year.

28% of the people in the **Maketu/Te Puke Ward** indicated they were of Māori ethnicity in 2018. 12% indicated they were Asian.

50% increase

The Asian and Pacific ethnicities increased in the **Maketu/Te Puke Ward** by 50% or over from the 2013 to 2018 Census.

The District has a lower level of socio-economic deprivation than the country as a whole.



Te Ara Mua - The Pathway Forward

Te Ara ki Mua

Te Ara Mua is a plan developed by the Tauranga Moana and Te Arawa ki Takutai Partnership Forum. It signifies the previous efforts of the Partnership Forum to meet the aspirations of Māori and the Western Bay of Plenty District Council when it comes to kaupapa Māori.

Developing Māori capacity to contribute to decision-making

te whakawhanake i te mana maori ki te whai waahi ki te whakatau kaupapa

We recognise the importance and special place of Tangata Whenua within our communities and the additional responsibilities that the Local Government Act places on us to develop the capacity of Māori to take part in local government decision-making processes.

Equally, we acknowledge the journey that is required to develop positive and purposeful relationships with Tangata Whenua that can sustain us into the future.

We have a number of mechanisms for engagement and to involve Tangata Whenua in our decision-making processes. We will continue to review and improve them to ensure ongoing effectiveness.

We will continue to work with iwi and hapū to provide for their representation aspirations.

Te Ara Mua

Te Ara Mua is a plan that was developed by the Tauranga Moana and Te Arawa ki Takutai Partnership Forum. The Partnership Forum was disestablished in 2020, and two new forums, Te Kāhui Mana Whenua o Tauranga Moana and Te Ihū o Te Waka o Te Arawa were created in 2021.

Te Ara Mua has been used to inform Council's Long-Term Plan and Annual Plan and signifies the previous efforts of the Partnership Forum to meet the aspirations of Māori and the Western Bay of Plenty District Council when it comes to kaupapa Māori.

In time, Te Ara Mua will be superseded by the plans of the two forums once these have been developed.

Te Ara Mua provides Ngā Whetu, a framework for identifying issues of significance to Māori in line with the Treaty of Waitangi principles that have been adopted by Council, and the clear statutory obligations Council has to Māori. The Plan also outlines Ngā Kaihoe, an annual work programme for the Partnership Forum to drive actions that address issues of significance.

Our Kaupapa Māori team

This team initiates, builds and maintains our relationship with Tangata Whenua and Māori, ensures Kaupapa Māori is considered in Council's decision making, and strengthens our organisation's ability to appropriately engage with Māori through exposure to and training in kawa (protocols), tikanga (customs) and te reo (the Māori language).

Tangata Whenua engagement guidelines

Our Tangata Whenua engagement guidelines have been developed to assist staff in engaging with Tangata Whenua.

For further information

Find out more detail by reading Te Ara Mua on Council's website .
westernbay.govt.nz/council/working-with-maori



Your Mayor and Councillors

Tō Koromatua me ngā Kaikaunihera



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Chapter One

Introduction to our financials

He kupu whakataki ki a maatau putea

What is covered in the financial supporting documentation?

This section of the Annual Plan 2022/23 covers the prospective financial statements, reserve funds, key changes to rates for 2022/23, along with a summary of projects that vary from the Long Term Plan 2021-2031 by over \$50,000 or have been bought forward. The key assumptions that are published in the Long Term Plan 2021-2031 have been reviewed and updates are noted in the first part of this chapter.

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Changes to the Strategic Assumptions

Ngā panoni i ngā whakaaro rautaki

The Strategic Assumptions are the Council's 'best guess' at how the future may look. They form the basis for planning and are developed from a wide range of sources.

When planning for the Long Term Plan (LTP) 2021-2031 (which is the basis for this Annual Plan), we need to make assumptions about future trends and events that are outside our control. When making assumptions it is important to recognise the possibility that, over time, the assumption may prove to be incorrect.

During the development of this Annual Plan all the Strategic Assumptions were reviewed and either updated or reconfirmed. The Strategic Assumptions that required updating are provided on pages 17 to 21. All other assumptions in the LTP remain as published on pages 39 to 62 in the 'Strategic Assumptions' section in Chapter Two of the LTP 2021-31.

For the complete list of assumptions see the LTP 2021-2031

www.westernbay.govt.nz/longterm2021-2031

1

Economic Development

Assumption	Implication	Level of uncertainty	Impact	Mitigation
<p>The local economy will return to 2019 levels and grow from 2023.</p> <p>At the District and sub-regional wide levels, the economic outlook is fairly positive. Our economy has been cushioned from some of the impacts of COVID-19, due to our diverse economy, strong rural sector (especially horticulture) and low reliance on international tourists.</p> <p>The local economy will have largely recovered from the impacts of Covid-19 by close of 2023 with growth above 2019 levels.</p> <p>On the back of strong and continued population growth, the Western Bay of Plenty's economy is projected to continue to grow. We are part of the Golden Triangle (Auckland / Waikato / Bay of Plenty) and our economic growth is expected to be above the national average.</p> <p>We expect to see an increase in 'sustainable' low waste, low emission business practices as standard.</p> <p>We expect to see:</p> <ul style="list-style-type: none"> • significant growth in the kiwifruit industry • growth in the avocado industry • growth in domestic tourism. 	<p>The kiwifruit industry is a high water user, and their water demand will increase. This may put pressure on resources and infrastructure.</p> <p>Continued economic growth will require provision of business land. Demands for freight movement will need consideration in transport network planning.</p> <p>Growth in tourism means targeted infrastructure investment may be needed (such as toilets in rest areas, upgraded walking tracks). This will require cooperation with central government agencies.</p> <p>There may be increased pressure on the natural environment from increased use.</p> <p>The demands on the capacity of industry to deliver infrastructure projects may mean increased competition, leading to increased prices and possibly time delays.</p>	<p>High</p> <p>Forecasts align with national forecasts for economic growth and local trends, however the impacts of Covid-19 are uncertain.</p>	<p>Moderate</p> <p>The level of economic activity and growth in the District can directly impact ratepayers' ability to pay, whilst also influencing the level of financial contributions collected as development occurs or the level of demand placed on infrastructure.</p> <p>Investment decisions will be made cognisant of this uncertainty.</p>	<p>Continual monitoring of the situation and 'just in time' infrastructure will aid in mitigating some of these issues.</p> <p>Council will continually monitor the District's economic situation and may revise any plans, with consultation through Annual Plans if necessary.</p> <p>Council will continue to provide funding for organisations such as Priority One, Tourism BOP, Te Puke EDG, and Katch Katikati.</p>

2

Legislative

Assumption	Implication	Level of uncertainty	Impact	Mitigation
<p>We expect to see continued focus on the way Council delivers its core services and provides infrastructure for growth.</p> <p>Central Government direction on Three Waters Reform and Resource Management Act reform has provided some level of certainty. However, the actual structures and content of legislation has not been determined yet.</p> <p>There is likely to be increased regulation aimed at delivering higher public health and environmental standards.</p> <p>Legislative reforms are likely to continue to focus on alternative ways to deliver public services. For example the review of Three Waters and joint Council-controlled organisations for providing services. Similarly the Future for Local Government Review and the Resource Management Act reform will have impacts.</p> <p>It is prudent to plan on a business as usual approach to service delivery, but with an allowance for staff time for the initial phases as indicated by Central Government.</p>	<p>Council will need to be involved in any national conversations about service delivery, to ensure we are ready to adapt to any changes that are made at the national level.</p> <p>Costs associated with the impact of legislative changes may be recovered from Central Government in some circumstances, especially the cost of Three Waters transition. These may be substantial.</p> <p>Individual activities of Council may need to make specific assumptions.</p>	<p>Moderate</p> <p>Legislative change and national direction is highly dependent on the political direction and priorities at the time.</p>	<p>High</p> <p>Some changes to the delivery of services could significantly alter how Council functions, however the generally lengthy development process of legislation and implementation phases will allow for suitable planning and may require community consultation.</p> <p>Changes to the delivery of three waters could significantly impact Council's financial position, depending on how this is structured. This could impact the Council's levels of debt, forecast capital and operational expenditure and income. The actual impact can not be quantified at this point.</p>	<p>Continue to watch and input into legislative developments, to ensure a Western Bay of Plenty voice is heard and Council is prepared for any changes.</p>

3

COVID-19

Assumption	Implication	Level of uncertainty	Impact	Mitigation
<p>Disruptive events, such as COVID-19, have significant potential to cause shocks to international, national and local systems.</p> <p>Implications for the District are wide ranging and depend on the level of domestic infection rates, vaccine rates, new variants, national and international responses.</p> <p>Impacts on the economy and population growth are expected to be greatest, but possibly short term. International tourism is expected to be significantly impacted.</p> <p>Currently we are expecting economic impacts across the 2020-2022 years and for these to be largely recovered by the close of the 2023 year.</p> <p>We assume that our projects and works will be completed to time, as planned in the LTP, and there will be no significant delays caused directly or indirectly by COVID-19.</p>	<p>Council may need to be in a position to respond to emerging events. Council may consider bringing forward some infrastructure projects in order to help maintain economic activity in the District and support impacted workers.</p> <p>Alternatively, Council may look to defer projects in order to limit additional economic stresses.</p> <p>Council may need to change the way we work and how we use our public spaces to limit infection.</p> <p>Council may need to reschedule timing of projects and works or reconsider budgets, due to COVID-19.</p>	<p>High</p> <p>The future situation is uncertain and very difficult to predict.</p>	<p>High</p> <p>Implications for Council's growth and financial models and work programmes could be extensive. Council will have to be flexible in its response.</p> <p>The key impact of any lockdown affecting our District or material/contractor availability, would be potential delays in Council project delivery and associated expenditure.</p>	<p>Council will continue to monitor the situation and may revise any plans, with consultation through Annual Plans if necessary.</p>

4

Inflation rates

Assumption	Implication	Level of uncertainty	Impact	Mitigation
<p>Costs are assumed to increase due to inflation.</p> <p>Financial projections for the 2022/23 year have been adjusted inline with indices prepared by BERL (October 2021), which deal specifically with the costs local government deal with. The indices are applied according to the types of expenditure that makes up each activity.</p> <p>For the 2021/22 year, there has been an observed price inflation for Local Government, particularly in contractor costs. The expectation is that these will remain for the medium to long-term.</p> <p>For the Uniform Targeted Rates (UTR) (stormwater, water and wastewater) the inflation rate is defined by Council and is generally based on historic and projected financial information:</p> <p>2022: 3% 2023-2031: 1%</p>	<p>Inflation rates impact the expected costs of our services in the future.</p> <p>These vary by activity as the type of goods purchased differ.</p>	<p>Moderate</p> <p>The level of uncertainty for this assumption is moderate. It is difficult to predict inflation over a 10 year period, therefore actual results are likely to vary from these indices, particularly from 2024 onwards.</p>	<p>Moderate</p> <p>If inflation is under-estimated and actual cost increases are materially higher than forecast, budgets for the first year of the LTP may be too low to complete the work scheduled for the year. In such cases the work would be re-scheduled.</p> <p>If inflation is less than forecast, some work may be brought forward from later years of the plan or surplus revenue held over</p>	<p>Inflation assumptions are reviewed each year as part of the annual budgeting process.</p>

Projected indexed prices from a 1,000 base in September 2021				
Year	2021	2022	2023	2024
Roading	1000	1024	1048	1072
Planning and regulation	1000	1031	1055	1081
Water and environment	1000	1032	1058	1083
Community activity	1000	1020	1041	1064
Transport	1000	1026	1051	1076

5

Interest rates

Assumption	Implication	Level of uncertainty	Impact	Mitigation
Interest rates will fluctuate over the course of the LTP. Council's interest rate assumption for 2022/23 is 4.25%.	Interest rates govern the cost of borrowing. Whilst borrowing is beneficial in spreading the cost of infrastructure across all generations that benefit from it, fluctuating interest rates can impact how much we pay.	Low The level of uncertainty for this assumption is low. Council has a high level of confidence in these assumptions, which are based on cost, market information and hedges on existing borrowings through interest rate swaps, in conjunction with advice from New Zealand Treasury experts.	Moderate If interest rate assumptions were too low, it would result in borrowing costs being higher than forecast. If interest rate assumptions were too high, borrowing costs would be lower than forecast. A 0.5% movement on \$150m of debt equates to a \$750k movement in interest expense. movement in interest expense.	Interest rate assumptions are reviewed each year as part of the annual budgeting process.

Changes to projects

Ngā panoni ā mahi

There are some changes to specific project timing to better align with actual progress. These are not considered material.

Project variances of \$50,000 or more are disclosed below. The financial variances include changes to project costs and projects that have been brought forward, which are either operational or capital expenditure.

Planning for the future

Project Number	Project Name	Long Term Plan 2023 \$	This Plan \$	Difference \$	Explanation
294208	Resource Management - Ōmokoroa Structure Plan Stage 3	-	150,000	150,000	New project

Communities

Project Number	Project Name	Long Term Plan 2023 \$	This Plan \$	Difference \$	Explanation
280001	Property - pensioner housing capital	693,900	2,830,000	2,136,100	Timing changes

Wastewater

Project Number	Project Name	Long Term Plan 2023 \$	This Plan \$	Difference \$	Explanation
168603	Waihi Beach wastewater treatment	129,642	400,000	270,359	Timing changes
225632	Te Puke wastewater treatment plant upgrade	4,699,117	4,549,000	(150,117)	Timing changes
225635	Rangiorua Business Park share of contribution towards treatment plant upgrades	1,033,000	-	(1,033,000)	Timing changes
225724	Wastewater - Katikati treatment plant emergency storage	695,209	-	(695,209)	Timing changes
225744	Katikati wastewater treatment plant upgrades	154,950	1,200,000	1,045,050	Cost escalations
317301	Ōmokoroa Structure Plan - Wastewater	5,042,490	81,404	(4,961,086)	Timing changes
319502	Waihi Beach infiltration investigation and remedial work	72,310	-	(72,310)	Timing changes
323402	Katikati infiltration investigation	51,650	-	(51,650)	Savings
340501	Wastewater - District Wide reticulation modelling	10,330	70,000	59,670	Cost escalations

Stormwater

Project Number	Project Name	Long Term Plan 2023 \$	This Plan \$	Difference \$	Explanation
226361	Stormwater - Waihi Beach Pio Shores	475,180	50,000	(425,180)	Timing changes
226353	Waihi Beach 2 Mile Creek West Bank	2,892,400	1,300,000	(1,592,400)	Timing changes
226636	Te Puke Upgrades - Princess Street, Saunders Place	340,890	165,000	(175,890)	Timing Changes
226655	Te Puke upgrades Galway Place	\$61,980	-	(61,980)	Timing changes
317201	Ōmokoroa Structure Plan - Stormwater Industrial	3,739,511	3,627,096	(112,415)	Timing changes
322401	Minden Stormwater Investigation	\$51,650	-	(51,650)	Timing changes
322621	Kauri Point Upgrades	\$154,950	-	(154,950)	Timing changes
331501	Waihi Beach Otawhiwhi Marae Stormwater Drain	-	50,000	50,000	Timing changes
340101	Stormwater - District Wide Modelling	\$103,300	50,000	(53,300)	Timing changes
344801	Ōmokoroa Upgrades Myrtle Drive, Gerald Place	361,550	25,000	(336,550)	Timing changes

Water supply

Project Number	Project Name	Long Term Plan 2023 \$	This Plan \$	Difference \$	Explanation
243002	Water - Eastern Reticulation Improvements	986,515	717,000	(269,515)	Timing changes
243029	Water - Eastern Treatment Plant Renewals and Improvements	220,907	113,850	(107,057)	Timing changes
243033	Eastern water consents and compliance renewals	77,475	-	(77,475)	Timing changes
243034	Water - Muttons treatment plant - renewal	516,500	-	(516,500)	Timing changes
243307	Water - Ōmokoroa Structure Plan	1,056,010	1,608,503	552,493	Cost escalations
243320	Water - Central additional bore	309,900	788,000	478,100	Timing changes
243335	Water - Central Additional Reservoir	1,136,300	500,000	(636,300)	Timing changes
243340	Water - Central site security and electrical intruder alarms	193,171	1,145,000	951,829	Cost escalations
243619	Water - Western Reticulation Capital Improvements	371,880	285,000	(86,880)	Savings
243623	Waihi Beach Structure Plan - Water	136,873	-	(136,873)	Timing changes
287112	Water - Eastern alternative supply	1,136,300	600,000	(536,300)	Timing changes
287118	Water - Eastern Structure Plan implementation	136,356	85,115	(51,241)	Savings
350026	Water - Eastern supply to Rangiora Business Park	413,200	-	(413,200)	Savings

Transportation

Project Number	Project Name	Long Term Plan 2023 \$	This Plan \$	Difference \$	Explanation
210413	Transportation - Minor Capital Roding Improvements	2,889,600	3,096,000	206,400	Timing changes
283423	Transportation - One Network Maintenance Contract Pavement Surfacing (Reseals)	1,774,442	2,187,242	412,800	Timing changes
283429	Transportation - One Network Maintenance Contract Pavement	1,862,332	2,275,289	412,957	Timing changes
293201	Network Upgrades - JOG	206,400	-	(206,400)	Timing changes
302801	Waihi Beach roading Structure Plan	887,592	-	(887,592)	Timing changes
302901	Transportation - Katikati Structure Plan	1,758,417	1,225,000	(533,417)	Timing changes
302902	Transportation - Katikati Structure Plan funding	620,683	450,000	(170,683)	Timing changes
303001	Ōmokoroa Roding Structure Plan - Catchment	425,332	3,778,217	3,352,885	Cost escalations
303003	Ōmokoroa Roding Structure Plan - Rural	-	55,500	55,500	Cost escalations
303004	Ōmokoroa Roding Structure Plan - Strategic	-	249,750	249,750	Cost escalations
303005	Ōmokoroa Roding Structure Plan - Rates	-	138,750	138,750	Timing changes
303012	CIP1A - Ōmokoroa Structure Plan - Prole Road Urbanisation	2,980,208	1,300,000	(1,680,208)	Timing changes
303013	CIP1B - Ōmokoroa Structure Plan - Prole Road - Hamurana Road to end	2,071,953	-	(2,071,953)	Timing changes
303015	CIP2B - Hamurana Rd Urbanisation Gane Place to NE Western Ave	454,080	80,000	(374,080)	Timing changes
303016	CIP3A - Omokoroa SP - Sthn Industrial Rd - Design	1,032,000	600,000	(432,000)	Timing changes
303019	CIP4B - Omokoroa SP - Omokoroa Road Urbanisation - Margaret Drive to Tralee Street	1,229,938	500,000	(729,938)	Timing changes
303022	CIP5C - Ōmokoroa Structure Plan - Ōmokoroa Road Urbanisation - Prole Road to Neil Group	1,444,800	1,000,000	(444,800)	Timing changes
303023	CIP5D - Ōmokoroa Structure Plan - Ōmokoroa Road - Neil Group Roundabout	1,341,600	900,000	(441,600)	Timing changes
303024	CIP5D - Ōmokoroa Structure Plan - Ōmokoroa Road Urbanisation - Neil Group to Railway Line	1,100,973	700,000	(400,973)	Timing changes
353901	Transportation - Public Transport Infrastructure (UFTI commitment)	103,200	-	(103,200)	Timing changes

Finances at a glance 2022-23

He tirohanga i ngā pūtea 2022-23

Comparison of District rates. All ratepayers contribute to Council's District rate, which is made up of four different rates, i.e.:

- General Rate
- Library Rate
- Roading Rate
- Environmental Protection Rate

Council also levies targeted rates for services provided within a specific area of benefit.

The Western Bay of Plenty District is one of the country's fastest growing districts. While Council's costs will increase as a result, so will the ratepayer base over which those costs are spread.

To more fairly compare one year's budget with the next, Council makes an allowance for growth, which this year is 1.50%. Inflation is estimated at 2.90%.

The figures below exclude a 2% bad debt provision on all rates, or GST. From 2022/23 Western Bay of Plenty District Council no longer collects rates on behalf of Bay of Plenty Regional Council.

2021/2022		2022/23
Budget	Rate	Budget
\$		\$
27,853,562	General Rate	28,595,005
2,614,667	Library Rate	2,718,435
30,468,229	Subtotal	31,313,440
14,694,738	Roading Rate	16,445,645
1,474,000	Environmental Protection Rate	1,474,000
46,636,967	Total	49,233,094

Funding Impact Statements and other rating information

Ngā taukī tuku pūtea me ētahi pārongo rēti

This statement shows the rate charges for 2022-23, as well as the basis for the charges.

What rates are used for he aha nga reiti e whakamahia ana

There are three main types of rates:

General Rate

This consists of:

- a rate in the dollar charged on capital value
- a Uniform Annual General Charge (UAGC), which is a flat amount levied on each rating unit.

The General Rate is used to fund our day-to-day operations and activities that are considered to be mainly for public benefit.

Targeted Rates

Council uses targeted rates to collect funds over areas that benefit from a particular service. This rating tool is chosen where services are specific to a particular community or area within the District and it is not considered fair to charge all ratepayers. For example charges for water, wastewater and town centre promotion.

Roading Rate

This consists of:

- A rate in the dollar charged on land value
- The roading charge, which is a flat amount levied on each rating unit
- The rural works charge, which is a fixed amount on every rural zoned property in the District.

The Roothing Rate is used to fund the building and maintenance of the roading network within the District.

To see what Council's rating approach could mean for your rates, from page 48 and 49 we have put together a few examples of the effect on the rates of typical properties across the District.

Each typical property type total rates examples were calculated across five areas of the District within the three wards:

- Katikati/Waihi Beach Ward
- Kaimai Ward
- Maketu/Te Puke Ward

There are a number of different ward-based or area of benefit charges that apply, which affect the total rates paid. Some properties are connected to services like reticulated water supply and wastewater, which also affect rates.

Please note that these examples do not include GST. From 2022/23, Western Bay of Plenty District Council no longer collects rates on behalf of Bay of Plenty Regional Council.

Area of Benefit for halls (map)

To view the Area of Benefit for halls view www.westernbay.govt.nz/area-of-benefit-halls

Funding Impact Statement - Rates

Rate Funding Mechanisms 2022/23

The following rates are GST exclusive. The defined areas of benefits, land areas, or zones are available on Council maps at - Barks Corner, Tauranga and can be viewed on our website at www.westernbay.govt.nz. Further detail on the rate funding mechanisms can be found in Councils Revenue and Financing Policy. All our funding sources will also be used during each future year covered by the Long Term Plan 2021-2031.

General Rates

General rates are set under section 13 of the Local Government (Rating) Act 2002 on a differential basis on the capital value of all rateable rating units for the District. General Rates consist of a rate in the dollar charged on capital value and a Uniform Annual General Charge (UAGC) which is a flat amount assessed on each rateable rating unit.

Differential general rate

Our policy is to have the same system for charging General Rates across the whole District. Our current differential rates policy is that all rateable rating units are charged at a differential of 1.0 for the General Rate.

The different categories of land and rates are outlined in the table below. The objectives of the differential rate, in terms of the total revenue sought from each category are:

Source	Differential categories	Matters	Factor of liability	2021/22 Annual Plan Revenue (\$)	General Rate in the dollar of capital value	2022/23 Annual Plan Revenue (\$)
General rate	Residential zoned areas	Zone	Capital value	7,172,174	0.0009294	7,689,888
	Rural zoned areas	Zone	Capital value	15,779,466	0.0009294	16,918,485
	Commercial/industrial zoned area/post-harvest zoned areas	Zone	Capital value	798,175	0.0009294	855,790
	Forestry	Zone	Capital value	109,596	0.0009294	117,507
Total General Rates				23,859,411		25,581,670

Uniform Annual General Charge (UAGC)

A uniform annual general charge set under section 15 (1) of the Local Government (Rating) Act 2002 for all rateable land within the District. The size of the UAGC is set each year by Council and is used as a levelling tool in the collection of General Rates. The combined revenue sought from both the UAGC and certain targeted rates set on a uniform basis, is to be assessed close to but not exceeding 30% of the total rates revenue. If the Uniform Annual General Charge (UAGC) were set at zero the effect would be to increase the amount of General Rates assessed on capital value which would increase the share assessed on properties with higher capital values and decrease the share assessed on lower capital values. In setting the level of the UAGC, we consider the following issues:

- The impact of a high UAGC on those with low incomes and relatively low property values.
- The impact of a low UAGC on the relative share of rates levied on large rural properties.
- Fairness and equity and the social consequences of an unfair distribution of rates.
- The collective effect of other flat charges (e.g. environmental protection rate, targeted rate for libraries) on affordability for low income households.

Source	Differential categories	Matters	Factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
UAGC	-	-	Fixed amount per rating unit	4,796,400	210	4,848,690

Funding Impact Statement - Rates

Targeted Rates

We use targeted rates (as defined in the Local Government (Rating) Act 2002) to collect funds over areas of benefit. This rating tool is chosen where the services provided are specific to a particular community or area within our District and it is not considered fair to charge all ratepayers. These rates are collected according to the factors listed below. Area of Benefit maps for the various targeted rates can be viewed on our website at www.westernbay.govt.nz.

Roading rates

The Council sets three roading rates. One is a differentiated targeted rate. The second targeted rate is District-wide on all rateable rating units. The third rate is for all rateable rating units which have a rural zoning.

Source	Differential categories / Categories	Matters	Factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Roading rate	1. Residential and Rural zoned	Land use	Land value	9,594,254	0.000718	10,417,740
	1. Forestry zoned	Land use	Land value	73,846	0.000718	80,184
	1. Commercial/Industrial or Post-harvest zoned	Land use	Land value	489,397	0.001437	531,403
	2. Roothing rate (District-wide)	All rateable land within the local authority district	Fixed amount per rating unit	1,796,388	84.48	1,950,574
	3. Roothing rate (Rural-zoned)	Land use	Fixed amount per rating unit	3,034,748	319.58	3,295,225
Total Roothing targeted rates				14,988,633		16,275,125

Funding Impact Statement - Rates

Community Board targeted rates

The community board rates are uniform targeted rates set under section 16 of the Local Government (Rating) Act 2002. The community board rates part fund community board activity. The different rates are based on where the land is situated (refer to Council maps). The rates are outlined in the table below.

Source	categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Community Boards	Waihi Beach	Location	Fixed amount per rating unit	83,017	26.68	83,017
	Katikati	Location	Fixed amount per rating unit	100,239	21.86	100,239
	Ōmokoroa	Location	Fixed amount per rating unit	76,845	38.38	76,845
	Te Puke	Location	Fixed amount per rating unit	121,811	29.84	121,811
	Maketu	Location	Fixed amount per rating unit	80,507	137.62	80,507
Total Community Board targeted rates				462,419		462,419

Environmental Protection Targeted Rate

The environmental protection rate is a uniform targeted rate set under section 16 of the Local Government (Rating) Act 2002. It is set as a fixed amount per rating unit for the District. The environmental protection rate part funds the following activities: wastewater, environmental protection, recreation and open space.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Environmental Protection Rate	-	All rateable land within the District	Fixed amount per rating unit	1,503,480	65.12	1,503,480

Funding Impact Statement - Rates

Solid Waste Targeted Rates

The solid waste rates are targeted rates set under section 16 (3) (b) of the Local Government (Rating) Act 2002. The solid waste rate part funds the solid waste activity.

Source	Categories	Matters	Factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Solid waste	Western	Location - Katikati/Waihi Beach ward	Fixed amount per rating unit	647,089	87.89	678,748
	Eastern	Location - Te Puke/Maketu ward	Fixed amount per rating unit	380,150	53.17	391,097
Total Solid Waste targeted rates				1,027,239		1,069,844

Ōmokoroa Greenwaste

The Ōmokoroa greenwaste rate is a uniform targeted rate set under section 16 of the Local Government (Rating) Act 2002. The Ōmokoroa greenwaste targeted rate part funds greenwaste facilities. The targeted rate is on all rating units in the Ōmokoroa community board defined area of benefit.

Source	Differential categories	Matters	Factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Ōmokoroa greenwaste		Location - Ōmokoroa	Fixed amount per rating unit	110,748	54.88	110,748

Kerbside Collection

The kerbside collection rate is a uniform targeted rate set under section 16 (3) (a) of the Local Government (Rating) Act 2002. The kerbside collection rate part funds the solid waste activity.

Source	Categories	Matters	Factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Kerbside Collection	Rural service area	Service Provision	Extent of service provision	501,264	85.22	519,160
Kerbside Collection	Urban service area	Service Provision	Extent of service provision	1,462,327	129.57	1,504,956
Total Waste & Recycling Initiatives targeted rates				1,963,591		2,024,116

Funding Impact Statement - Rates

Library Services Targeted Rates

The library services rates are targeted rates set under section 16 of the Local Government (Rating) Act 2002. They are a fixed amount per rating unit for the District, and a fixed amount for the defined area of benefit Te Puna. The library services targeted rates part fund the library activity.

Source	Categories	Matters	Differential factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Library Services	District-wide	All rateable land within the District	Fixed amount per rating unit	2,655,740	120.27	2,776,851
Te Puna Library rate		Location - Te Puna area of benefit	Fixed amount per rating unit	11,220	7.53	11,220
Library Services rate				2,666,960		2,788,071

Funding Impact Statement - Rates

Western Water

The western water rates are differential targeted rates set under section 16 and a volumetric water rates set under section 19 of the Local Government (Rating) Act 2002. The western water targeted rate part funds the western water activity, this area approximates the Katikati/Waihi Beach ward. The different categories of land are based on the provision or availability of water supply services provided by Council on all rating units in the western water zone. Where a rating unit has the ability to, but is not connected to the water supply an availability rate is charged. The different categories of land and rates are outlined in the table below.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Western water	Metered connection (standard 20mm)	Location of land and provision or availability of service	Per connection	2,619,304	371.24	2,667,731
	Metered connection (additional to standard 20mm)	Location of land and provision or availability of service	Per connection	27,037	96.06	26,513
	Metered connection (25mm)	Location of land and provision or availability of service	Per connection	4,323	207.89	4,366
	Metered connection (32mm)	Location of land and provision or availability of service	Per connection	-	421.71	-
	Metered connection (40mm)	Location of land and provision or availability of service	Per connection	3,308	1,113.72	3,341
	Metered connection (50mm)	Location of land and provision or availability of service	Per connection	13,508	1,949.01	13,643
	Metered connection (100mm)	Location of land and provision or availability of service	Per connection	8,822	8,909.76	8,910
	Metered connection (150mm)	Location of land and provision or availability of service	Per connection	-	20,511.01	-
	Unmetered connection	Location of land and provision or availability of service	Per connection	-	483.32	-
	Availability charge	Location of land and availability of service	Per rating unit	54,034	185.62	54,572
	Consumption charge	Location of land and provision or availability of service	A fixed amount per cubic metre of water consumption		1.24	
	Woodland Road water supply extension (capital repayment over time through rate)	Location of land in defined area of benefit and provision or availability of service	Per rating unit	2,109	527.37	2,109
	Woodland Road water supply extension (one-off capital repayment)	Location of land in defined area of benefit and provision or availability of service	Per rating unit	32,640	3,626.62	32,640
Total western water rates				2,765,085		2,813,824

Funding Impact Statement - Rates

Central Water

The central water rates are differential targeted rates set under section 16 and a volumetric water rates set under section 19 of the Local Government (Rating) Act 2002. The central water targeted rate part funds the central water activity. The area serviced is approximated by the Kaimai Ward area. The different categories of land are based on the provision or availability of central water supply services provided by Council on all rating units in the central water zone. Where a rating unit has the ability to, but is not connected to the water supply an availability rate is charged.

The different categories of land and rates are outlined in the table below.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Central water	Metered connection (standard 20mm)	Location of land and provision or availability of service	Per connection	1,549,675	371.24	1,590,763
	Metered connection (additional to standard 20mm)	Location of land and provision or availability of service	Per connection	24,686	96.06	24,207
	Metered connection (25mm)	Location of land and provision or availability of service	Per connection	5,763	207.89	5,821
	Metered connection (32mm)	Location of land and provision or availability of service	Per connection	-	421.71	-
	Metered connection (40mm)	Location of land and provision or availability of service	Per connection	-	1,113.72	-
	Metered connection (50mm)	Location of land and provision or availability of service	Per connection	15,438	1,949.01	15,592
	Metered connection (100mm)	Location of land and provision or availability of service	Per connection	-	8,909.76	-
	Metered connection (150mm)	Location of land and provision or availability of service	Per connection	-	20,511.01	-
	Unmetered connection	Location of land and provision or availability of service	Per connection	957.06	483.32	966.64
	Availability charge	Location of land and availability of service	Per rating unit	48,888	185.62	49,375
	Consumption charge	Location of land and availability of service	A fixed amount per cubic metre of water consumption	-	1.24	-
Total central water rates				1,645,408		1,686,725

Funding Impact Statement - Rates

Eastern Water

The eastern water rates are differential targeted rates set under section 16 and a volumetric water rates set under section 19 of the Local Government (Rating) Act 2002. The eastern water targeted rate part funds the eastern water activity. The area serviced is approximated by the Maketu/Te Puke Ward area. The different categories of land are based on the provision or availability of central water supply services provided by Council. The targeted rates are on all rating units in the Eastern water area or in defined areas of benefit. Where a rating unit has the ability to, but is not connected to the water supply an availability rate is charged.

The different categories of land and rates are outlined in the table below.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Eastern water	Metered connection (standard 20mm)	Location of land and provision or availability of service	Per connection	1,987,819	371.24	1,998,014
	Metered connection (additional to standard 20mm)	Location of land and provision or availability of service	Per connection	15,772	96.06	15,466
	Metered connection (25mm)	Location of land and provision or availability of service	Per connection	6,999	207.89	7,068
	Metered connection (32mm)	Location of land and provision or availability of service	Per connection	-	421.71	-
	Metered connection (40mm)	Location of land and provision or availability of service	Per connection	5,514	1,113.72	5,569
	Metered connection (50mm)	Location of land and provision or availability of service	Per connection	28,946	1,949.01	29,235
	Metered connection (100mm)	Location of land and provision or availability of service	Per connection	26,465	8,909.76	26,729
	Metered connection (150mm)	Location of land and provision or availability of service	Per connection	20,308	20,511.01	20,511
	Unmetered connection	Location of land and provision or availability of service	Per connection	1,436	483.32	1,450
	Availability charge	Location of land and availability of service	Per rating unit	53,850	185.62	54,387
	Consumption charge	Location of land and provision or availability of service	A fixed amount per cubic metre of water consumption	-	1.24	-
	Black Road water supply extension (capital repayment over time through rate)	Location of land in defined area of benefit and provision or availability of service	Per rating unit	2,045	511.27	2,045
	Black Road water supply extension (one-off capital repayment)	Location of land in defined area of benefit and provision or availability of service	Per rating unit	-	3,515.93	-
	Gibraltar water scheme	Location of land in defined area of benefit and provision or availability of service	Per rating unit	2,900	100	2,900
Total eastern water rates				2,152,053		2,163,373

Funding Impact Statement - Rates

Waihi Beach Wastewater

The Waihi Beach wastewater rates are differential targeted rates set under section 16 of the Local Government (Rating) Act 2002. The Waihi Beach wastewater targeted rate part funds the Waihi Beach wastewater activity. The different categories of land are based on the provision or availability of wastewater services provided by Council. The targeted rates are on all rating units in the Waihi Beach wastewater area or in defined areas of benefit. Where a rating unit has the ability to, but is not connected to the wastewater system an availability rate is charged. A rating unit used primarily as a residence is deemed to only have one toilet.

The different categories of land and rates are outlined in the table below.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Waihi Beach wastewater	Availability charge	Location of land and provision or availability of service	Per rating unit	74,584	476.77	75,330
	Connection charge	Location of land and provision or availability of service	On each rating unit connected to the scheme	2,621,738	953.53	2,647,953
	Multiple pan charge	Location of land and provision or availability of service	Per water closet or urinal after the first	308,080	799.90	311,161
	Waihi Beach School	Location of land and provision or availability of service	Per rating unit	8,085	8,085	8,085
Total Waihi Beach wastewater				3,012,487		3,042,529

Funding Impact Statement - Rates

Katikati Wastewater

The Katikati wastewater rates are differential targeted rates set under section 16 of the Local Government (Rating) Act 2002. The Katikati wastewater targeted rate part funds the Katikati wastewater activity. The different categories of land are based on the provision or availability of wastewater services provided by Council. The targeted rates are on all rating units in the Katikati wastewater area or in defined areas of benefit. Where a rating unit has the ability to, but is not connected to the wastewater system an availability rate is charged. A rating unit used primarily as a residence is deemed to only have one toilet.

The different categories of land and rates are outlined in the table below.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Katikati wastewater	Availability charge	Location of land and provision or availability of service	Per rating unit	72,696	476.77	73,423
	Connection charge	Location of land and provision or availability of service	On each rating unit connected to the scheme	2,175,183	953.53	2,196,933
	Multiple pan charge	Location of land and provision or availability of service	Per water closet or urinal after the first	281,945	799.90	284,764
	Katikati College	Location of land and provision or availability of service	Per rating unit	22,993	22,993	22,993
	Katikati Primary	Location of land and provision or availability of service	Per rating unit	14,722	14,722	14,722
Total Katikati wastewater				2,567,539		2,592,835

Funding Impact Statement - Rates

Ōmokoroa Wastewater

The Ōmokoroa wastewater rates are differential targeted rates set under section 16 of the Local Government (Rating) Act 2002.

The Ōmokoroa wastewater targeted rate part funds the Ōmokoroa wastewater activity. The different categories of land are based on the provision or availability of wastewater services provided by Council. The targeted rates are on all rating units in the Ōmokoroa wastewater area or in defined areas of benefit. Where a rating unit has the ability to, but is not connected to the wastewater system an availability rate is charged. A rating unit used primarily as a residence is deemed to only have one toilet.

The different categories of land and rates are outlined in the table below.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Ōmokoroa wastewater	Availability charge	Location of land and provision or availability of service	Per rating unit	74,584	476.77	75,330
	Connection charge	Location of land and provision or availability of service	On each rating unit connected to the scheme	1,873,075	953.53	1,891,804
	Multiple pan charge	Location of land and provision or availability of service	Per water closet or urinal after the first	183,739	799.90	185,577
	Ōmokoroa Point School	Location of land and provision or availability of service	Per rating unit	6,813	6,813	6,813
	Astelia Place	Location of land in Astelia Place and availability of service	Per rating unit	1,187	593.64	1,187
Total Ōmokoroa wastewater				2,139,398		2,160,710

Ongare Point

The Ongare Point wastewater rates are differential targeted rates set under section 16 of the Local Government (Rating) Act 2002. The Ongare Point wastewater targeted rate part funds the Ongare Point Wastewater wastewater activity. The different categories of land are based on the the provision or availability of wastewater services provided by Council. The targeted rates are on all properties in the Ongare Point wastewater area or in defined areas of benefit. The different categories of land and rates are outlined in the table below.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Ongare Point Wastewater	Availability charge	Location of land and provision or availability of service	Per rating unit	-	476.77	-
	Connection charge	Location of land and provision or availability of service	On each rating unit connected to the scheme	44,372	953.53	44,816
	Multiple pan charge	Location of land and provision or availability of service	Per water closet or urinal after the first	-	799.90	-
Total Ongare Point wastewater				44,372		44,816

Funding Impact Statement - Rates

Te Puke Wastewater

The Te Puke wastewater rates are differential targeted rates set under section 16 of the Local Government (Rating) Act 2002. The Te Puke wastewater targeted rate part funds the Te Puke wastewater activity. The different categories of land are based on the provision or availability of wastewater services provided by Council. The targeted rates are on all rating units in the Te Puke wastewater area or in defined areas of benefit. Where a rating unit has the ability to, but is not connected to the wastewater system an availability rate is charged. A rating unit used primarily as a residence is deemed to only have one toilet.

The different categories of land and rates are outlined in the table below.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Te Puke wastewater	Availability charge	Location of land and provision or availability of service	Per rating unit	32,571	476.77	32,897
	Connection charge	Location of land and provision or availability of service	On each rating unit connected to the scheme	2,667,998	953.53	2,694,676
	Multiple pan charge	Location of land and provision or availability of service	Per water closet or urinal after the first	586,857	799.90	592,726
	Te Puke High School	Location of land and provision or availability of service	Per rating unit	12,657	12,657	12,657
	Te Puke Intermediate School	Location of land and provision or availability of service	Per rating unit	13,692	13,692	13,692
	Te Puke Primary School	Location of land and provision or availability of service	Per rating unit	12,867	12,867	12,867
	Fairhaven Primary School	Location of land and provision or availability of service	Per rating unit	11,560	11,560	11,560
	Te Timatanga Hou Kohanga Reo	Location of land and provision or availability of service	Per rating unit	236	236	236
Total Te Puke wastewater				3,338,439		3,371,311

Funding Impact Statement - Rates

Maketu / Little Waihi Wastewater

The Maketu / Little Waihi wastewater rates are differential targeted rates set under section 16 of the Local Government (Rating) Act 2002. The Maketu / Little Waihi wastewater targeted rate part funds the Maketu / Little Waihi Wastewater wastewater activity. The different categories of land are based on the provision or availability of wastewater services provided by Council. The targeted rates are on all rating units in the Maketu / Little Waihi wastewater area or in defined areas of benefit. Where a rating unit has the ability to, but is not connected to the wastewater system an availability rate is charged. A rating unit used primarily as a residence is deemed to only have one toilet.

The different categories of land and rates are outlined in the table below.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Maketu / Little Waihi Wastewater	Availability charge	Location of land and provision or availability of service	Per rating unit	50,981	476.77	51,491
	Connection charge	Location of land and provision or availability of service	On each rating unit connected to the scheme	439,002	953.53	443,391
	Multiple pan charge	Location of land and provision or availability of service	Per water closet or urinal after the first	35,639	799.90	35,996
	Maketu / Little Waihi Wastewater School	Location of land and provision or availability of service	Per rating unit	2,912	2,912	2,912
Total Maketu / Little Waihi Wastewater				528,534		533,790

Funding Impact Statement - Rates

Waihi Beach Coastal Protection

The Waihi Beach Coastal Protection rates are targeted rates set under sections 16 and 117 of the Local Government (Rating) Act 2002. The Waihi Beach Coastal Protection targeted rates part fund coastal protection in Waihi Beach. The different categories of land are based on the provision of services provided by Council. The targeted rates are on all rating units in the Waihi Beach area or defined areas of benefit. The different categories of land and rates are outlined in the table below.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Waihi Beach Coastal Protection	Rock revetment area of benefit - Operational	Location of land and provision or availability of service	Per rating unit	9,174	173.09	9,174
	Rock revetment area of benefit - Capital	Location of land and provision or availability of service	Per rating unit	34,194	1,486.69	34,194
	Rock revetment area of benefit capital lump sum (optional)*	Location of land and provision or availability of service	Per rating unit	-	14,924	-
	- Ward area	Location of land and provision or availability of service	Per rating unit	43,879	14.10	43,879
	- Dunes northern end area of benefit	Location of land and provision or availability of service	Per rating unit	14,367	624.66	14,367
	- Dunes Glen Isla Place area of benefit	Location of land and provision or availability of service	Per rating unit	4,504	643.41	4,504
Total Waihi Beach Coastal Protection				106,118		106,118

*Lump sum contributions are invited in respect of Waihi Beach Rock Revetment within the defined areas of benefit in lieu of future payments of the Rock Revetment area of benefit - capital rate above. Offer letters are sent out each year inviting rate payers to make a lump sum contribution.

Funding Impact Statement - Rates

Stormwater

The stormwater rate is a differential targeted rate set under section 16 of the Local Government (Rating) Act 2002. Stormwater targeted rate part funds stormwater in defined areas of benefit. The different categories of land are based on the provision services provided by Council. The targeted rates are on all rating units in defined areas of benefit.

The different categories of land and rates are outlined in the table below.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Stormwater	Kauri Point	Location of land and provision or availability of service	Fixed amount per rating unit	14,295	176.08	14,439
	Tanners Point	Location of land and provision or availability of service	Fixed amount per rating unit	19,351	176.08	19,545
	Te Puna	Location of land and provision or availability of service	Fixed amount per rating unit	23,709	176.08	24,123
	Pukehina	Location of land and provision or availability of service	Fixed amount per rating unit	111,920	176.08	113,043
	Waihi Beach	Location of land and provision or availability of service	Fixed amount per rating unit	1,269,489	409.12	1,293,637
	Katikati	Location of land and provision or availability of service	Fixed amount per rating unit	882,648	409.12	911,519
	Ōmokoroa	Location of land and provision or availability of service	Fixed amount per rating unit	879,812	409.12	927,884
	Ongare Point	Location of land and provision or availability of service	Fixed amount per rating unit	18,653	176.08	10,389
	Tuapiro Point	Location of land and provision or availability of service	Fixed amount per rating unit	4,358	176.08	4,402
	Te Puke	Location of land and provision or availability of service	Fixed amount per rating unit	1,218,045	409.12	1,240,452
	Paengaroa	Location of land and provision or availability of service	Fixed amount per rating unit	52,299	176.08	52,824
	Maketu	Location of land and provision or availability of service	Fixed amount per rating unit	89,606	176.08	90,505
	Minden	Location of land and provision or availability of service	Fixed amount per rating unit	-	-	-
Total Stormwater				4,584,185		4,702,762

Funding Impact Statement - Rates

Land Drainage

Land Drainage rates are targeted rates set under section 16 of the Local Government (Rating) Act 2002. Land Drainage targeted rates part fund land drainage in Little Waihi defined areas of benefit. The categories of land liable for each rate are based on the provision of services provided by Council and the location of land. The targeted rates are on all rating units in defined areas of benefit.

The different categories of land and rates are outlined in the table below.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Land Drainage	Land Drainage - drains class A	Location of land and provision or availability of service	Per hectare of each rating unit	183,573	43.66	183,573
	Land Drainage - drains class B	Location of land and provision or availability of service	Per hectare of each rating unit	2,137	20.35	2,137
	Land Drainage - pumps class A	Location of land and provision or availability of service	Per hectare of each rating unit	363,390	192.78	363,390
	Land Drainage - pumps class B	Location of land and provision or availability of service	Per hectare of each rating unit	8,617	134.64	8,617
	Land Drainage - pumps class C	Location of land and provision or availability of service	Per hectare of each rating unit	11,047	96.90	11,047
Total Land Drainage				568,764		568,764

Funding Impact Statement - Rates

Community Halls

Community Hall rates are uniform targeted rates set under section 16 of the Local Government (Rating) Act 2002.

Community Hall targeted rates part fund Community Halls in defined areas of benefit. The categories of land are based on the location of land. The targeted rates are on all rating units in defined areas of benefit.

The different categories of land and rates are outlined in the table below.

Source	categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Community Halls	Katikati War Memorial Hall	Location of land and provision or availability of service	Fixed amount per rating unit	78,222	17	78,222
	Te Puna War Memorial Hall	Location of land and provision or availability of service	Fixed amount per rating unit	9,072	6	9,072
	Te Puna Community Centre	Location of land and provision or availability of service	Fixed amount per rating unit	61,992	41	61,992
	Paengaroa Hall	Location of land and provision or availability of service	Fixed amount per rating unit	12,810	17.50	12,810
	Pukehina Beach Community Centre	Location of land and provision or availability of service	Fixed amount per rating unit	5,330	6.50	5,330
	Pukehina Hall	Location of land and provision or availability of service	Fixed amount per rating unit	-	30	24,600
	Oropi War Memorial Hall	Location of land and provision or availability of service	Fixed amount per rating unit	26,496	40.45	26,496
	Kaimai Hall	Location of land and provision or availability of service	Fixed amount per rating unit	8,772	21.50	8,772
	Omanawa Hall	Location of land and provision or availability of service	Fixed amount per rating unit	9,608	22.50	9,608
	Te Ranga Hall	Location of land and provision or availability of service	Fixed amount per rating unit	6,500	25	6,500
	Te Puke War Memorial and Settlers Hall	Location of land and provision or availability of service	Fixed amount per rating unit	145,152	32	145,152
	Ōmokoroa Settlers Hall	Location of land and provision or availability of service	Fixed amount per rating unit	28,348	11.50	28,348
	Ohauiti Hall	Location of land and provision or availability of service	Fixed amount per rating unit	13,083	49	13,083

Funding Impact Statement - Rates

Source	categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Community Halls (continued)	Waihi Beach Community Centre	Location of land and provision or availability of service	Fixed amount per rating unit	46,875	15	46,875
	Whakamarama Hall	Location of land and provision or availability of service	Fixed amount per rating unit	13,959	27	13,959
	Pyes Pa Hall	Location of land and provision or availability of service	Fixed amount per rating unit	23,099	43.50	23,099
Total Community Halls				489,317		513,917

Promotion rates

Promotion rates are targeted rates set under section 16 of the Local Government (Rating) Act 2002. Promotion targeted rates part fund town centre promotion in defined areas of benefit. The categories of land are based on the location of land. The targeted rates are on all rating units in defined areas of benefit.

The different categories of land and rates are outlined in the table below.

Source	Differential categories / categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Waihi Beach Events and Promotions	Waihi Beach community board area	Location - Waihi Beach community board area (all land other than commercial/industrial)	Fixed amount per rating unit	38,250	12.29	38,250
Waihi Beach Events and Promotions	Commercial/industrial zoned area	Location of land and land use	Fixed amount per rating unit	12,750	216.10	12,750
Katikati Promotion	Katikati Town Centre	Location of land - Katikati	Fixed amount per rating unit	91,820	20	91,820
Katikati Promotion	Katikati Ward promotion	Location of land - Katikati (all land other than commercial/ industrial)	Fixed amount per rating unit	34,071	7.42	34,071
Katikati Promotion	Commercial/industrial zoned area	Location of land and land use	Fixed amount per rating unit	43,361	309.72	43,361
Ōmokoroa Promotion	Ōmokoroa Town Centre	Location of land - Ōmokoroa	Fixed amount per rating unit	-	-	-

Funding Impact Statement - Rates

Source	Differential categories / categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Te Puke Promotion	Te Puke promotion	Location of land - Te Puke (all land other than commercial/ industrial)	Fixed amount per rating unit	48,136	11.80	48,136
Te Puke Promotion	Te Puke promotion	Location of land - Maketu (all land other than commercial/ industrial)	Fixed amount per rating unit	18,239	5.61	18,239
Te Puke Promotion	Commercial/industrial zoned area	Location of land and land use	Fixed amount per rating unit	37,725	170.44	36,985
Total Town Centre promotion rates				328,130		323,613

Development Fund Rates

Development fund rates are uniform targeted rates set under section 16 of the Local Government (Rating) Act 2002.

Targeted rates part fund Pukehina development in defined areas of benefit. The different categories of land are based on land use and services provided by Council. The targeted rates are on all rating units in defined areas of benefit.

The different categories of land and rates are outlined in the table below.

Source	Categories	Matters	Factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Pukehina development rate	Residential	Land use	Fixed amount per rating unit	12,640	20	12,640

Pukehina Beach Protection Rate

The Pukehina Beach Protection rate is a differential targeted rate set under section 16 of the Local Government (Rating) Act 2002.

The Pukehina Beach Protection targeted rate part funds Pukehina beach protection in defined areas of benefit. The different categories of land are based on location of land. The targeted rates are on all rating units in defined areas of benefit.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Pukehina beach protection	Coastal	Location	Fixed amount per rating unit	12,240	118.48	31,514
Pukehina beach protection	Inland	Location	Fixed amount per rating unit	3,060	8.23	3,060
Total Pukehina Beach Protection				15,300		34,574

Funding Impact Statement - Rates

Community Development and Grants

Community Development and Grants rates are differential targeted rates set under section 16 of the Local Government (Rating) Act 2002, which part fund the communities activity. The different categories of land are based on location of land. The targeted rates are on all rating units in defined areas of benefit.

The different categories of land and rates are outlined in the table below.

Source	Differential categories	Matters	factor	2021/22 Annual Plan Revenue (\$)	Amount (\$)	2022/23 Annual Plan Revenue (\$)
Katikati resource centre	Katikati	Location - Katikati community board area	Fixed amount per rating unit	22,261	4.85	22,261
Katikati resource centre	Waihi Beach	Location - Waihi Beach community board area	Fixed amount per rating unit	7,420	2.38	7,420
Heritage Museum	Katikati	Location - Katikati community board area	Fixed amount per rating unit	-	-	-
Heritage Museum	District-wide	All rateable land within the District	Fixed amount per rating unit	71,400	3.09	71,400
Total Community Development and grants				101,081		101,081

Early Payment of Rates for Subsequent Years

Rates eligible for early repayment, under the Early Repayment of Rates for Subsequent Years Policy are:

- Te Puna West Wastewater Capital Targeted Rate.
- Ongare Point Wastewater Capital Targeted Rate.
- Woodland Road Rural Water Supply Targeted Rate.
- Black Road Rural Water Supply Targeted Rate.

Rating Units

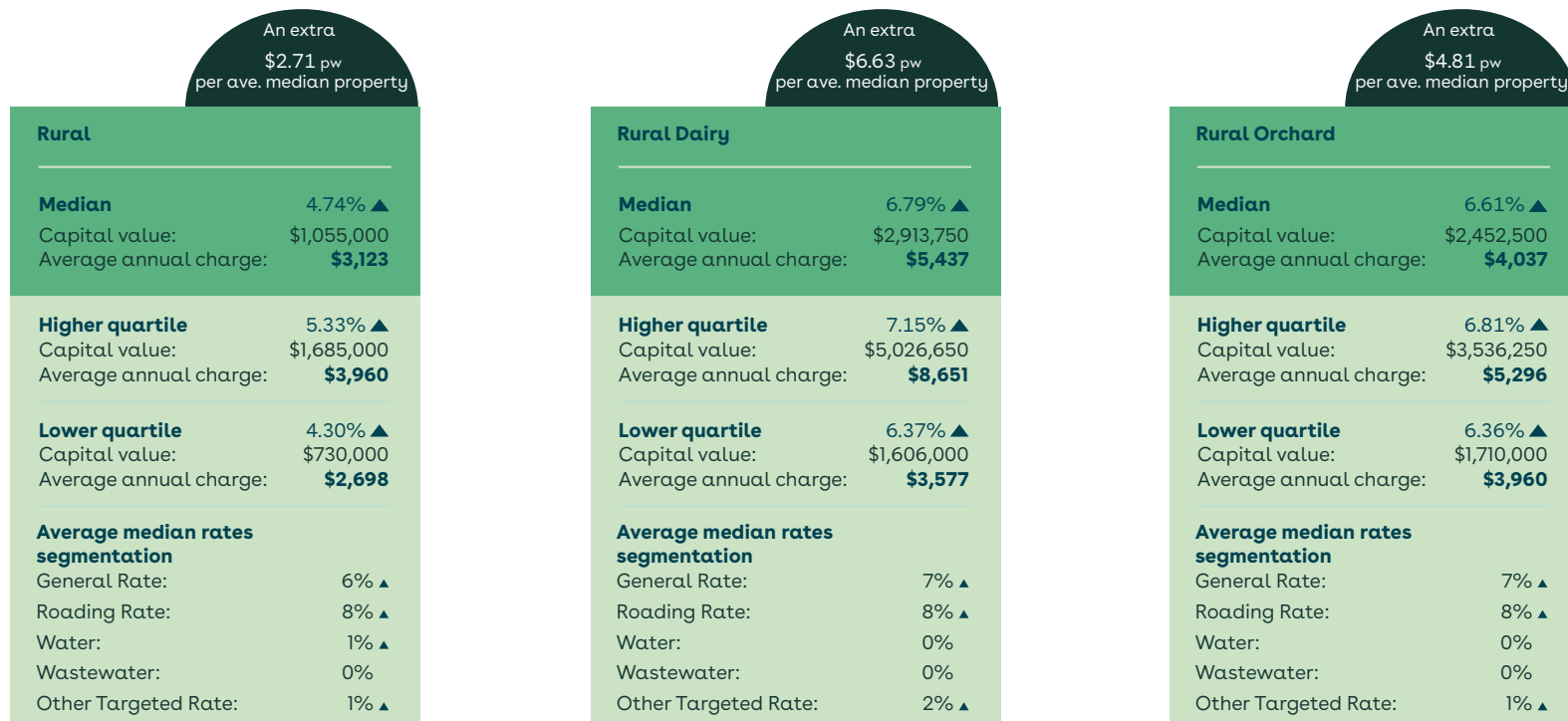
The projected number of rating units at the end of the preceding financial year for each year covered by the long-term plan are as follows:

Financial year ending 30 June	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Number of rating units for Western Bay of Plenty District Council	23,861	24,246	24,631	24,942	25,253	25,564	25,875	26,186	26,441	26,697	26,952

What it means for your property

The Financial Strategy in Chapter Two page 69 from the Long Term Plan 2021-2031 sets out rates increases for each of the 10 years of the LTP. For 2022-23, rates are proposed to increase by 3.96%, as agreed through the Long Term Plan. This would match our Financial Strategy.

An extra \$1.62 pw per ave. median property		An extra \$2.50 pw per ave. median property		An extra \$2.53 pw per ave. median property	
Urban Residential		Lifestyle Block		Commercial/Industrial	
Median	2.67% ▲	Median	5.29% ▲	Median	3.41% ▲
Capital value:	\$615,000	Capital value:	\$920,000	Capital value:	\$808,000
Average annual charge:	\$3,247	Average annual charge:	\$2,593	Average annual charge:	\$4,002
Higher quartile	3.06% ▲	Higher quartile	5.55% ▲	Higher quartile	4.29% ▲
Capital value:	\$815,000	Capital value:	\$1,249,000	Capital value:	\$1,257,000
Average annual charge:	\$3,537	Average annual charge:	\$2,955	Average annual charge:	\$4,990
Lower quartile	2.42% ▲	Lower quartile	4.88% ▲	Lower quartile	2.93% ▲
Capital value:	\$480,000	Capital value:	\$682,000	Capital value:	\$486,250
Average annual charge:	\$3,082	Average annual charge:	\$2,220	Average annual charge:	\$3,581
Average median rates segmentation		Average median rates segmentation		Average median rates segmentation	
General Rate:	5% ▲	General Rate:	6% ▲	General Rate:	6% ▲
Roading Rate:	8% ▲	Roading Rate:	8% ▲	Roading Rate:	8% ▲
Water:	1% ▲	Water:	1% ▲	Water:	1% ▲
Wastewater:	1% ▲	Wastewater:	0%	Wastewater:	1% ▲
Other Targeted Rate:	1% ▲	Other Targeted Rate:	2% ▲	Other Targeted Rate:	1% ▲



Prospective Financial Statements

Taukī haurapa pūtea

Cautionary note

The information in the prospective financial statements is uncertain and its preparation requires the exercise of judgement. Actual financial results achieved are likely to vary from the information presented and the variations may be material. Events and circumstances may not occur as expected and may or may not have been predicted or the Council may subsequently take actions that differ from the proposed course of action on which the prospective financial statements are based.

Assumptions underlying prospective financial information

The financial information contained within these policies and statements is prospective information and has been prepared in compliance with PBE FRS 42: Prospective Financial Information. The purpose for which it has been prepared is to enable the public to participate in the decision-making processes as to the services to be provided by Western Bay of Plenty District Council over the financial year ended 30 June 2023 and to provide a broad accountability mechanism of the Council to the community. Refer to page 14 for details of underlying assumptions.

Prospective statement of financial position

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Current assets				
Cash and cash equivalents	25,706	26,634	39,176	39,091
Receivables	12,883	13,426	16,371	16,371
Prepayments and accrued income	828	940	1,008	1,008
Non current assets held for sale	-	1,214	1,250	1,250
Other financial assets	-	-	-	-
Total current assets	39,417	42,214	57,805	57,719
Non-current assets				
Investment in CCOs and other similar entities	3,027	3,181	4,131	3,346
Other financial assets	12,380	11,519	11,519	11,519
Investment in associates	231	212	212	212
Property, plant & equipment	1,510,097	1,631,599	1,703,163	1,652,118
Intangible assets	4,262	6,540	8,013	7,613
Forestry assets	10,490	11,287	11,626	11,626
Total non-current assets	1,540,487	1,664,338	1,738,664	1,686,435
Total assets	1,579,904	1,706,552	1,796,469	1,744,154
Current liabilities				
Creditors and other payables	23,544	23,589	32,664	32,664
Borrowings	10,000	10,000	15,000	15,000
Employee entitlements	2,975	3,573	3,699	3,699
Provisions	313	696	696	696
Derivative Financial Instruments	422	-	-	-
Total current liabilities	37,254	37,858	52,059	52,059
Non-current liabilities				
Borrowings	80,000	93,400	126,400	95,000
Provisions	280	313	313	313
Derivative financial instruments	7,144	12,632	12,632	12,632
Employee Entitlements	20	-	-	-
Total non-current liabilities	87,444	106,345	139,345	107,945
Total liabilities	124,698	144,203	191,404	160,004
Net assets	1,455,206	1,562,349	1,605,065	1,584,150
Equity				
Accumulated funds	929,626	954,642	974,592	955,372
Other reserves	525,579	607,707	630,473	628,778
Total equity	1,455,205	1,562,349	1,605,065	1,584,150

Prospective statement of comprehensive revenue and expense 2021-2031

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Revenue from non-exchange transactions				
Fees and Charges	10,305	7,641	7,935	8,238
Rates	74,827	83,374	87,645	87,387
Fines	202	211	219	219
Vested assets	6,216	2,240	2,313	2,313
Financial Contributions	7,572	11,221	14,035	14,035
Subsidies and Grants	14,879	16,982	18,524	15,232
Other revenue	515	400	412	412
Fair value movement in derivative financial instruments	5,448	-	-	-
Gains	413	489	464	464
Total revenue from non-exchange transactions	120,377	122,558	131,547	128,259
Revenue from exchange transactions				
Finance income	845	263	270	270
Dividends	270	-	-	-
Rental income	898	746	766	766
Other exchange revenue	1,747	1,773	1,644	1,782
Revenue from exchange transactions	3,760	2,782	2,680	2,819
Total revenue	124,137	125,340	134,227	131,077
Expenditure				
Other Expenses	48,783	52,881	56,386	55,395
Personnel costs	23,444	26,369	27,292	27,944
Depreciation	23,079	23,560	24,857	24,844
Amortisation	347	347	287	287
Impairment expense	-	-	-	-
Finance costs	4,593	3,675	4,651	4,006
Total Operating Expenditure	100,246	106,832	113,473	112,475
Share of associate's surplus / (deficit)	19	-	-	-
Operating surplus / (deficit)	23,911	18,508	20,755	18,602
Gain / (Loss) on property, plant & equipment revaluations	61,781	30,284	21,961	21,965
Reversal of impairment	-	-	-	-
Other assets at fair value through other comprehensive income	98	-	-	-
Total other comprehensive revenue and expenses	61,696	30,284	21,961	21,965
Total comprehensive revenue and expense / (deficit) for the year attributable to Council	85,879	48,792	42,716	40,567

Prospective statement of changes in net assets/equity 2021-2031

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Equity balance at 30 June				
Equity balance at 1 July	1,369,298	1,513,557	1,562,349	1,543,939
Comprehensive income for year	85,909	48,792	42,716	40,567
Equity balance at 30 June	1,455,206	1,562,349	1,605,065	1,584,150
Components of equity				
Retained earnings at 1 July	905,715	936,747	954,642	936,092
Net surplus/(deficit)	23,910	17,895	19,950	19,280
Retained earnings 30 June	929,625	954,642	974,592	955,372
Revaluation reserves at 1 July	431,251	547,669	577,953	577,953
Revaluation gains	61,871	30,284	21,961	21,965
Revaluation Reserves 30 June	493,122	577,953	599,914	599,918
Council created Reserves at 1 July	32,332	29,141	29,754	29,540
Transfers to / (from) Reserves	126	613	805	(678)
Council created Reserves 30 June	32,458	29,754	30,559	28,862
Components of equity	1,455,205	1,562,349	1,605,065	1,584,150

Forecast depreciation and amortisation by activity

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Representation	20	6	8	8
Communities	639	635	671	671
Recreation and Open Space	1,802	1,929	2,028	2,028
Regulatory Services	86	69	77	77
Stormwater	1,611	1,589	1,613	1,612
Transportation	10,586	10,623	11,350	11,347
Water Supply	4,023	4,090	4,263	4,258
Wastewater	3,719	3,711	3,818	3,818
Solid Waste	30	41	44	44
Total depreciation and amortisation by activity	22,516	22,693	23,872	23,858
Depreciation and amortisation related to support services	909	1,215	1,273	1,273
Total depreciation and amortisation expense	23,425	23,908	25,144	25,130
Made up of:				
Depreciation	23,079	23,561	24,857	24,843
Amortisation	347	347	287	287

Prospective statement of cash flows

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Cashflow operating activities				
Cash was provided from:				
Rates revenue	75,285	82,623	86,467	87,347
Interest received	5,494	263	270	270
Other revenue	42,939	27,090	28,459	27,252
Financial contributions	270	11,221	14,035	14,035
Cash was provided from:	123,988	121,197	129,231	128,904
Cash was applied to:				
Payments to suppliers and employees	74,830	76,439	79,821	83,651
Interest paid	4,593	3,675	4,651	4,006
Cash was applied to:	79,423	80,114	84,472	87,657
Net cashflow from operating activities	44,565	41,083	44,759	41,247
Cashflow investment activities				
Cash was provided from:				
Proceeds from sale of property, plant & equipment	3,505			-
Proceeds from sale of investments	-			-
Cash was provided from:	3,505	-	-	-
Cash was applied to:				
Purchase of property, plant & equipment	36,853	47,296	68,582	69,213
Purchase of investments	-	335	950	788
Cash was applied to:	36,853	47,631	70,217	70,001
Net cashflow from investment activities	(33,348)	(47,631)	(70,217)	(70,001)
Cashflow finance activities				
Cash was provided from:				
Proceeds from borrowings	-	23,400	53,000	56,500
Cash was provided from:	-	23,400	53,000	56,500
Cash was applied to:				
Repayment of borrowings	20,000	10,000	15,000	15,000
Cash was applied to:	20,000	10,000	15,000	15,000
Net cashflow from finance activities	(20,000)	13,400	38,000	41,500
Cash balance				
Cash balance				
Net increase/(decrease) in cash held	(8,783)	6,852	12,542	12,746
Total cash resources at beginning of the year	34,489	19,782	26,634	26,344
Cash balance	25,706	26,634	39,176	39,090

Reconciliation of Summary Funding Impact Statement to Prospective Statement of Comprehensive Revenue and Expense

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Revenue				
Prospective Statement of Comprehensive Revenue Expenditure				
Total Operating Revenue	117,507	125,340	134,227	131,077
Total Revenue	117,507	125,340	134,227	131,077
Summary Funding Impact Statement				
Sources of operating funding				
Total sources of operating funding	97,644	105,394	110,341	110,728
Sources of operating funding	97,644	105,394	110,341	110,728
Add sources of capital funding				
Development and financial contributions	7,572	11,221	14,035	14,035
Gain disposal of assets	-	(388)	(401)	-
Subsidies and grants for capital expenditure	6,844	6,874	7,939	4,000
Vested assets	-	2,240	2,313	2,313
Fair Value movements in derivative financial instruments	5,448	-	-	-
Revaluation adjustments	(118)	-	-	-
Other assets of fair value through other comprehensive revenue and expense	98	-	-	-
Share of associate surplus (deficit)	19	-	-	-
Add sources of capital funding	19,863	19,947	23,886	20,348
Total Revenue	117,507	125,341	134,227	131,077
Expenditure				
Prospective Statement of Comprehensive Revenue Expenditure				
Total Operating Expenditure	95,297	106,832	113,472	112,475
Total Expenditure	95,297	106,832	113,472	112,475
Summary Funding Impact Statement				
Application of operating fund				
Total application of operating funding	76,702	82,925	88,329	87,657
Application of operating fund	76,702	82,925	88,329	87,657
Add application of capital funding				
Depreciation and amortisation expense	11,827	23,907	25,144	24,819
Increase/(decrease) in provisions	-	-	-	-
Loss on changes in fair value of investment property and evaluation of financial assets	-	-	-	-
Loss on disposal of asset	-	-	-	-
Add application of capital funding	11,827	23,907	25,144	24,819
Total Expenditure	88,529	106,832	113,473	112,475



Reserve Funds

Pūtea tāpui

This statement shows the opening balances of Council's reserves and 1 July 2021, and the proposed deposits, withdrawals and closing balances as at 30 June 2031.

Reserve Funds

Reserve name	Purpose	Activity	Interest bearing	Opening balance 1 July 2022	Expected deposits to fund to 30 June 2023	Expected withdrawals from fund to 30 June 2023	Closing balance 30 June 2023
Restricted Reserves							
Restricted Reserves	<i>Restricted reserves have been established from public bequests and are only able to be spent in the manner specified by the donor.</i>						
Hunter Estate	Established from bequest made in the late 1980s. The funds can only be spent on capital expenditure in Katikati as detailed in our Reserve Management Plans.	Recreation and Open Space	Yes	44,495	1,468	-	45,963
I'Anson Park Trust	The accumulated interest is available for both operational and capital expenditure undertaken in the Te Puna area.	Recreation and Open Space	Yes	25,490	-	-	25,490
Hastie Bequest	The principle settlement amount of \$100,000 is maintained and the interest can be used for Te Puke area library purchases.	Communities	Yes	204,215	6,739	(12,336)	198,618
CE Miller Estate	The interest on the capital of \$9,763 is available for the beautification of Katikati.	Recreation and Open Space	Yes	15,918	525	-	16,443
Total Restricted Reserves				290,118	8,732.00	(12,336.00)	286,514.00

Asset Replacement Reserves							
Asset Replacement Reserves - general approach	Depreciation charged is transferred to the specified reserves detailed below and accumulated so that the interest earned on the reserves capital is available for asset replacement/renewals. The replacement/renewals programme is based on the renewals planned in our asset management plans. The reserves are not held as cash reserves.						
Asset Replacement - computers		Support Services	Yes	(1,876,146)	485,004	(1,435,784)	(2,826,926)
Coastal Marine		Recreation and Open Space	No	(1,586,798)	927,704	(1,499,498)	(2,158,592)
District Reserves		Support Services	No	2,302,818	75,993	(1,164,472)	1,214,339
Huharua Sub Regional Park		Recreation and Open Space	No	252,548	15,387	-	267,935
TECT All Terrain Park		Recreation and Open Space	No	1,197,519	108,773	(82,261)	1,224,031
Asset Replacement - office buildings		Recreation and Open Space	Yes	627,304	451,410	(509,481)	569,233
Asset Replacement - vehicles		Support Services	Yes	(628,877)	526,047	(634,038)	(736,868)
Asset Replacement - civil defence - vehicle		Communities	Yes	135,040	5,490	-	140,530

Reserve name	Purpose	Activity	Interest bearing	Opening balance 1 July 2022	Expected deposits to fund to 30 June 2023	Expected withdrawals from fund to 30 June 2023	Closing balance 30 June 2023
Asset Replacement Reserves							
Asset Replacement - telemetry		Communities	Yes	97,661	3,223	-	100,884
Asset Replacement - swimming pool		Recreation and Open space	Yes	383,665	57,894	-	441,559
Asset Replacement - library books		Communities	Yes	2,100,348	296,237	(395,482)	2,001,103
Asset Replacement - cemetery		Communities	Yes	334,702	63,121	-	397,823
Total Asset Replacement Reserves				3,339,784.00	3,016,283.00	(5,721,016.38)	635,050.62
Community Board Reserves							
Community Boards - general approach	We have five community boards but not all of our District is covered by these boards. The Community Board rate is a Fixed amount for their community board area of benefit. The level of rating is determined based on the expected expenditure of the Board and may vary between Boards. Any unspent money at year end is transferred to the respective community board reserve account. Reserve funds can only be used for capital, one-off, or non-recurring expenditure items or grants.						
Waihi Beach Community Board		Communities	No	236,900	-	-	236,900
Katikati Community Board		Communities	No	75,424	-	-	75,424
Ōmokoroa Community Board		Communities	No	244,834	-	-	244,834
Te Puke Community Board		Communities	No	146,019	-	-	146,019
Maketu Community Board		Communities	No	175,082	-	-	175,082
Total Community Board Reserves				878,259.00	-	-	878,259.00

Reserve name	Purpose	Activity	Interest bearing	Opening balance 1 July 2022	Expected deposits to fund to 30 June 2023	Expected withdrawals from fund to 30 June 2023	Closing balance 30 June 2023
Other Community Reserves							
Other community reserves – general approach	These reserves have been established to accumulate sufficient funds to allow for planned expenditure (per the Long Term Plan) in particular areas, often for town centre development. The funding is provided by way of targeted rates.						
Katikati Development Fund	Set up several years ago in anticipation of the Katikati By-pass impacts on the town and to provide funding for main street improvements as well as encourage business development in Katikati.	Planning for the future	Yes	15,685	-	-	15,685
Waihi Beach Town Centre Development	For town centre development.	Economic Development	Yes	78,821	2,601	(51,400)	30,022
Katikati Town Centre Development	For town centre development scheduled to begin in as and when opportunities arise.	Economic Development	Yes	211,428	6,977	(102,800)	115,605
Ōmokoroa Town Centre Development	For town centre development scheduled to begin in as and when opportunities arise.	Economic Development	Yes	740,435	24,434	-	764,869
Te Puke Town Centre Development	For town centre development.	Economic Development	Yes	112,015	3,697	-	115,712
Pukehina Beach Development	Pukehina ratepayers are paying an annual rate of \$20 as a contribution towards a potential future sewerage scheme for the area.	Planning for the future	Yes	292,759	-	(25,825)	266,934
Pukehina Beach Protect Reserve				528,789	30,050	-	558,839
Total Other Community Reserves				1,979,932.00	67,759.00	(180,025.00)	1,867,666.00

Reserve name	Purpose	Activity	Interest bearing	Opening balance 1 July 2022	Expected deposits to fund to 30 June 2023	Expected withdrawals from fund to 30 June 2023	Closing balance 30 June 2023
Financial Contributions Reserves							
Financial contributions reserves - general	These are specific reserves that must be applied for a particular purpose and under specific criteria or qualifying conditions. These reserves are not cash reserves.						
Ecological financial contributions - capital	Financial contributions split into capital and operational components that are to be spent based on Council's annually approved ecological education programme. Capital expenditure must be by Council resolution and satisfy criteria for privately owned land. Operational expenditure is based on the prior year's closing operations balance available.	Natural Environment and Sustainable Living	No	306,176	-	-	306,176
Ecological financial contributions - operational	As above	Natural Environment and Sustainable Living	No	240,662	14,457	(98,135)	156,984
Parks and Community financial contributions	To provide for teaching and public education/awareness raising purposes.	Recreation and Open Space	No	4,586,717	3,303,640	(900,684)	6,989,673
Parking space financial contributions	Provided from financial contributions from developers in the urban areas where they cannot provide public car parks themselves.	Regulatory	No	49,974	-	-	49,974
Lynley Park wastewater remedial	Established from money received from Durham Properties Limited, to be used to fund any infrastructure failures in the Lynley Park Development.	Wastewater	No	311,375	10,275	-	321,650
Total Financial Contribution Reserves				5,494,904.00	3,328,372.00	(998,819.00)	7,824,457.00
General Reserves Established reserves for specific purposes							
Community Discretionary	For any under spent expenditure at year end.	Communities	No	14,386	-	-	14,386
General Rate	For the accumulation of any net surplus arising from accounts that are general rate funded each year. Deficits are not permitted in this reserve	All	No	5,338,410	-	(61,740)	5,201,095
Environmental Protection Rate	For the accumulation of any net surplus arising from the Environmental Protection Rate account Deficits are not permitted in this reserve.	All	No	1,370,637	-	(221,575)	1,149,062
Traffic and parking general	Holds the percentage balance of Council-issued infringement notice fines that were not payable to the Government as part of the legislation during the 1980s. Correspondence has not resolved whether the balance is still payable to the Government. No cash is held.	Regulatory	No	117,404	-	-	117,404
Total General Reserves				6,840,836.80	-	(283,315.00)	6,481,946.80

Reserve name	Purpose	Activity	Interest bearing	Opening balance 1 July 2022	Expected deposits to fund to 30 June 2023	Expected withdrawals from fund to 30 June 2023	Closing balance 30 June 2023
Special Reserves							
Disaster Contingency	Council's infrastructure self-insurance fund provided from the sale of power company shares in the 1990s. Council's policy is to self insure based on the premise that commercial infrastructure insurance is not available. Major infrastructure, apart from district roading is geographically dispersed throughout our District (primarily stand-alone sewerage and water schemes) and the likelihood of failure of this entire infrastructure at once is assessed as very low.	Communities	Yes	9,902,215	326,773	-	10,228,988
Corporate Property and Assets	For any surplus arising from the corporate property/land purchase account.	Support Services	No	(189,945)	-	(85,145)	(275,090)
Weathertight Homes	To settle potential weathertightness claims that may arise.	Regulatory	No	252,279	8,325	-	260,604
Panepane Point		Reserves	No	376,928	12,439	(102,800)	286,567
Te Tawa ki Tahataharoa Reserve		Reserves	Yes	374,204	12,349	-	386,553
Total Special Reserves				10,715,681	359,886.00	(187,945.00)	10,887,622.00
Total All Council Created Reserves				29,539,514.80	6,781,032.00	(7,383,456.38)	28,861,515.42

Chapter Two

Policies and Statements

Ngā Kaupapa here me ngā korero

This chapter provides an overview of Council's key policies for the Annual Plan. Also covered in this chapter are Council's prudential benchmarks, activity funding impact statements.

Chapter Two

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Overall Revenue and Financing Policy Nga mahere pūtea

This policy deals with the revenue and financing decisions taken at a “whole of Council” level. It documents our high level rating philosophy and summarises the rationale for the rating decisions taken.

Introduction

We have considered the distribution and timing of benefits, rating efficiency and transparency, community preferences and the overall impact on the economic, cultural, social and environmental wellbeing of our District. In particular, we have considered the impacts of our rating proposals on a range of representative properties.

Our Revenue and Financing Policy for each group of activities can be found from page 396 of the Long Term Plan 2021-2031 and when read in conjunction with the Funding Impact Statements from page 88, this policy links the funding decisions taken at the activity level, with the eventual rates assessment that each ratepayer will receive.

Council's funding philosophy

Ratepayers have told us that fairness and equity in rating is very important to them. We try wherever practical, to maintain a close relationship between the benefits received by groups of ratepayers and the rates they pay for those services, especially where communities within our District have differing levels of service. Where levels of service are more uniform or where it is impractical to identify groups of ratepayers that principally benefit, we use General Rates which are essentially a tax. In theory taxation is not related to benefit received but is charged according to an assessment of ability to pay – in the case of Council rates this is assessed by property value.

In principle, we seek to recover the maximum amount possible from the direct users of a service (the 'user-pays' principle) or from those that create the need for a service (the 'exacerbator-pays' principle). The primary tools we use to achieve these principles are fees and targeted rates. We also seek to ensure that people pay for services at the time they consume them, (the 'inter-generational equity' principle). Costs of service include capital costs, direct and indirect operational costs, depreciation, interest and loan repayments. The tools we use to achieve inter-generational equity include loans, financial contributions and increases in the rating base resulting from growth.

Fees

These are funding tools which are used where the users of services can be individually identified, for example building consents.

Targeted rates

Targeted rates tend to be used where categories of ratepayers can be identified as a group, rather than individually, as primarily benefiting from a service or contributing to the requirement for a Council service, for example stormwater.

Targeted rates can be used to recover capital costs as well as operating costs.

Financial contributions

Our policy for recovering the costs of infrastructure built to accommodate growth is to use financial contributions. Our Financial Contributions Policy is set through our District Plan under the Resource Management Act 1991.

The details of the policy is published as part of the District Plan and is available on our website westernbay.govt.nz and at our libraries and service centres.

Our District Plan provides that waivers and reductions to financial contributions levied under the Resource Management Act 1991 are agreed through our Annual Plan process.

Debt financing

As we have no significant reserves, we rely on loans to finance infrastructure development, for example wastewater schemes. The portion of interest and loan repayments relating to growth is generally funded through financial contributions, however in periods of low growth they may be funded from rates. This is detailed in our Financial Strategy from the Informing our Planning section on page 76 of the LTP 2021-31. The remaining interest and loan repayments are funded by annual rates or charges. We acknowledge that the interest on loans increases the overall cost of services but we believe that this disadvantage is offset by the advantages of a more equitable allocation of cost between existing and future ratepayers. As our rating base increases with new development there are more ratepayers to meet the cost of interest and loan repayments.

For transportation infrastructure, however, we have traditionally used less debt to finance capital expenditure. For this activity, where the capital development programme is more evenly spread over time and the users of the service are less easy to identify individually, we have primarily used rates to finance capital expenditure with loans used to a lesser degree.

The overall use of debt financing is limited by the extent of our indebtedness and the principles of prudent financial management. Our Financial Strategy in the Informing our Planning section in the Long Term Plan 2021-2031 (from page 76) proposes a limit on debt and our Treasury Policy in the Long Term Plan 2021-2031 (page 449) contains limits on debt and interest payments in relation to our assets and revenue. The term of our debt is related to the useful life of the asset financed but does not generally exceed 30 years. This ensures that the people benefiting from the asset repay the loan before the asset's life is over.

For several activities we operate a current account funding programme to smooth rates increases over time and to ensure renewals are adequately provided for. The level of rates in year one of the Long Term Plan is set such that once inflation is added to each of the ten years of the Plan, the projected current account balance in years 10 and 30 is adequate to meet the balanced budget test. The current account balance reflects all revenue and expenditure (including operating and capital costs) and all funding requirements (including loans, financial contributions and other revenue).

Depreciation funding and current account deficit funding

Prudent financial management requires organisations to plan for the replacement or renewal of their assets when they reach the end of their useful lives to maintain the service they provide. The inter-generational equity principle suggests that, ideally, today's ratepayers should pay for the 'asset-life' they are consuming and likewise future generations should pay for their share of the asset's life. There are three principal ways this can be achieved:

1. Pay as you go

- Capital funded annually by rating existing ratepayers to cover the expenses incurred in that year.

Suitable when capital expenditure is evenly spread over the years so there is less risk that today's ratepayers are not paying their fair share when compared to future ratepayers.

2. Saving for asset replacement

(charge rates over the life of the asset – spend later)

- Ratepayers are rated annually to fund depreciation which builds up in a reserve account to fund future replacements of assets.

Unsuitable if ratepayers are already servicing debt incurred to acquire the existing asset. If debt were incurred, today's ratepayers would be paying twice for the asset, once through debt repayments and interest and again through financing the depreciation.

3. Borrowing to fund asset replacement

(spend now – charge rates over the life of the asset)

- Ratepayers are rated annually to fund interest and capital repayments on loans matched to the life of the asset. In the future, replacement of the asset would be financed in the same way.

Suitable if our overall level of debt can accommodate the required borrowing.

There is no legal requirement for councils to accumulate dedicated depreciation reserves, however the Local Government Act 2002 (LGA) requires that councils have a balanced budget, which means that revenue must be greater than operating expenditure (which includes depreciation). As the balanced budget test is conducted at the local authority level it is considered acceptable and within the bounds of

prudence to run an operating deficit on one activity and a surplus on another. This means that we are not required to retain revenue on an annual basis in dedicated depreciation reserves if we can show through our financial strategy that future rates revenue is adequate to fund infrastructure renewals when they are needed.

When setting rates we consider the impact they have on the affordability to the various sectors of the community. Where there is a clear need to balance the principles set out above, some redistribution of rates may be required. This is done through the development of the financial strategy.

Rating policy

1. Rating unit

Under the relevant legislation, we have the ability to set our unit of rating as a dwelling (or separately used inhabited part of a property) as opposed to a property. We have chosen to retain our rating unit as a property, consistent with our policy in previous years.

2. Rating basis

The Local Government (Rating) Act 2002 allows us to choose from three rating systems - the land value rating system, the capital value rating system and the annual value rating system. There is no legislation prescribing the best type of rating system for each council.

We will assess the General Rate and all other property value-based rates (except the roading rate) on capital value. The roading rate will be assessed on land value.

We show a land value and an improvement value on our property valuations. The improvement value reflects the added value given to the land by buildings or other structures, including fruit trees, vines and landscaping. Capital value includes both the land value and the value of improvements. The improvement value excludes chattels, stock, crops, machinery or trees other than fruit or nut trees, vines, berry-fruit bushes and live hedges.

Regardless of the rating basis we use, the total amount of rates collected remains the same but the incidence of rating shifts. To illustrate the differences between the land and capital value rating systems for example, consider two identically valued pieces of land, one with a substantial dwelling on it and the other with no improvements. Under the land value rating system the two properties would pay the same rates. Under the capital value rating system the property with the substantial improvement would pay more than the property that was undeveloped.

3. General rates

General Rates consist of a rate in the dollar charged on capital value and a Uniform Annual General Charge (UAGC) which is a flat amount levied on each rating unit. The size of the UAGC is set each year by Council and is used as a

levelling tool in the collection of General Rates. If the Uniform Annual General Charge (UAGC) were set at zero the effect would be to increase the amount of General Rates assessed on capital value which would increase the share levied on properties with higher capital values and decrease the share levied on lower capital values.

In setting the level of the UAGC, we consider the following issues:

- The impact of a high UAGC on those with low incomes and relatively low property values.
- The impact of a low UAGC on the relative share of rates levied on high value properties, for example large rural properties.
- Fairness and equity and the social consequences of an unfair distribution of rates.
- The collective effect of other flat charges (e.g. environmental protection rate, targeted rate for libraries) on affordability for low income households.

4. Differential general rate

Our policy is to have the same system for charging General Rates across the whole District.

Our current policy for differentials on General Rates:

- | | |
|-------------------------------------|-----|
| • Residential zoned areas | 1.0 |
| • Rural zoned areas | 1.0 |
| • Commercial/industrial zoned areas | 1.0 |
| • Post-harvest zoned areas | 1.0 |

5. Multiple dwelling differentials

There are no multiple dwelling differentials for any rates assessed on capital value.

6. Environmental protection rate

The Environmental Protection Rate is a fixed charge on each rateable unit. It funds a number of activities that are seen to benefit the District as a whole.

7. Rooding rates

There are three rooding rates:

- Rooding rate on land value
- Rooding Uniform Targeted Rate (UTR) which is a fixed amount on every property in our District
- Rural works charge which is a fixed amount on every rural zoned property.

We use the rural works charge and the rooding UTR to reduce the share of rooding rates levied on higher value properties. If these fixed charges were not included, large pastoral farms for example, would be liable for an unfairly large share of the revenue required for rooding.

We are unable to collect direct user charges; only central government can charge road user fees and levy petrol tax.

The rooding rate on land value is calculated using the following differentials:

- | | |
|-------------------------------------|-----|
| • Residential zoned areas | 1.0 |
| • Rural zoned areas | 1.0 |
| • Commercial/industrial zoned areas | 2.0 |
| • Post-harvest zoned areas | 2.0 |

8. Targeted rates

We use targeted rates, as defined in the Local Government (Rating) Act 2002, to collect funds over areas of benefit. This rating tool is chosen where the services provided are specific to a particular community or area within our District and it is not considered fair to charge all ratepayers, e.g. charges for town centre promotion and community halls. Details of these rates are shown in the Funding Impact Statement, from page 88. These rates may be collected on a uniform (fixed) basis per property or on the capital value of each property.

Water rates are charged using a metered or unmetered Uniform Targeted Rate (UTR).

Our policy on water meters is that all properties connected to Council's water supply should be metered.

In establishing the criteria for water metering we recognised the environmental benefits that would result from water conservation if all users were metered and balanced that against the cost of installing meters on all properties and the affordability of such a strategy.

Where meters are in use charges are as follows:

- Each property will be charged the metered Uniform Targeted Water Rate for the first meter, and
- An additional Uniform Targeted Rate will be charged for every additional meter on the property. This covers the costs of reading, billing, maintenance and future meter replacement.
- Connections larger than 20mm will be charged additional UTRs in proportion to the capacity of the connection.
- A charge based on water consumption per m³ is also levied.

Where unmetered connections are in place a single annual charge is levied. This charge is higher than the metered water annual charge to take into account water usage.

10. Wastewater

Our policy on wastewater charges is:

10.1 Uniform Targeted Rate

All properties connected or available to be connected (within 30 metres of a public wastewater drain) will be charged a Uniform Targeted Wastewater Rate.

10.2 Multiple connection charges

We have a policy for charging properties with more than one toilet. It applies to all wastewater schemes.

- Each residential household will pay one standard connection charge to the wastewater scheme regardless of the number of toilets in the dwelling. This charge covers fixed and variable costs.
- For non-residential properties with more than one toilet in Katikati, Ōmokoroa, Te Puke and Waihi Beach, each property will pay the standard connection charge for the first toilet. For each additional toilet, the charge will be:
 - 25% of the variable cost component of the standard connection charge, plus
 - 100% the full fixed cost component of the standard connection charge.
- For non-residential properties with more than one toilet in Maketu, each property will pay the standard connection charge for the first toilet. For each additional toilet, the charge will be:
 - 100% of the variable cost component of the standard connection charge, plus
 - 100% the full fixed cost component of the standard connection charge.

Our intention is to achieve a fair allocation of the costs of the wastewater scheme based on the usage of capacity in the system. We acknowledge that in some instances additional toilets may be installed in non-residential properties for convenience which may not result in an increase in total usage.

Council has a multiple pan remission policy to address instances where organisations would be charged unduly high amounts by the application of this policy.

11. Schools

Although the Rating Powers (Special Provision for Certain Rates for Educational Establishments) Amendment Act 2001 was repealed, schools are charged for sewage disposal on the same basis as that envisaged by the Act but as a targeted rate for each individual school in our District. This is because schools by and large, have accepted the levies charged.

The Revenue and Financing Policies can be viewed Council's website www.westernbay.govt.nz/longtermplan2021-2031

Summary of Specific Rates Policies

Whakarāpopoto o ētahi Kaupapa here Tautuhi Rēti

In addition to Council's overall rating policies, specific policies have also been established over time to accommodate individual ratepayer circumstances that have been identified as requiring a specific approach. By having these specific policies available Council considers it provides a more equitable and fair rating system.

Council's specific rates policies

- Discount For Early Payment of Rates In Current Financial Year Policy.
- Early Payment Of Rates For Subsequent Years.
- Multiple Pan Wastewater Remission Policy.
- Rates Remission For Covenanted Land Policy.
- Remission Of Rates Penalties Policy.
- Rates Remission On Māori Freehold Land Policy.
- Rates Postponement For Financial Hardship Policy.
- Rates Postponement For Owners Aged Over 65 Policy.
- Rates Remission On Re-Zoned Land Policy.
- Rates Remission For Contiguous Land Policy.
- Rates Remission For Land Used for Sport and Games Policy.
- Rates Remission For Natural Disasters And Emergencies.
- Water Rates Remission Policy.

The policies can be viewed on Council's website www.westernbay.govt.nz/policiesandbylaws

Significant Accounting Policies

Kaupapa here nui - mahi kaute

This section includes financial statements and information. The Local Government Act 2002 requires Council to include forecast financial statements for the local authority within the Annual Plan. The main purpose of providing prospective financial statements is to enable stakeholders (residents and ratepayers, other local authorities, business community groups and government regulatory bodies etc.) to make decisions regarding Council and how it conducts its business.

Contents

This prospective financial information includes the Prospective Statement of Comprehensive Revenue and Expense, the Prospective Statement of Financial Position, the Prospective Statement of Changes in Equity, the Prospective Statement of Cash Flows, and the accompanying Prospective Statement of Accounting Policies and Notes to the Financial Statements. This information must be prepared according to generally accepted accounting practice (GAAP) and recognised accounting standards.

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Prospective Statement of Comprehensive Revenue and Expense

The Prospective Statement of Comprehensive Revenue and Expense shows all of Council's prospective revenue earned and expenses incurred for the years ended 30 June 2023. Revenue includes revenue received from rates and other revenue such as investment revenue, rent and fees while expenses paid includes costs such as operating costs, interest payments and depreciation.

This Prospective Statement shows how total comprehensive revenue and expense is arrived at. Total comprehensive revenue and expense is then added or subtracted from Council's equity as shown in the Prospective Statement of Changes in Equity. Prospective Statement of Changes in Equity

This Prospective Statement provides information about the nature of changes in Council's equity for the years ended 30 June 2023

Prospective Statement of Financial Position

The Prospective Statement of Financial Position shows the assets and liabilities of the Council as at 30 June 2023.

Assets include cash, accounts receivable (money owed to Council but not yet received), investments, land, buildings, operational and infrastructural assets. Current assets are amounts owed to Council that are expected to be received within the next 12 months while current liabilities are Council's debts that are due to be paid within the next 12 months. Investments are Council funds held in revenue earning securities while property, plant and equipment are of a permanent nature and are held for the benefit of the community.

Non-current liabilities represent money owed by Council that does not have to be paid within the next 12 months.

Prospective Statement of Cash Flows

This Prospective Statement covers all the inflows and outflows of cash during the year covered by the Prospective Statement of Comprehensive Revenue and Expense. The Prospective Statement of Cash Flows identifies the sources and application of cash in respect of Council's operating, investing and financing activities.

Prospective Proposed Statement of Accounting Policies

These explain the basis upon which the prospective financial Prospective Statements are prepared. They explain the methods adopted by Council used to measure the transactions incorporated into the financial Prospective Statements above.

Prospective Funding Impact Statement

The Prospective Funding Impact Statements ("PFIS") have been prepared in accordance with the Local Government (Financial Reporting) Regulations 2011, which came into effect 11 July 2011. This is a reporting requirement unique to local government and the disclosures contained within and the presentation of these statements is not prepared in accordance with generally accepted accounting practices.

The purpose of these statements is to report the net cost of services for significant groups of activities ("GOA") of Council, and are represented by the revenue that can be attributed to these activities less the costs of providing the service. They contain all the funding sources for these activities and all the applications of this funding by these activities. The GOA PFIS includes internal transactions between activities such as internal overheads and charges applied and or recovered and internal borrowings.

The PFIS is also prepared at the whole of Council level summarising the transactions contained within the GOA PFIS, eliminating internal transactions, and adding in other transactions not reported in the GOA statements. These items include but are not limited to gain and/or losses on revaluation and vested assets.

They also depart from GAAP as funding sources are disclosed within the PFIS as being either for operational or capital purposes. Revenue such as subsidies received for capital projects, development contributions and proceeds from the sale of assets are recorded as capital funding sources. Under GAAP these are treated as revenue in the Prospective Statement of Comprehensive Revenue and Expense.

Proposed Statement of Accounting Policies for Prospective Financial Statements

Reporting entity

Western Bay of Plenty District Council (Western Bay Council) is a territorial local authority established under the Local Government Act 2002 (LGA) and is domiciled and operates in New Zealand. The relevant legislation governing Western Bay Council's operations includes the LGA and the Local Government (Rating) Act 2002.

Western Bay Council provides local infrastructure, local public services, and performs regulatory functions to the community. Western Bay Council does not operate to make a financial return.

Western Bay Council has designated itself and the group as public benefit entities (PBEs) for the purposes of complying with generally accepted accounting practice.

The prospective financial statements of Western Bay Council are for the period ending 30 June 2023. The financial statements of Western Bay Council for each year within the Long Term Plan are to be authorised for issue by Council. These prospective financial statements were authorised for issue by the Western Bay Council.

Basis of preparation

These set of prospective financial statements have been prepared in accordance with NZ generally accepted accounting practice (GAAP) and opening balances for the year ended 30 June 2023. Estimates have been restated accordingly if required. No actual financial results have been incorporated within the prospective financial statements.

Council and management of Western Bay of Plenty District Council accept responsibility for the preparation of the prospective financial statements, including the appropriateness of the assumptions underlying the prospective financial statements and other required disclosures.

Council, who are authorised to do so, believe the assumptions underlying the Prospective Financial Statements are appropriate and as such, have adopted the Consultation Document and have approved it for distribution on 18 February 2021.

The prospective financial statements have been prepared on the going concern basis, and the accounting policies have been applied consistently throughout.

Statement of compliance

The prospective financial statements of Western Bay Council have been prepared in accordance with the requirements of the Local Government Act 2002 (LGA), which include the requirement to comply with generally accepted accounting practice in New Zealand (NZ GAAP). The prospective financial statements of the Council have been prepared in accordance with the requirements of the LGA and the Local

Government (Financial Reporting and Prudence) Regulations 2014 (LG(FRP) R), which include the requirement to comply with generally accepted accounting practice in New Zealand (NZ GAAP).

The prospective financial statements have been prepared in accordance with Tier 1 PBE accounting standards.

These prospective financial statements comply with PBE Standards.

Measurement base

The prospective financial statements have been prepared on an historical cost basis, except where modified by the revaluation of land and buildings, certain infrastructural assets, investment property, forestry assets and certain financial instruments (including derivative instruments).

Presentation currency and rounding

The prospective financial statements are presented in New Zealand dollars and all values are rounded to the nearest thousand dollars (\$000).

Critical accounting estimates and assumptions

In preparing these prospective financial statements, Council has made estimates and assumptions concerning the future, these are outlined in the Informing our Planning section from page 16. These estimates and assumptions may differ from the subsequent actual results. Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations or future events that are believed to be reasonable under the circumstances.

Cautionary note

The information in the prospective financial statements is uncertain and the preparation requires the exercise of judgement. Actual financial results achieved for the period covered are likely to vary from the information presented, and the variations may be material. Events and circumstances may not occur as expected or may not have been predicted or Council may subsequently take actions that differ from the proposed courses of action on which the prospective financial statements are based.

The information contained within these prospective financial statements may not be suitable for use in another capacity.

Standards issued and not yet effective and not yet adopted

Standards, and amendments, issued but not yet effective that have not been early adopted, and which are relevant to Council are:

Financial instruments

In March 2019, the XRB issued PBE IPSAS 41 Financial Instruments. PBE IPSAS 41 replaces PBE IFRS 9 Financial Instruments. PBE IPSAS 41 is effective for the year ending 30 June 2023, with early application permitted. The main changes under PBE IPSAS 41 are:

- New financial asset classification requirements for determining whether an asset is measured at fair value or amortised cost.
- A new impairment model for financial assets based on expected losses, which may result in the earlier recognition of impairment losses.
- Revised hedge accounting requirements to better reflect the management of risks.

Council plans to apply this standard in preparing its 30 June 2023 financial statements. The Council do not expect the impact of this standard to have a material effect on the financial forecasts.

Service Performance Reporting

In November 2017, the XRB issued PBE FRS 48 Service Performance Reporting. PBE IPSAS 48 is effective for annual periods beginning on or after 1 January 2021, with early adoption permitted. Council plans to apply the new standard in preparing the 30 June 2022 financial statements. The Council do not expect the impact of this standard to have a material effect on the financial forecasts.

Cashflow Statements

Disclosure Initiative (Amendments to IAS 7), issued by the IASB in January 2016, amended IAS 7 Statement of Cash flows to require entities to provide disclosures that enable users of financial statement to evaluate changes in liabilities arising from financial assets. The IPSASB subsequently amended IPSAS 2 Cash Flow Statements in Improvements to IPSAS, 2018 and the NZASB amended PBE IPSAS 2 in 2018 Omnibus Amendments to PBE Standards. The Council plans to apply the new standard in preparing the 30 June 2022 financial statements. Council do not expect the impact of this standard to have a material effect on the financial forecasts.

Changes in accounting policies

There have been no other changes in accounting policy.

Assumption underlying prospective financial information

The financial information contained within these policies and statements is prospective information and has been prepared in compliance with PBE FRS 42: Prospective Financial Information. The purpose for which it has been prepared is to enable the public to participate in the decision-making processes as to the services to be provided by Western Bay of Plenty District Council over the financial years from 1 July 2022 to 30 June 2023 and to provide a broad accountability mechanism of the Council to the community.

Significant accounting policies

Associate entities

Council's entities associate investment is accounted for in the financial statements using the equity method. An associate is an entity over which Council has significant influence and that is neither a subsidiary nor an interest in a joint venture. Council has a 9.7% share in Bay of Plenty Local Authority Shared Services Limited (BOPLASS). The Council also has a 50% ownership in Western Bay of Plenty Tourism and Visitors' Trust.

The investment in an associate is initially recognised at cost and the carrying amount in the group financial statements is increased or decreased to recognise the group's share of the surplus or deficit of the associate after the date of acquisition. Distributions received from an associate reduce the carrying amount of the investment in the group financial statements.

If the share of deficits of an associate equals or exceeds its interest in the associate, the group discontinues recognising its share of further deficits. After the group's interest is reduced to zero, additional deficits are provided for, and a liability is recognised, only to the extent that Council has incurred legal or constructive obligations or made payments on behalf of the associate. If the associate subsequently reports surpluses, the group will resume recognising its share of those surpluses only after its share of the surpluses equals the share of deficits not recognised.

Where the group transacts with an associate, surpluses or deficits are eliminated to the extent of the group's interest in the associate.

Revenue

Revenue is measured at fair value.

Rates revenue

The following policies for rates have been applied:

- General rates, targeted rates (excluding water-by-meter), and uniform annual general charges are recognised at the start of the financial year to which the rates resolution relates. They are recognised at the amounts due. Western Bay Council considers that the effect of payment of rates by instalments is not sufficient to require discounting of rates receivables and subsequent recognition of interest revenue

- Rates arising from late payment penalties are recognised as revenue when rates become overdue
- Revenue from water-by-meter rates is recognised on an accrual basis based on usage. Unbilled usage, as a result of unread meters at year end, is accrued on an average usage basis
- Rates remissions are recognised as a reduction of rates revenue when Western Bay Council has received an application that satisfies its rates remission policy
- Rates collected on behalf of the Bay of Plenty Regional Council (BOPRC) are not recognised as revenue in the financial statements, as Western Bay Council is acting as an agent for the BOPRC.

Financial contributions

The Resource Management Act 1991 is the governing legislation regarding the charging of financial contributions.

Financial contributions are recognised as revenue when Western Bay Council provides, or is able to provide, the service for which the contribution was charged. Otherwise, development and financial contributions are recognised as liabilities until such time as Western Bay Council provides, or is able to provide, the service.

Waka Kotahi NZ Transport Agency roading subsidies

Council receives funding assistance from the Waka Kotahi which subsidises part of the costs of maintenance and capital expenditure on the local roading infrastructure. The subsidies are recognised as revenue upon entitlement, as conditions pertaining to eligible expenditure have been fulfilled.

Other grants received

Other grants are recognised as revenue when they become receivable unless there is an obligation in substance to return the funds if conditions of the grant are not met. If there is such an obligation, the grants are initially recorded as grants received in advance and recognised as revenue when conditions of the grant are satisfied.

Building and resource consent revenue

Fees and charges for building and resource consent services are recognised on a percentage completion basis with reference to the recoverable costs incurred at balance date.

Entrance fees

Entrance fees are fees charged to users of Council's local pools. Revenue from entrance fees is recognised upon entry to such facilities.

Sales of goods

Revenue from the sale of goods is recognised when a product is sold to the customer.

Infringement fees and fines

Infringement fees and fines mostly relate to traffic and parking infringements and are recognised when the infringement notice is issued. The fair value of this revenue is determined based on the probability of collecting fines, which is estimated by considering the collection history of fines over the preceding 2-year period.

Vested or donated physical assets

For assets received for no or nominal consideration, the asset is recognised at its fair value when Council obtains control of the asset. The fair value of the asset is recognised as revenue, unless there is a use or return condition attached to the asset.

The fair value of vested or donated assets is usually determined by reference to the cost of constructing the asset. For assets received from property developments, the fair value is based on construction price information provided by the property developer.

For long-lived assets that must be used for a specific use (e.g. land must be used as a recreation reserve), Council immediately recognises the fair value of the asset as revenue. A liability is recognised only if Council expects that it will need to return or pass the asset to another party.

Donated and bequeathed financial assets

Donated and bequeathed financial assets are recognised as revenue unless there are substantive use or return conditions. A liability is recorded if there are substantive use or return conditions and the liability released to revenue as the conditions are met (e.g. as the funds are spent for the nominated purpose).

Interest and dividends

Interest revenue is recognised using the effective interest method. Interest revenue on an impaired financial asset is recognised using the original effective interest rate.

Dividends are recognised when the right to receive payment has been established. When dividends are declared from pre-acquisition surpluses, the dividend is deducted from the cost of the investment.

Construction contracts

Contract revenue and contract costs are recognised as revenue and expenses respectively by reference to the stage of completion of the contract at balance date. The stage of completion is measured by reference to the contract costs incurred up to the balance date as a percentage of total estimated costs for each contract.

Contract costs include all costs directly related to specific contracts, costs that are specifically chargeable to the customer under the terms of the contract and an allocation of overhead expenses incurred in connection with Council's construction activities in general.

An expected loss on construction contracts is recognised immediately as an expense in the statement of comprehensive revenue and expense.

Where the outcome of a contract cannot be reliably estimated, contract costs are recognised as an expense as incurred and where it is probable that the costs will be recovered, revenue is recognised to the extent of costs incurred.

Construction work in progress is stated at the aggregate of contract costs incurred to date plus recognised profits less recognised losses and progress billings. If there are contracts where progress billings exceed the aggregate costs incurred plus profits less losses, the net amounts are presented under other liabilities.

Borrowing costs

Borrowing costs are recognised as an expense in the period in which they are incurred.

Grant expenditure

Non-discretionary grants are those grants that are awarded if the grant application meets the specified criteria and are recognised as expenditure when an application that meets the specified criteria for the grant has been received.

Discretionary grants are those grants where Council has no obligation to award on receipt of the grant application and are recognised as expenditure when approved by Council and the approval has been communicated to the applicant. Council's grants awarded have no substantive conditions attached.

Foreign currency transactions

Foreign currency transactions (including those for which forward foreign exchange contracts are held) are translated into NZ\$ (the functional currency) using the spot exchange rate at the date of the transactions. Foreign exchange gains and losses resulting from the settlement of such transactions and from the translation at year end exchange rates of monetary assets and liabilities denominated in foreign currencies are recognised in the surplus or deficit.

Income tax

Council does not pay income tax as Section CW39 of the Income Tax Act 2007 specifically exempts income derived by a local authority from income tax, unless that income is derived from a Council-Controlled Organisation, a port related commercial undertaking or as a trustee.

Leases

Finance leases

A finance lease is a lease that transfers to the lessee substantially all the risks and rewards incidental to ownership of an asset, whether or not title is eventually transferred.

At the commencement of the lease term, finance leases are recognised as assets and liabilities in the statement of financial position at the lower of the fair value of the leased item and the present value of the minimum lease payments.

The finance charge is charged to the surplus or deficit over the lease period so as to produce a constant periodic rate of interest on the remaining balance of the liability.

The amount recognised as an asset is depreciated over its useful life. If there is no certainty as to whether Council will obtain ownership at the end of the lease term, the asset is fully depreciated over the shorter of the lease term and its useful life.

Council does not currently have any finance leases.

Operating leases

An operating lease is a lease that does not transfer substantially all the risks and rewards incidental to ownership of an asset.

Lease payments under an operating lease are recognised as an expense on a straight-line basis over the lease term.

Lease incentives received are recognised in the surplus or deficit as a reduction of rental expense over the lease term.

Assets

Cash and cash equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks, other short-term highly liquid investments with original maturities of three months or less, and bank overdrafts.

Bank overdrafts are shown within borrowings in current liabilities in the statement of financial position.

Receivables

Short-term receivables are recorded at the amount due, less an allowance for expected credit losses (ECL).

The Council and group apply the simplified ECL model of recognising lifetime ECL for receivables.

In measuring ECLs, receivables have been grouped into rates receivables, and other receivables, and assessed on a collective basis as they possess shared credit risk characteristics. They have then been grouped based on the days past due. A provision matrix is then established based on historical credit loss experience, adjusted for forward looking factors specific to the debtors and the economic environment.

Rates are “written-off”:

- when remitted in accordance with the Council’s rates remission policy; and
- in accordance with the write-off criteria of sections 90A (where rates cannot be reasonably recovered) and 90B (in relation to Māori freehold land) of the Local Government (Rating) Act 2002.

Other receivables are written-off when there is no reasonable expectation of recovery.

Derivative financial instruments and hedge accounting

Derivative financial instruments are used to manage exposure to foreign exchange arising from Western Bay Council’s operational activities and interest rate risks arising from Council’s financing activities. In accordance with its treasury policy, Council does not hold or issue derivative financial instruments for trading purposes.

Derivatives are initially recognised at fair value on the date a derivative contract is entered into and are subsequently remeasured to their fair value at each balance date.

The method of recognising the resulting gain or loss depends on whether the derivative is designated as a hedging instrument, and, if so, the nature of the item being hedged. The Council and group have elected to not adopt the new hedge accounting requirements of PBE IPSAS 41 as permitted under the transitional provisions of PBE IPSAS 41.

This means the Council and group continues to apply the hedge accounting requirements of PBE IPSAS 29 *Financial Instruments: Recognition and Measurement*.

The associated gains or losses on derivatives that are not hedge accounted are recognised in the surplus or deficit.

Other financial assets

Other financial assets (other than shares in subsidiaries) are initially recognised at fair value. They are then classified as, and subsequently measured under, the following categories:

- amortised cost;
- fair value through other comprehensive revenue and expense (FVTOCRE); or
- fair value through surplus and deficit (FVTSD).

Transaction costs are included in the carrying value of the financial asset at initial recognition, unless it has been designated at FVTSD, in which case it is recognised in surplus or deficit.

The classification of a financial asset depends on its cash flow characteristics and the Council and group’s management model for managing them.

A financial asset is classified and subsequently measured at amortised cost if it gives rise to cash flows that are ‘solely payments of principal and interest (SPPI)’ on the

principal outstanding, and is held within a management model whose objective is to collect the contractual cash flows of the asset.

A financial asset is classified and subsequently measured at FVTOCRE if it gives rise to cash flows that are SPPI and held within a management model whose objective is achieved by both collecting contractual cash flows and selling financial assets.

Financial assets that do not meet the criteria to be measured at amortised cost or FVTOCRE are subsequently measured at FVTSD. However, the Council and group may elect at initial recognition to designate an equity investment not held for trading as subsequently measured at FVTOCRE.

Financial assets are classified into the following categories for the purpose of measurement:

- fair value through surplus or deficit
- loans and receivables
- held-to-maturity investments; and
- fair value through other comprehensive revenue and expense.

The classification of a financial asset depends on the purpose for which the instrument was acquired.

Subsequent measurement of financial assets at amortised cost

Financial assets classified at amortised cost are subsequently measured at amortised cost using the effective interest method, less any expected credit losses. Where applicable, interest accrued is added to the investment balance. Instruments in this category include term deposits, community loans, and loans to subsidiaries and associates.

Subsequent measurement of financial assets at FVTOCRE

Financial assets in this category that are debt instruments are subsequently measured at fair value with fair value gains and losses recognised in other comprehensive revenue and expense, except expected credit losses (ECL) and foreign exchange gains and losses are recognised in surplus or deficit. When sold, the cumulative gain or loss previously recognised in other comprehensive revenue and expense is reclassified to surplus and deficit. The Council and group do not hold any debt instruments in this category.

Financial assets in this category that are equity instruments designated as FVTOCRE are subsequently measured at fair value with fair value gains and losses recognised in other comprehensive revenue and expense. There is no assessment for impairment when fair value falls below the cost of the investment. When sold, the cumulative gain or loss previously recognised in other comprehensive revenue and expense is transferred to accumulated funds within equity. The Council and group designate into this category all equity investments that are not included in its investment fund portfolio, and if they are intended to be held for the medium to long-term.

Subsequent measurement of financial assets at FVTSD

Financial assets in this category are subsequently measured at fair value with fair value gains and losses recognised in surplus or deficit.

Interest revenue and dividends recognised from these financial assets are separately presented within revenue.

Instruments in this category include the Council and group's investment fund portfolio (comprising of listed shares, bonds, and units in investment funds) and LGFA borrower notes.

Expected credit loss allowance (ECL)

The Council and group recognise an allowance for ECLs for all debt instruments not classified as FVTSD. ECLs are the probability-weighted estimate of credit losses, measured at the present value of cash shortfalls, which is the difference between the cash flows due to Council and group in accordance with the contract and the cash flows it expects to receive. ECLs are discounted at the effective interest rate of the financial asset.

ECLs are recognised in two stages. ECLs are provided for credit losses that result from default events that are possible within the next 12 months (a 12-month ECL). However, if there has been a significant increase in credit risk since initial recognition, the loss allowance is based on losses possible for the remaining life of the financial asset (Lifetime ECL).

When determining whether the credit risk of a financial asset has increased significantly since initial recognition, the Council and group considers reasonable and supportable information that is relevant and available without undue cost or effort. This includes both quantitative and qualitative information and analysis based on the Council and group's historical experience and informed credit assessment and including forward-looking information.

The Council and group considers a financial asset to be in default when the financial asset is more than 90 days past due. The Council and group may determine a default occurs prior to this if internal or external information indicates the entity is unlikely to pay its credit obligations in full.

Financial assets at fair value through surplus or deficit

Financial assets at fair value through surplus or deficit include financial assets held for trading. A financial asset is classified in this category if acquired principally for the purpose of selling in the short-term or it is part of a portfolio of identified financial instruments that are managed together and for which there is evidence of short-term profit-taking. Derivatives are also categorised as held for trading unless they are designated into a hedge accounting relationship for which hedge accounting is applied.

Financial assets acquired principally for the purpose of selling in the short-term or part of a portfolio classified as held for trading are classified as a current asset. The current/non-current classification of derivatives is explained in the derivatives accounting policy above.

After initial recognition, financial assets in this category are measured at their fair values with gains or losses on remeasurement recognised in the surplus or deficit.

Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. They are included in current assets, except for maturities greater than 12 months after the balance date, which are included in non-current assets.

After initial recognition, they are measured at amortised cost, using the effective interest method, less impairment. Gains and losses when the asset is impaired or derecognised are recognised in the surplus or deficit.

Held-to-maturity investments

Held-to-maturity investments are non-derivative financial assets with fixed or determinable payments and fixed maturities and there is the positive intention and ability to hold to maturity. They are included in current assets, except for maturities greater than 12 months after balance date, which are included in non-current assets. After initial recognition they are measured at amortised cost, using the effective interest method, less impairment. Gains and losses when the asset is impaired or derecognised are recognised in the surplus or deficit.

Fair value**Fair value through other comprehensive revenue and expense**

Financial assets at fair value through other comprehensive revenue and expense are those that are designated into the category at initial recognition or are not classified in any of the other categories above. They are included in non-current assets unless management intends to dispose of, or realise, the investment within 12 months of balance date. Council includes in this category:

- investments that Council intends to hold long-term but which may be realised before maturity; and
- shareholdings that Council holds for strategic purposes.

On derecognition, the cumulative gain or loss previously recognised in other comprehensive revenue and expense is reclassified from equity to the surplus or deficit.

Impairment of financial assets

Financial assets are assessed for evidence of impairment at each balance date. Impairment losses are recognised in the surplus or deficit.

Loans and receivables, and held-to-maturity investments

Impairment is established when there is evidence that Council and group will not be able to collect amounts due according to the original terms of the receivable.

Significant financial difficulties of the debtor, probability that the debtor will enter into bankruptcy, receivership, or liquidation and default in payments are indicators that the asset is impaired.

The amount of the impairment is the difference between the asset's carrying amount and the present value of estimated future cash flows, discounted using the original effective interest rate. For debtors and other receivables, the carrying amount of the asset is reduced through the use of an allowance account, and the amount of the loss is recognised in the surplus or deficit. When the receivable is uncollectible, it is written-off against the allowance account. Overdue receivables that have been renegotiated are reclassified as current (that is, not past due). Impairment in term deposits, local authority stock, government bonds, and community loans, are recognised directly against the instrument's carrying amount.

Financial assets at fair value through other comprehensive revenue and expense

For equity investments, a significant or prolonged decline in the fair value of the investment below its cost is considered objective evidence of impairment.

For debt investments, significant financial difficulties of the debtor, probability that the debtor will enter into bankruptcy, and default in payments are objective indicators that the asset is impaired.

If impairment evidence exists for investments at fair value through other comprehensive revenue and expense, the cumulative loss (measured as the difference between the acquisition cost and the current fair value, less any impairment loss on that financial asset previously recognised in the surplus or deficit) recognised in other comprehensive revenue and expense is reclassified from equity to the surplus or deficit.

Equity instrument impairment losses recognised in the surplus or deficit are not reversed through the surplus or deficit.

If in a subsequent period the fair value of a debt instrument increases and the increase can be objectively related to an event occurring after the impairment loss was recognised, the impairment loss is reversed in the surplus or deficit.

Non-current assets held for sale

Non-current assets held for sale are classified as held for sale if their carrying amount will be recovered principally through a sale transaction rather than through continuing use. Non-current assets held for sale are measured at the lower of their carrying amount and fair value less costs to sell.

Any impairment losses for write-downs of non-current assets held for sale are recognised in the surplus or deficit.

Any increases in fair value (less costs to sell) are recognised up to the level of any impairment losses that have been previously recognised.

Non-current assets (including those that are part of a disposal group) are not depreciated or amortised while they are classified as held for sale.

Property, plant and equipment

Property, plant, and equipment consist of:

Operational assets

These include land, buildings, landfill post-closure, library books, plant and equipment, and motor vehicles.

Restricted assets

Restricted assets are mainly parks and reserves owned by Council and group that provide a benefit or service to the community and cannot be disposed of because of legal or other restrictions.

Infrastructure assets

Infrastructure assets are the fixed utility systems owned by Council and group. Each asset class includes all items that are required for the network to function. For example, sewerage reticulation includes reticulation piping and sewerage pump stations. Land (operational and restricted) is measured at fair value, and buildings (operational and restricted), library books, and infrastructural assets are measured at fair value less accumulated depreciation. All other asset classes are measured at cost less accumulated depreciation and impairment losses.

Revaluation

Land and buildings (operational and restricted) library books, and infrastructural assets (with the exception of land under roads) are revalued with sufficient regularity to ensure that their carrying amount does not differ materially from fair value and at least every three years.

The carrying values of revalued assets are assessed annually to ensure that they do not differ materially from the assets' fair values. If there is a material difference, then the off-cycle asset classes are revalued.

Revaluations of property, plant, and equipment are accounted for on a class-of-asset basis. The net revaluation results are credited or debited to other comprehensive revenue and expense and are accumulated to an asset revaluation reserve in equity for that class-of-asset.

Where this would result in a debit balance in the asset revaluation reserve, this balance is not recognised in other comprehensive revenue and expense but is recognised in the surplus or deficit. Any subsequent increase on revaluation that reverses a previous decrease in value recognised in the surplus or deficit will be recognised first in the surplus or deficit up to the amount previously expensed, and then recognised in other comprehensive revenue and expense.

Transportation assets including roads, bridges and footpaths were revalued at depreciated replacement cost at 1 July 2018 and certified by Opus International Consultants Limited.

Water, wastewater and stormwater assets including reticulation, treatment plants, reservoirs and bores were revalued at depreciated replacement cost at 1 July 2017 and certified by Aecom New Zealand Limited.

Land and buildings, except land under roads, were revalued at fair value at 1 July 2017 by Opteon. Library books were revalued at fair value by Aecom at 1 July 2017 and Marine assets were revalued at fair value by Tonkin and Taylor at 1 July 2017.

All other asset classes are carried at depreciated historical cost.

Additions

The cost of an item of property, plant, and equipment is recognised as an asset if, and only if, it is probable that future economic benefits or service potential associated with the item will flow to Council and the cost of the item can be measured reliably.

Work in progress is recognised at cost less impairment and is not depreciated.

In most instances, an item of property, plant, and equipment is initially recognised at its cost. Where an asset is acquired through a non-exchange transaction, it is recognised at its fair value as at the date of acquisition.

Costs incurred subsequent to initial acquisition are capitalised only when it is probable that future economic benefits or service potential associated with the item will flow to Council and group and the cost of the item can be measured reliably.

The costs of day-to-day servicing of property, plant, and equipment are recognised in the surplus or deficit as they are incurred.

Disposals

Gains and losses on disposals are determined by comparing the disposal proceeds with the carrying amount of the asset. Gains and losses on disposals are reported net in the surplus or deficit. When revalued assets are sold, the amounts included in asset revaluation reserves in respect of those assets are transferred to accumulated funds.

Depreciation

Depreciation is provided on a straight-line basis on all buildings, bridges, reticulation assets and other structures, at rates that will write off the cost (or valuation) of the assets to their estimated residual values over their useful lives. Diminishing value is used for motor vehicles, office equipment and furnishings, library books and computer systems. Land and drains are non-depreciable. The useful lives and associated depreciation rates of major classes of assets have been estimated as noted overleaf.

Buildings		
· Concrete	30 to 100 years	Straight line
· Wooden	30 to 100 years	Straight line
· Improvements	10 years	Straight line
Land		Not depreciated
Other plant and equipment	10 years	Diminishing value
Office equipment and furnishings	10 years	Diminishing value
Computer systems	5 years	Diminishing value
Motor vehicles	5 years	Diminishing value
Library books	10-15 years	Straight line
Infrastructural assets		
Roading network		
· Pavements (base course)	25 to 75 years	Straight line
· Seal	5 to 60 years	Straight line
· Unsealed	3 to 5 years	Straight line
· Other	5 to 70 years	Straight line
· Formation (not depreciated)		
Bridges		
· Concrete	100 years	Straight line
· Steel	50 years	Straight line
Reticulation		
· Water	20 to 60 years	Straight line
· Sewerage	60 to 100 years	Straight line
· Stormwater	80 to 120 years	Straight line
· Treatment plant and equipment	25 to 50 years	Straight line
Other structures		
· Wooden reservoirs	80 years	Straight line
· Concrete reservoirs	100 years	Straight line
· Dams	100 years	Straight line
· Bores	100 years	Straight line
· Coastal Structures	5 to 75 years	Straight line

The residual value and useful life of an asset is reviewed, and adjusted if applicable, at each financial year end

Impairment of property, plant, and equipment and intangible assets

Intangible assets subsequently measured at cost that have an indefinite useful life, or are not yet available for use are not subject to amortisation and are tested annually for impairment.

Property, plant, and equipment and intangible assets subsequently measured as costs. Impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable.

An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and its value in use.

If an asset's carrying amount exceeds its recoverable amount, the asset is regarded as impaired and the carrying amount is written-down to the recoverable amount. The total impairment loss is recognised in the surplus or deficit. The reversal of an impairment loss is recognised in the surplus or deficit.

Intangible assets

Software acquisition and development

Acquired computer software licenses are capitalised on the basis of the costs incurred to acquire and bring to use the specific software.

Costs that are directly associated with the development of software for internal use are recognised as an intangible asset. Direct costs include the software development employee costs and an appropriate portion of relevant overheads.

Staff training costs are recognised in the surplus or deficit when incurred.

Costs associated with maintaining computer software are recognised as an expense when incurred.

Costs associated with development and maintenance of Council's website are recognised as an expense when incurred.

Easements

Easements are recognised at cost, being the costs directly attributable to bringing the asset to its intended use. Easements have an indefinite useful life and are not amortised, but are instead tested for impairment annually.

Carbon credits

Purchased carbon credits are recognised at cost on acquisition. Free carbon credits received from the Crown are recognised at fair value on receipt. They are not amortised, but are instead tested for impairment annually.

They are derecognised when they are used to satisfy carbon emission obligations.

Amortisation

The carrying value of an intangible asset with a finite life is amortised on a straight-line basis over its useful life. Amortisation begins when the asset is available for use and ceases at the date that the asset is derecognised. The amortisation charge for each period is recognised in the surplus or deficit.

The useful lives and associated amortisation rates of major classes of intangible assets have been estimated as follows:

Computer software	3 to 5 years	20% to 33.3%
Resource consents	life of the asset	5%
Property subdivision rights	19 years	5.3%

Forestry assets

Standing forestry assets are independently revalued annually at fair value less estimated costs to sell for one growth cycle. Fair value is determined based on the present value of expected future cash flows discounted at a current market determined rate. This calculation is based on existing sustainable felling plans and assessments regarding growth, timber prices, felling costs, and silvicultural costs and takes into consideration environmental, operational, and market restrictions.

Gains or losses arising on initial recognition of forestry assets at fair value less costs to sell and from a change in fair value less costs to sell are recognised in the surplus or deficit.

Forestry maintenance costs are recognised in the surplus or deficit when incurred.

Investment property

Properties leased to third parties under operating leases are classified as investment property unless the property is held to meet service delivery objectives, rather than to earn rentals or for capital appreciation.

Investment property is measured initially at its cost, including transaction costs. After initial recognition, all investment property is measured at fair value at each reporting date. Gains or losses arising from a change in the fair value of investment property are recognised in the surplus or deficit.

Payables

Short-term payables are recorded at the amount payable.

Borrowings

Borrowings are initially recognised at their fair value plus transaction costs. After initial recognition, all borrowings are measured at amortised cost using the effective interest method. Borrowings are classified as current liabilities unless the Council or group has an unconditional right to defer settlement of the liability for at least 12 months after balance date.

Employee entitlements

Short-term employee entitlements

Employee benefits expected to be settled within 12 months after the end of the period in which the employee renders the related service are measured based on accrued entitlements at current rates of pay. These include salaries and wages accrued up to balance date, annual leave earned to, but not yet taken at balance date, retirement gratuity and long-service leave expected to be settled within 12 months and sick leave. A liability for sick leave is recognised to the extent that absences in the coming year are expected to be greater than the sick leave entitlements earned in the coming year. The amount is calculated based on the unused sick leave entitlement that can be carried forward at balance date, to the extent it will be used by staff to cover those future absences.

A liability and an expense are recognised for bonuses where the Council has a contractual obligation or where there is a past practice that has created a constructive obligation.

Long-term employee entitlements

Employee benefits that are due to be settled beyond 12 months after the end of the period in which the employee renders the related service, such as long service leave and retirement gratuities, have been calculated on an actuarial basis. The calculations are based on:

- likely future entitlements accruing to staff, based on years of service, years to entitlement, the likelihood that staff will reach the point of entitlement, and contractual entitlement information; and
- the present value of the estimated future cash flows.

Presentation of employee entitlements

Sick leave, annual leave, and vested long service leave are classified as a current liability. Non-vested long service leave and retirement gratuities expected to be

settled within 12 months of balance date are classified as a current liability. All other employee entitlements are classified as a non-current liability.

Provisions

A provision is recognised for future expenditure of uncertain amount or timing when there is a present obligation (either legal or constructive) as a result of a past event, it is probable that an outflow of future economic benefits will be required to settle the obligation, and a reliable estimate can be made of the amount of the obligation.

Provisions are measured at the present value of the expenditures expected to be required to settle the obligation using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to the obligation. The increase in the provision due to the passage of time is recognised as an interest expense and is included in "finance costs".

Landfill post-closure provision

Council as operator of the Te Puke and Athenree landfills, has a legal obligation under the resource consent to provide ongoing maintenance and monitoring services at the landfill sites after closure. A provision for post-closure costs is recognised as a liability when the obligation for post-closure arises.

The provision is measured based on the present value of future cash flows expected to be incurred, taking into account future events including legal requirements and known improvements in technology. The provision includes all costs associated with landfills post-closure.

Financial guarantee contracts

A financial guarantee contract is a contract that requires the Council to make specified payments to reimburse the holder of the contract for a loss it incurs because a specified debtor fails to make payment when due.

Financial guarantee contracts are initially recognised at fair value. If a financial guarantee contract was issued in a stand-alone arm's length transaction to an unrelated party, its fair value at inception is equal to the consideration received. When no consideration is received, the fair value of the liability is initially measured using a valuation technique, such as considering the credit enhancement arising from the guarantee or the probability that Council will be required to reimburse a holder for a loss incurred discounted to present value. If the fair value of a guarantee cannot be reliably determined, a liability is only recognised when it is probable there will be an outflow under the guarantee.

Financial guarantees are subsequently measured at the higher of:

- the present value of the estimated amount to settle the guarantee obligation if it is probable there will be an outflow to settle the guarantee, and
- the amount initially recognised less, when appropriate, cumulative amortisation as revenue.

Equity

Equity is the community's interest in Council and is measured as the difference between total assets and total liabilities. Equity is disaggregated and classified into the following components.

- Accumulated funds
- Restricted reserves
- Property revaluation reserve
- Fair value through other comprehensive revenue and expense reserve,
- Council created reserves.

Restricted reserves

Restricted reserves are a component of equity generally representing a particular use to which various parts of equity have been assigned. Reserves may be legally restricted or created by the Council.

Restricted reserves include those subject to specific conditions accepted as binding by Council and which may not be revised by Council without reference to the Courts or a third party. Transfers from these reserves may be made only for certain specified purposes or when certain specified conditions are met.

Also included in restricted reserves are reserves restricted by Council decision. Council may alter them without reference to any third party or the Courts. Transfers to and from these reserves are at the discretion of Council.

Property revaluation reserve

This reserve relates to the revaluation of property, plant, and equipment to fair value.

Fair value through other comprehensive revenue and expense reserve

This reserve comprises the cumulative net change in the fair value of assets classified as fair value through other comprehensive revenue and expense.

Council created reserves

These reserves are made up general reserves and form a component of equity. They include Asset replacement reserves, disaster contingency reserves and general reserves.

Goods and Service Tax (GST)

All items in the financial statements are stated exclusive of GST, except for receivables and payables, which are presented on a GST-inclusive basis. Where GST is not recoverable as input tax, it is recognised as part of the related asset or expense.

The net amount of GST recoverable from, or payable to, the IRD is included as part of receivables or payables in the statement of financial position.

The net GST paid to, or received from, the IRD, including the GST relating to investing and financing activities, is classified as an operating cash flow in the statement of cash flows.

Commitments and contingencies are disclosed exclusive of GST.

Budget figures

The 2021 budget figures are those approved by Council in its 2020-21 annual plan which have subsequently been revised due to the shift in opening balances arising from the 2019-20 Annual Report. The budget figures have been prepared in accordance with NZ GAAP, using accounting policies that are consistent with those adopted by the Council in preparing these financial statements.

Cost allocation

The cost of service for each significant activity of Council has been derived using the cost allocation system outlined below.

Direct costs are those costs directly attributable to a significant activity. Indirect costs are those costs that cannot be identified in an economically feasible manner with a specific significant activity.

Direct costs are charged directly to significant activities. Indirect costs are charged to significant activities using appropriate cost drivers such as actual usage, staff numbers, and floor area.

Impact of COVID-19

Western Bay Council has assessed the impacts of COVID-19 on its position as at 29 June 2022, and its key accounting estimates and its assumptions looking forward.

Council considers that the impact of COVID-19 immaterial and subsequently there are no adjustments required to key accounting estimates and assumptions.

Three Waters Reform

The Government is implementing a package of reforms to the three waters regulatory system, which are designed to:

- Improve national-level leadership, oversight and support relating to the three waters – through the creation of Taumata Arowai, a new, dedicated Water Services Regulator from 1 March 2021.
- Significantly strengthen compliance, monitoring and enforcement relating to drinking water regulation – through the creation of a new Water Services Bill and revised Drinking Water Standards of New Zealand that are expected to come into effect November 2021.
- Manage risks to drinking water safety and ensure sources of drinking water are protected.

- Improve the environmental performance and transparency of wastewater and stormwater networks.

We expect that the regulatory reform and the establishment of Taumata Arowai will change the way we need to demonstrate regulatory compliance, assess risk relating to source and treated water quality and require licencing and authorisation of water supplier entities and individuals involved in providing three water services.

In addition to regulatory reform, Government has initiated a reform process for service delivery of three waters. While the Government's starting intention is for publicly-owned multi-regional models for water service delivery (with a preference for local authority ownership), final decisions on a service delivery model will be presented through legislation. The details of the legislation are still unknown.

We have signed a Memorandum of Understanding (MoU) with Government to join the first phase of the Government's three waters reform and have received \$6.9 million in stimulus funding to support the delivery of specific three waters projects.

The MoU commits us to a collaborative process with Government to explore structural reform in the waters sector, particularly a multi-regional approach to three waters management and delivery of better health, economic, cultural and environmental outcomes.

The \$6.9 million three waters stimulus includes \$535,000 to fund the early participation in the reform programme, to cover the engagement of additional resource to collate information, provide advice and backfilling of existing roles. Given the complexity of the three waters reform investigations and the time involved to participate and influence outcomes, it is highly likely that further funding will be required.





Activity Funding Impact Statements

Nga taukī tuku pūtea

These statements show where each Council activity receives its funding from, and where the funding is applied.

Capital expenditure classifications

Growth is used to describe new projects identified in structure plans for the urban growth areas, and funded (either wholly or partially) from financial contributions.

Level of service (LOS) is used to describe projects that deliver on Council's adopted level of service, and are not growth related or renewals. It is not about new levels of service or any specific change in levels of service.

Renewals are used to describe projects that replace or upgrade existing assets.

Whole of Council - Funding Impact Statement 2022-23

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Sources of operating funding				
General rates, uniform annual charges, rates penalties	51,357	43,265	32,962	32,303
Targeted rates	23,470	40,109	52,150	55,044
Subsidies and grants for operating purposes	8,035	10,108	10,585	11,178
Fees and charges and other revenue	10,305	8,418	8,658	8,749
Interest and dividends from interest	270	263	270	270
Local authority and fuel tax, fines, infringement fees, and other receipts	4,207	3,230	3,183	3,184
Total operating funding (A)	97,644	105,393	107,809	110,728
Applications of operating funding				
Payments to staff and suppliers	67,534	79,250	83,678	83,651
Finance costs	4,593	3,675	4,651	4,006
Other operating funding applications	4,575	-	-	-
Total applications of operating funding (B)	76,702	82,925	88,329	87,657
Operating funding - surplus/(deficit) (A-B)	20,942	23,469	43,247	23,072
Sources of capital funding				
Subsidies and grants for capital expenditure	6,844	6,874	7,939	4,053
Development and financial contributions	7,572	11,221	14,035	14,035
Increase/(decrease) in debt	(7,164)	13,400	40,531	31,500
Gross proceeds from sale of assets	4,575	-	-	-
Lump sum contributions	-	2,240	2,313	2,313
Other dedicated capital funding	-	-	-	-
Total Sources of capital funding (C)	11,827	33,735	64,818	51,901
Applications of capital funding				
Capital expenditure				
· to meet additional demand	11,707	35,506	37,528	27,949
· to improve the level of service	11,361	11,112	15,398	26,855
· to replace existing assets	9,985	11,451	25,603	14,474
Increase/(decrease) in reserves	(265)	(5,047)	1,638	2,349
Increase/(decrease) in investments	(19)	3,181	4,131	3,346
Total applications of capital funding (D)	32,769	56,203	84,298	74,972
Capital funding - surplus/(deficit) (C-D)	(20,942)	(23,469)	(43,247)	(23,072)
Funding balance ((A-B) + (C-D))	-	-	-	-

Representation - Funding Impact Statement 2022-23

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Sources of operating funding				
General rates, uniform annual charges, rates penalties	3,176	3,093	2,779	3,462
Targeted rates	-	-	-	-
Subsidies and grants for operating purposes	-	-	-	-
Fees and charges and other revenue	2	-	-	-
Internal charges and overheads recovered	718	1,052	1,068	904
Local authority and fuel tax, fines, infringement fees, and other receipts	1	-	77	77
Total operating funding (A)	3,897	4,145	3,924	4,443
Applications of operating funding				
Payments to staff and suppliers	1,732	2,035	1,730	2,078
Finance costs	-	-	-	-
Internal charges and overheads applied	2,092	2,083	2,149	2,321
Other operating funding applications	-	-	-	-
Total applications of operating funding (B)	3,824	4,118	3,879	4,399
Operating funding - surplus/(deficit) (A-B)	73	27	45	44
Sources of capital funding				
Subsidies and grants for capital expenditure	-	-	-	-
Development and financial contributions	-	-	-	-
Increase/(decrease) in debt	-	-	-	-
Gross proceeds from sale of assets	-	-	-	-
Lump sum contributions	-	-	-	-
Other dedicated capital funding	-	-	-	-
Total Sources of capital funding (C)	-	-	-	-
Applications of capital funding				
Capital expenditure				
• to meet additional demand	-	-	-	-
• to improve the level of service	-	20	36	36
• to replace existing assets	-	-	-	-
Increase/(decrease) in reserves	73	6	8	8
Increase/(decrease) in investments	-	-	-	-
Total applications of capital funding (D)	73	26	44	44
Capital funding - surplus/(deficit) (C-D)	(73)	(26)	(44)	(44)
Funding balance ((A-B) + (C-D))	-	1	1	-

Planning for the Future - Funding Impact Statement 2022-23

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Sources of operating funding				
General rates, uniform annual charges, rates penalties	2,834	3,873	4,180	4,466
Targeted rates	13	13	13	13
Subsidies and grants for operating purposes	-	-	-	-
Fees and charges and other revenue	-	-	-	-
Internal charges and overheads recovered	-	-	-	-
Local authority and fuel tax, fines, infringement fees, and other receipts	-	-	-	-
Total operating funding (A)	2,847	3,886	4,193	4,479
Applications of operating funding				
Payments to staff and suppliers	1,781	2,933	3,193	3,450
Finance costs	(16)	-	-	-
Internal charges and overheads applied	958	939	987	1,016
Other operating funding applications	-	-	-	-
Total applications of operating funding (B)	2,723	3,872	4,180	4,466
Operating funding - surplus/(deficit) (A-B)	124	14	13	13
Sources of capital funding				
Subsidies and grants for capital expenditure	-	-	-	-
Development and financial contributions	-	-	-	-
Increase/(decrease) in debt	-	-	-	-
Gross proceeds from sale of assets	-	-	-	-
Lump sum contributions	-	-	-	-
Other dedicated capital funding	-	-	-	-
Total Sources of capital funding (C)	-	-	-	-
Applications of capital funding				
Capital expenditure				
· to meet additional demand	-	-	-	-
· to improve the level of service	-	-	-	-
· to replace existing assets	-	-	-	-
Increase/(decrease) in reserves	124	13	13	13
Increase/(decrease) in investments	-	-	-	-
Total applications of capital funding (D)	124	13	13	13
Capital funding - surplus/(deficit) (C-D)	(124)	(13)	(13)	(13)
Funding balance ((A-B) + (C-D))	-	1	-	-

Communities - Funding Impact Statement 2022-23

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Sources of operating funding				
General rates, uniform annual charges, rates penalties	4,666	5,754	5,811	5,929
Targeted rates	2,179	3,123	3,245	3,283
Subsidies and grants for operating purposes	160	-	-	-
Fees and charges and other revenue	110	80	82	82
Internal charges and overheads recovered	1,059	502	481	487
Local authority and fuel tax, fines, infringement fees, and other receipts	536	502	518	518
Total operating funding (A)	8,710	9,961	10,137	10,299
Applications of operating funding				
Payments to staff and suppliers	4,939	6,488	6,358	6,543
Finance costs	26	-	-	-
Internal charges and overheads applied	3,070	3,253	3,417	3,358
Other operating funding applications	-	-	-	-
Total applications of operating funding (B)	8,035	9,741	9,775	9,902
Operating funding - surplus/(deficit) (A-B)	675	220	362	397
Sources of capital funding				
Subsidies and grants for capital expenditure	-	-	-	-
Development and financial contributions	-	-	-	-
Increase/(decrease) in debt	105	161	(229)	(224)
Gross proceeds from sale of assets	-	-	-	-
Lump sum contributions	-	-	-	-
Other dedicated capital funding	-	-	-	-
Total Sources of capital funding (C)	105	161	(229)	(224)
Applications of capital funding				
Capital expenditure				
· to meet additional demand	330	320	53	53
· to improve the level of service	-	85	51	51
· to replace existing assets	372	676	1,049	3,185
Increase/(decrease) in reserves	78	(700)	(1,020)	(3,117)
Increase/(decrease) in investments	-	-	-	-
Total applications of capital funding (D)	780	381	133	172
Capital funding - surplus/(deficit) (C-D)	(675)	(220)	(362)	(397)
Funding balance ((A-B) + (C-D))	-	-	-	-

Recreation and Open Space - Funding Impact Statement 2022-23

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Sources of operating funding				
General rates, uniform annual charges, rates penalties	7,079	7,691	8,100	8,455
Targeted rates	-	215	432	432
Subsidies and grants for operating purposes	566	-	82	(144)
Fees and charges and other revenue	10	20	21	21
Internal charges and overheads recovered	1,482	1,779	1,858	1,783
Local authority and fuel tax, fines, infringement fees, and other receipts	1,273	1,339	1,166	1,166
Total operating funding (A)	10,410	11,044	11,659	11,713
Applications of operating funding				
Payments to staff and suppliers	6,584	6,017	6,387	6,548
Finance costs	(327)	-	-	-
Internal charges and overheads applied	2,537	2,941	3,075	2,978
Other operating funding applications	183	-	-	-
Total applications of operating funding (B)	8,977	8,958	9,462	9,526
Operating funding - surplus/(deficit) (A-B)	1,433	2,086	2,197	2,186
Sources of capital funding				
Subsidies and grants for capital expenditure	-	919	1,122	711
Development and financial contributions	1,885	2,576	4,613	4,613
Increase/(decrease) in debt	2,958	552	1,600	4,602
Gross proceeds from sale of assets	183	-	-	-
Lump sum contributions	-	-	-	-
Other dedicated capital funding	-	-	-	-
Total Sources of capital funding (C)	5,026	4,047	7,335	6,926
Applications of capital funding				
Capital expenditure				
· to meet additional demand	4,124	2,309	2,303	2,282
· to improve the level of service	541	1,879	2,855	2,884
· to replace existing assets	727	1,788	4,379	4,379
Increase/(decrease) in reserves	1,067	158	(6)	(433)
Increase/(decrease) in investments	-	-	-	-
Total applications of capital funding (D)	6,459	6,134	9,531	9,113
Capital funding - surplus/(deficit) (C-D)	(1,433)	(2,087)	(2,196)	(2,186)
Funding balance ((A-B) + (C-D))	-	-	-	-

Regulatory Services - Funding Impact Statement 2022-23

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Sources of operating funding				
General rates, uniform annual charges, rates penalties	3,185	4,496	4,866	5,079
Targeted rates	-	-	-	-
Subsidies and grants for operating purposes	-	-	-	-
Fees and charges and other revenue	7,103	7,224	7,424	7,853
Internal charges and overheads recovered	773	1,058	1,218	1,155
Local authority and fuel tax, fines, infringement fees, and other receipts	925	274	280	280
Total operating funding (A)	11,986	13,052	13,788	14,367
Applications of operating funding				
Payments to staff and suppliers	8,006	8,437	8,778	9,399
Finance costs	(8)	-	-	-
Internal charges and overheads applied	3,895	4,603	4,913	4,792
Other operating funding applications	-	-	-	-
Total applications of operating funding (B)	11,893	13,040	13,691	14,191
Operating funding - surplus/(deficit) (A-B)	93	12	97	176
Sources of capital funding				
Subsidies and grants for capital expenditure	-	-	-	-
Development and financial contributions	-	-	-	-
Increase/(decrease) in debt	-	-	-	-
Gross proceeds from sale of assets	-	-	-	-
Lump sum contributions	-	-	-	-
Other dedicated capital funding	-	-	-	-
Total Sources of capital funding (C)	-	-	-	-
Applications of capital funding				
Capital expenditure				
• to meet additional demand	-	-	-	-
• to improve the level of service	-	-	31	31
• to replace existing assets	-	-	-	-
Increase/(decrease) in reserves	93	12	67	145
Increase/(decrease) in investments	-	-	-	-
Total applications of capital funding (D)	93	12	98	176
Capital funding - surplus/(deficit) (C-D)	(93)	(12)	(98)	(176)
Funding balance ((A-B) + (C-D))	-	-	(1)	-

Stormwater - Funding Impact Statement 2022-23

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Sources of operating funding				
General rates, uniform annual charges, rates penalties	983	700	718	718
Targeted rates	4,391	4,619	4,765	4,765
Subsidies and grants for operating purposes	568	-	-	-
Fees and charges and other revenue	3	-	-	-
Internal charges and overheads recovered	-	-	-	-
Local authority and fuel tax, fines, infringement fees, and other receipts	2	-	-	-
Total operating funding (A)	5,947	5,319	5,483	5,484
Applications of operating funding				
Payments to staff and suppliers	826	1,197	1,259	1,256
Finance costs	779	-	-	-
Internal charges and overheads applied	695	771	804	694
Other operating funding applications	-	-	-	-
Total applications of operating funding (B)	2,300	1,968	2,063	1,950
Operating funding - surplus/(deficit) (A-B)	3,647	3,351	3,420	3,533
Sources of capital funding				
Subsidies and grants for capital expenditure	-	-	-	-
Development and financial contributions	613	1,600	1,676	1,676
Increase/(decrease) in debt	(2,180)	2,649	6,409	4,226
Gross proceeds from sale of assets	-	-	-	-
Lump sum contributions	-	300	310	310
Other dedicated capital funding	-	-	-	-
Total Sources of capital funding (C)	(1,567)	4,549	8,395	6,212
Applications of capital funding				
Capital expenditure				
• to meet additional demand	1,080	3,251	4,132	3,682
• to improve the level of service	725	310	1,337	869
• to replace existing assets	275	417	3,643	1,630
Increase/(decrease) in reserves	-	3,923	2,702	3,564
Increase/(decrease) in investments	-	-	-	-
Total applications of capital funding (D)	2,080	7,901	11,814	9,745
Capital funding - surplus/(deficit) (C-D)	(3,647)	(3,352)	(3,419)	(3,533)
Funding balance ((A-B) + (C-D))	-	-	-	-

Transportation - Funding Impact Statement 2022-23

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Sources of operating funding				
General rates, uniform annual charges, rates penalties	-	50	52	52
Targeted rates	13,215	14,695	16,072	16,446
Subsidies and grants for operating purposes	5,229	9,935	10,324	11,143
Fees and charges and other revenue	2,342	10	10	10
Internal charges and overheads recovered	-	-	-	-
Local authority and fuel tax, fines, infringement fees, and other receipts	9	262	270	270
Total operating funding (A)	20,795	24,952	26,728	27,921
Applications of operating funding				
Payments to staff and suppliers	10,233	11,260	13,395	13,118
Finance costs	22	-	-	-
Internal charges and overheads applied	1,537	1,351	1,415	1,443
Other operating funding applications	502	-	-	-
Total applications of operating funding (B)	12,294	12,611	14,810	14,562
Operating funding - surplus/(deficit) (A-B)	8,501	12,341	11,918	13,359
Sources of capital funding				
Subsidies and grants for capital expenditure	6,844	5,655	4,334	2,361
Development and financial contributions	2,581	3,089	3,663	3,663
Increase/(decrease) in debt	(3,401)	50	1,697	1,698
Gross proceeds from sale of assets	502	-	-	-
Lump sum contributions	-	1,400	1,445	1,445
Other dedicated capital funding	-	-	-	-
Total Sources of capital funding (C)	6,526	10,194	11,139	9,167
Applications of capital funding				
Capital expenditure				
• to meet additional demand	4,541	19,095	19,033	16,657
• to improve the level of service	8,415	6,725	8,469	12,017
• to replace existing assets	1,739	3,205	4,294	-
Increase/(decrease) in reserves	332	(6,491)	(8,738)	(6,148)
Increase/(decrease) in investments	-	-	-	-
Total applications of capital funding (D)	15,027	22,534	23,058	22,526
Capital funding - surplus/(deficit) (C-D)	(8,501)	(12,340)	(11,919)	(13,359)
Funding balance ((A-B) + (C-D))	-	-	-	-

Water Supply - Funding Impact Statement 2022-23

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Sources of operating funding				
General rates, uniform annual charges, rates penalties	12,613	-	-	-
Targeted rates	155	11,750	12,041	12,041
Subsidies and grants for operating purposes	627	-	-	-
Fees and charges and other revenue	138	-	-	-
Internal charges and overheads recovered	-	-	-	-
Local authority and fuel tax, fines, infringement fees, and other receipts	72	47	42	42
Total operating funding (A)	13,605	11,797	12,083	12,082
Applications of operating funding				
Payments to staff and suppliers	6,392	6,313	6,775	6,693
Finance costs	1,008	-	-	-
Internal charges and overheads applied	2,251	2,392	2,478	2,280
Other operating funding applications	3,451	-	-	-
Total applications of operating funding (B)	13,102	8,705	9,253	8,973
Operating funding - surplus/(deficit) (A-B)	503	3,092	2,830	3,109
Sources of capital funding				
Subsidies and grants for capital expenditure	-	100	468	-
Development and financial contributions	1,111	2,045	2,122	2,122
Increase/(decrease) in debt	(816)	4,865	3,881	2,977
Gross proceeds from sale of assets	3,451	-	-	-
Lump sum contributions	-	200	207	207
Other dedicated capital funding	-	-	-	-
Total Sources of capital funding (C)	3,746	7,210	6,678	5,306
Applications of capital funding				
Capital expenditure				
• to meet additional demand	761	5,787	4,726	3,969
• to improve the level of service	614	995	805	1,782
• to replace existing assets	2,874	2,052	2,961	1,954
Increase/(decrease) in reserves	-	1,468	1,016	709
Increase/(decrease) in investments	-	-	-	-
Total applications of capital funding (D)	4,249	10,302	9,508	8,414
Capital funding - surplus/(deficit) (C-D)	(503)	(3,092)	(2,830)	(3,109)
Funding balance ((A-B) + (C-D))	-	-	-	-

Natural Environment and Sustainable Living - Funding Impact Statement 2022-23

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Sources of operating funding				
General rates, uniform annual charges, rates penalties	197	358	382	142
Targeted rates	559	573	592	592
Subsidies and grants for operating purposes	-	-	-	-
Fees and charges and other revenue	-	-	-	-
Internal charges and overheads recovered	-	-	-	-
Local authority and fuel tax, fines, infringement fees, and other receipts	-	-	-	-
Total operating funding (A)	756	931	974	734
Applications of operating funding				
Payments to staff and suppliers	944	1,154	1,204	1199
Finance costs	(96)	-	-	-
Internal charges and overheads applied	81	76	80	80
Other operating funding applications	-	-	-	-
Total applications of operating funding (B)	929	1,230	1,284	1279
Operating funding - surplus/(deficit) (A-B)	(173)	(299)	(310)	(545)
Sources of capital funding				
Subsidies and grants for capital expenditure	-	-	-	-
Development and financial contributions	119	-	-	-
Increase/(decrease) in debt	19	-	-	-
Gross proceeds from sale of assets	-	-	-	-
Lump sum contributions	-	-	-	-
Other dedicated capital funding	-	-	-	-
Total Sources of capital funding (C)	138	-	-	-
Applications of capital funding				
Capital expenditure				
• to meet additional demand	-	-	-	-
• to improve the level of service	-	-	-	-
• to replace existing assets	-	-	-	-
Increase/(decrease) in reserves	(35)	(300)	(310)	(545)
Increase/(decrease) in investments	-	-	-	-
Total applications of capital funding (D)	(35)	(300)	(310)	(545)
Capital funding - surplus/(deficit) (C-D)	173	300	310	545
Funding balance ((A-B) + (C-D))	-	1	-	-

Wastewater - Funding Impact Statement 2022-23

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Sources of operating funding				
General rates, uniform annual charges, rates penalties	12,085	-	-	-
Targeted rates	414	11,681	12,041	12,041
Subsidies and grants for operating purposes	665	2	2	-
Fees and charges and other revenue	206	-	-	2
Internal charges and overheads recovered	-	-	-	-
Local authority and fuel tax, fines, infringement fees, and other receipts	45	48	49	49
Total operating funding (A)	13,415	11,731	12,092	12,092
Applications of operating funding				
Payments to staff and suppliers	4,736	5,744	5,885	5,923
Finance costs	1,889	-	-	-
Internal charges and overheads applied	1,957	2,131	2,207	2,024
Other operating funding applications	560	-	-	-
Total applications of operating funding (B)	9,142	7,875	8,092	7,948
Operating funding - surplus/(deficit) (A-B)	4,273	3,856	4,000	4,145
Sources of capital funding				
Subsidies and grants for capital expenditure	-	-	1,033	-
Development and financial contributions	1,264	1,911	1,960	1,960
Increase/(decrease) in debt	(3,140)	2,422	5,475	542
Gross proceeds from sale of assets	560	-	-	-
Lump sum contributions	-	340	351	351
Other dedicated capital funding	-	-	-	-
Total Sources of capital funding (C)	(1,316)	4,673	8,819	2,854
Applications of capital funding				
Capital expenditure				
• to meet additional demand	190	3,810	6,577	601
• to improve the level of service	340	100	10	6,124
• to replace existing assets	2,414	2,025	7,178	1,627
Increase/(decrease) in reserves	13	2,595	(946)	(1,354)
Increase/(decrease) in investments	-	-	-	-
Total applications of capital funding (D)	2,957	8,530	12,819	6,998
Capital funding - surplus/(deficit) (C-D)	(4,273)	(3,857)	(4,000)	(4,145)
Funding balance ((A-B) + (C-D))	-	-	-	-

Solid Waste - Funding Impact Statement 2022-23

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Sources of operating funding				
General rates, uniform annual charges, rates penalties	554	122	134	134
Targeted rates	1,291	3,350	3,629	3,579
Subsidies and grants for operating purposes	220	173	179	179
Fees and charges and other revenue	133	771	798	461
Internal charges and overheads recovered	-	-	-	-
Local authority and fuel tax, fines, infringement fees, and other receipts	59	36	37	37
Total operating funding (A)	2,257	4,452	4,777	4,390
Applications of operating funding				
Payments to staff and suppliers	1,432	4,494	4,816	4,878
Finance costs	(50)	-	-	-
Internal charges and overheads applied	479	648	670	639
Other operating funding applications	-	-	-	-
Total applications of operating funding (B)	1,861	5,142	5,486	5,516
Operating funding - surplus/(deficit) (A-B)	396	(690)	(709)	(1,126)
Sources of capital funding				
Subsidies and grants for capital expenditure	-	200	981	981
Development and financial contributions	-	-	-	-
Increase/(decrease) in debt	(396)	-	-	-
Gross proceeds from sale of assets	-	-	-	-
Lump sum contributions	-	-	-	-
Other dedicated capital funding	-	-	-	-
Total Sources of capital funding (C)	(396)	200	981	981
Applications of capital funding				
Capital expenditure				
• to meet additional demand	-	-	-	-
• to improve the level of service	-	200	981	981
• to replace existing assets	-	-	-	-
Increase/(decrease) in reserves	-	(689)	(708)	(1,126)
Increase/(decrease) in investments	-	-	-	-
Total applications of capital funding (D)	-	(489)	273	(145)
Capital funding - surplus/(deficit) (C-D)	(396)	689	708	1,126
Funding balance ((A-B) + (C-D))	-	-	-	-

Economic Development - Funding Impact Statement 2022-23

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Sources of operating funding				
General rates, uniform annual charges, rates penalties	489	736	753	770
Targeted rates	321	367	379	379
Subsidies and grants for operating purposes	-	-	-	-
Fees and charges and other revenue	-	-	-	-
Internal charges and overheads recovered	-	-	-	-
Local authority and fuel tax, fines, infringement fees, and other receipts	-	-	-	-
Total operating funding (A)	810	1,103	1,132	1,149
Applications of operating funding				
Payments to staff and suppliers	689	744	760	758
Finance costs	(54)	-	-	-
Internal charges and overheads applied	93	56	59	88
Other operating funding applications	-	-	-	-
Total applications of operating funding (B)	728	800	819	845
Operating funding - surplus/(deficit) (A-B)	82	303	313	304
Sources of capital funding				
Subsidies and grants for capital expenditure	-	-	-	-
Development and financial contributions	-	-	-	-
Increase/(decrease) in debt	-	-	-	-
Gross proceeds from sale of assets	-	-	-	-
Lump sum contributions	-	-	-	-
Other dedicated capital funding	-	-	-	-
Total Sources of capital funding (C)	-	-	-	-
Applications of capital funding				
Capital expenditure				
• to meet additional demand	6	564	479	479
• to improve the level of service	-	-	-	-
• to replace existing assets	-	-	-	-
Increase/(decrease) in reserves	95	(260)	(164)	(175)
Increase/(decrease) in investments	(19)	-	-	-
Total applications of capital funding (D)	82	304	315	304
Capital funding - surplus/(deficit) (C-D)	(82)	(304)	(315)	(304)
Funding balance ((A-B) + (C-D))	-	(1)	(2)	-

Corporate Services - Funding Impact Statement 2022-23

For the years ended 30 June	Actuals \$'000	Annual Plan \$'000	LTP Forecast \$'000	Annual Plan \$'000
	2021	2022	2023	2023
Sources of operating funding				
General rates, uniform annual charges, rates penalties	-	4,642	5,187	3,096
Targeted rates	-	1,474	1,474	1,474
Subsidies and grants for operating purposes	-	-	-	-
Fees and charges and other revenue	-	311	320	320
Internal charges and overheads recovered	-	19,870	20,796	20,553
Local authority and fuel tax, fines, infringement fees, and other receipts	-	986	1,014	1,014
Total operating funding (A)	-	27,283	28,791	26,458
Applications of operating funding				
Payments to staff and suppliers	-	22,437	23,139	21,807
Finance costs	-	3,675	4,651	4,006
Internal charges and overheads applied	-	3,015	3,167	3,168
Other operating funding applications	-	-	-	-
Total applications of operating funding (B)	-	29,127	30,957	28,981
Operating funding - surplus/(deficit) (A-B)	-	(1,844)	(2,166)	(2,523)
Sources of capital funding				
Subsidies and grants for capital expenditure	-	-	-	-
Development and financial contributions	-	-	-	-
Increase/(decrease) in debt	9,581	2,701	19,167	2,080
Gross proceeds from sale of assets	-	-	-	-
Lump sum contributions	-	-	-	-
Other dedicated capital funding	-	-	-	-
Total Sources of capital funding (C)	9,581	2,701	19,167	20,680
Applications of capital funding				
Capital expenditure				
• to meet additional demand	-	369	225	225
• to improve the level of service	-	799	822	2,079
• to replace existing assets	-	1,289	2,099	1,699
Increase/(decrease) in reserves	6,735	(4,781)	9,725	10,808
Increase/(decrease) in investments	2,846	3,181	4,131	3,346
Total applications of capital funding (D)	9,581	857	17,002	18,157
Capital funding - surplus/(deficit) (C-D)	-	1,844	2,165	2,523
Funding balance ((A-B) + (C-D))	-	-	(1)	-

Annual Plan disclosure statement for the period commencing 1 July 2022

Kōrero puakanga o te Mahere ā tau, mō te wahanga i timata mai i a 1 July 2022

What is the purpose of this statement?

The purpose of this statement is to disclose the Council's planned financial performance in relation to various benchmarks to enable the assessment of whether the council is prudently managing its revenues, expenses, assets, liabilities, and general financial dealings. The Council is required to include this statement in its Annual Plan in accordance with the Local Government (Financial Reporting and Prudence) Regulations 2014 (the regulations).

Refer to the regulations for more information, including definitions of some of the terms used in this statement.

Benchmark		2022-23 Annual Plan	Met
Rates			
· Income	Rates will be less than 80% of total income.	76%	Yes
· Increases	Total rates revenue will not increase by more than 4% before growth.	3.3%	Yes
Debt affordability benchmark	300% of revenue	62%	Yes
Balanced budget benchmark	100%	102%	Yes
Essential services benchmark	100%	242%	Yes
Debt servicing benchmark	15%	4.6%	Yes

Notes

1. Rates affordability benchmark

- 1.1 For this benchmark:
 - a. the Council's planned rates revenue, excluding metered water charges, will be equal to or greater than 80% of total planned revenue in the Annual Plan; and
 - b. the Council's planned rates increases for the year are compared with a 4% rates increase limit for the year contained in the Financial Strategy included in the Council's 2021-2031 Long Term Plan.

- 1.2. The Council meets the rates affordability benchmark if -
 - a. its planned rates income for the year equals or is less than each quantified limit on rates; and
 - b. its planned rates increases for the year equal or are less than each quantified limit on rates increases.
2. **Debt affordability benchmark**
 - 2.1. For this benchmark, the Council's planned borrowing is compared with a debt to revenue limit of 180% on borrowing contained in the financial strategy included in Council's long-term plan.
 - 2.2. The Council meets the debt affordability benchmark if its planned borrowing is within each quantified limit on borrowing.
3. **Balanced budget benchmark**
 - 3.1. For this benchmark, the Council's planned revenue (excluding development contributions, vested assets, financial contributions, gains on derivative financial instruments, and revaluations of property, plant, or equipment) is presented as a proportion of its planned operating expenses (excluding losses on derivative financial instruments and revaluations of property, plant, or equipment).
 - 3.2. The Council meets the balanced budget benchmark if its revenue equals or is greater than its operating expenses.
4. **Essential services benchmark**
 - 4.1. For this benchmark, the Council's planned capital expenditure on network services is presented as a proportion of expected depreciation on network services.
 - 4.2. The Council meets the essential services benchmark if its planned capital expenditure on network services equals or is greater than expected depreciation on network services.
5. **Debt servicing benchmark**
 - 5.1. For this benchmark, the Council's planned borrowing costs are presented as a proportion of planned revenue (excluding development contributions, financial contributions, vested assets, gains on derivative financial instruments, and revaluations of property, plant, or equipment).
 - 5.2. Because Statistics New Zealand projects that the Council's population will grow faster than the national population growth rate, it meets the debt servicing benchmark if its planned borrowing costs equal or are less than 15% of its planned revenue.



1 July 2022 - 30 June 2023

Draft Schedule of fees and charges and indicative financial contributions



DRAFT Schedule of fees and charges 2022–2023

General		Animal Control Services		On / Off / Club Licences	18
Digital Property files	3	Registration fees 2022/23	8	Resource Consents	
*Print and copy charges	3	Dog adoption fee	9	Subdivision Consents (non-notified) (includes planning and engineering and deposits)	21
GIS service fee and print charges	3	Dog pound fees (impounding)	9	Notified resource consent applications, designations, heritage orders and plan changes	22
Official information requests – subject to legislative change	3	Dog pound fees (various)	9	Land Use (non-notified) consent applications except subdivisions	22
Publications and subscriptions		Stock pound fees	9	Planning Advice	23
Publications and subscriptions	4	Repeated impounding	9	Requests for information or other services not subject to specific fee	23
Asset Management Plans (AMP)	4	Sustenance	10	Miscellaneous charges	23
District-wide walkway brochure	4	Driving charges	10	Monitoring and compliance	23
District Plan operative	4	Advertising	10	Hydrant flow testing	24
District Plan maps	4	Other fees	10	Engineering design approval	24
Treasury Policy	4	Building services		Uncompleted works bonds	24
Annual Reports	4	Specialist services	11	Maintenance bonds	24
Civil Defence Plan – to non-distribution list agencies	4	Miscellaneous charges	11	Non-compliance	24
Properties – copies of leases/licences	4	Building consent approval information	12	Infrastructure Services	
Management Plans (per plan)	4	Building consent fee	12	Properties / reserves – processing fee	25
New services	4	Building consent fees and charges	13	Site inspections	25
Customer services		Application for Code of Compliance Certificate	13	Lease/Licence application and consents	25
Libraries – fees	5	Building consent fees and charges Certificate of acceptance	14	Elder housing	26
Libraries – overdue charges	5	Additional building services fees	15	Cemeteries	26
Charges for meeting rooms in Community Hub (The Centre Pātuki Manawa)	6	Premises and Bylaw Licences		Reserves	
Charges for meeting rooms – Ōmokoroa Library and Service Centre	6	**Food premises – Food Act 2014	15	Sports fields and courts	27
Organisational charge out rates		**Non Food Premises (Health) Registration	16	Ground rentals for sport and recreation club buildings on Council land – as per Council's policy	28
Various charge out rates	7	**Bylaw licences	16	Miscellaneous – Reserve use charges	28
Land Information Memoranda (LIM)	7	Fireworks permits	16	TECT All Terrain Park arrival centre and event space	28
Various LIM charges	7	Club, On/Off Licence Food inspection	16		
		Liquor licences			
		Managers Certificates	17		
		Special Licences	17		

Rental of Council buildings and facilities not listed	28	Waste licensing fee	36
Kiwi Camp charges	28	Worm composting workshop	36
Roading		Education	36
Vehicle crossing applications	29	Indicative financial contributions – for information only	37
Road services	29		
Road stock crossing cost recovery	29		
Road opening notices/Corridor Access Requests	29		
Roading Other	30		
Rentals for encroachments on Council land	31		
Community information boards	31		
As-built data – engineering records	32		
Utilities			
Filling of water cart from Council supply	32		
Water connection	32		
Final water meter reading	33		
Stormwater connection	33		
Sewerage connection	33		
Tradewaste bylaw charges	35		
Annual tradewaste charges	35		
Trade waste reticulation and treatment charges	35		
Greenwaste drop-off charges (minimum charge applies)	35		
Kerbside collection	36		
Kerbside collection – replacement bins (damaged bins)	36		
Kerbside collection – pro-rata rate for new service connections	36		
Kerbside refuse collection	36		
Put back service	36		



All figures include GST

General		DRAFT 2022/23 (\$)	Fees and charges explanation
Digital Property files			
Digital Property File request – digital copy of property file records supplied as a downloadable file from the Council website		60.00 30.00	Download file only
An additional fee to provide the Digital Property File on a portable digital media (USB) for pick-up from any of Councils service centres		5.00	Additional charge per media device
An additional delivery charge of \$5.00 shall apply to any digital property file stored on USB and delivery via post/courier is requested		5.00	Additional charge for delivery
<i>A property file request is not a Land Information Memorandum (LIM) and as such is not covered by any statutory requirement</i>			
*Print and copy charges			
Black and white	A4	0.20	
	A3	0.40	
	A2	1.50	
	A1	2.50	
Colour	A4	1.00 2.00	
	A3	2.00 3.50	
GIS service fee and print charges			
Map creation, map data manipulation and printing – a quote will be supplied <i>For further information please refer to Western Bay of Plenty District Council's Geospatial Data Policy Statement</i>		125.00 per hour	Minimum charge \$80.00 plus GST
Map prints	A2	30.00	
	A1	40.00	
	A0	50.00	
Official information requests – subject to legislative change			
Staff time – first hour		No charge	
Staff time – per half hour		38.00	
Work undertaken by external contractors and consultants charged at their normal hourly rate			Costs recovered from applicant
Printing		*See above for printing costs	Costs recovered from applicant at standard Council print charges

All figures include GST

Publications and subscriptions		DRAFT 2022/23 (\$)	Fees and charges explanation
Publications and subscriptions			
Asset Management Plans (AMP)			
Transportation AMP		500.00	
Water Supply AMP*		82.00	
Wastewater AMP*		82.00	
Stormwater AMP*		82.00	
Solid Waste AMP*		82.00	
Community Assets AMP*		82.00	
<i>*Excludes appendices – price on application</i>			
District-wide walkway brochure	Each	5.00	
District Plan operative	Text	120.00	Future updates are included in the costs for the text and maps
District Plan maps	A4	160.00	
2009 Development Code	Printed copy	350.00	The 2009 Development Code (or subsequent updates) can also be viewed and downloaded via Council's website www.westernbay.govt.nz
	Disc	30.00	
	Updates	No cost	
Treasury Policy		15.00	
Annual Reports		20.00	
Civil Defence Plan – to non-distribution list agencies		No charge	
Properties – copies of leases/licences		No charge	
Management Plans (per plan)		20.00	
New services			

Council may implement new or additional services anytime through the financial year. Where new services are introduced that are not already included in fees and charges, a principle of 'actual and reasonable charges' will apply i.e. Council will only charge what is actual and reasonable to recover the costs of providing the service.

All figures include GST

Customer services		DRAFT 2022/23 (\$)	Fees and charges explanation
Libraries – fees			
Reserve fee (adult)		1.00	
Replacement card		3.00	
Holiday membership		55.00	\$45.00 refundable upon return of all items
Interloan request fee	per book	8.00	Plus lending library's fee, if any
	per article	5.00	
Top Shelf (2 weeks)		3.00	
DVD (1 week)	single	3.00	
Libraries – overdue charges			
Adult items	per day	0.30	To a maximum of \$10.00 per book.
DVDs and Top Shelf	per day	1.00	
Administration fee		10.00	
Lost or unreturned items - Replacement cost, administration fee, debt collection recovery			
Unpaid charges of \$50.00 and over - Amount owed, debt collection recovery			
Discount policy			
In addition to the regular 'free to borrow' collections, our libraries offer access to some 'pay to borrow' collections. These include a best seller collection named 'Top Shelf' plus DVDs.			
Our pay collections are promoted using eye catching display units for storage, in-house topical displays and offering customers loyalty cards. Our loyalty card system rewards customers by offering one free pay item following the rental of four 'Top Shelf' items.			

All figures include GST

Customer services		DRAFT 2022/23 (\$)		DRAFT 2022/23 (\$)	
Charges for meeting rooms in Community Hub (The Centre Pātuki Manawa)					
Uretara Room (hot desk)					
Half day (4 hours)		15.00	Half day (after two full days)	7.50	
Day (8 hours)		30.00	Day (after two full days)	15.00	
Community rates	Two hours		Four hours		Eight hours
Tuapiro room	15.00		30.00		50.00
Tahawai room	15.00		30.00		50.00
Boyd room	20.00		40.00		60.00
McKinney	20.00		40.00		60.00
Commercial rates	Two hours		Four hours		Eight hours
Tuapiro room	30.00		60.00		80.00
Tahawai room	30.00		60.00		80.00
Boyd room	40.00		80.00		120.00
McKinney	40.00		80.00		120.00
Charges for meeting rooms – Ōmokoroa Library and Service Centre					
Community rates	Two hours		Four hours		Eight hours
Whakamarama Room	15.00		30.00		50.00
Pahoia Room	15.00		30.00		50.00
Matakana & Rangiwaia Room	15.00		30.00		50.00
Commercial rates	Two hours		Four hours		Eight hours
Whakamarama Room	30.00		60.00		80.00
Pahoia Room	30.00		60.00		80.00
Matakana & Rangiwaia Room	30.00		60.00		80.00

All figures include GST

Organisational charge out rates		DRAFT 2022/23 (\$)	Fees and charges explanation
Various charge out rates			
Group Manager		250.00	
Environmental Consents Manager, Building Services Manager, Compliance and Monitoring Manager, Senior Managers (engineering, property, reserves), Land Development Engineering Manager		220.00	
Team Leader Inspections, Team Leader Processing		200.00	
Senior Consents Planner, Senior Building Control Officer, Senior Land Development Engineer, Professional Engineer, Senior Engineers (includes site inspections)		180.00	
Building Control Officer, Consents Planner, Environmental Health Officer, Compliance Officer, Land Development Engineer		170.00	
Building Warrant of Fitness Officer, Compliance and Monitoring Officer		160.00	
Building Administrators, Consents Officers, Compliance Administrator Officers, Legal Property Officers, Property Officers, Reserves Officers, Engineering Officers/ Technicians		150.00	
Vehicles	per kilometre	0.79 0.80 cents	
Land Information Memoranda (LIM)			
Various LIM charges			
Standard 10 day service (electronic)		240.00	
4 day service* (electronic)		370.00	
LIMs involving multiple titles		Price on application	
*LIM provided as a printed, hardcopy format	Additional fee	15.00	
*LIM provided as a portable digital media	Additional fee	5.00	
<i>*An additional delivery charge of \$5.00 shall apply to any LIM where postal / courier delivery is requested.</i>			
#The statutory target is 10 working days. Council does not accept liability for any losses arising from a failure to meet the 4 day service; however, a 100% money-back guarantee applies if the 4 day target is not met.			

All figures include GST

Animal Control Services

Registration fees 2022/23				
Class of dog	Registration fee (if paid on or before 1 August 2022)	Registration fee Dangerous Dog (if paid on or before 1 August 2022)	Penalty fee (if paid after 1 August 2022) (\$)	Penalty fee Dangerous Dog (if paid after 1 August 2022) (\$)
All dogs unless otherwise categorised	91.00	136.50	136.50	204.75
Stock working dog (kept solely or principally for the purpose of herding or driving stock)	50.50	75.75	75.75	113.63
Spayed or neutered dog	73.00	109.50	109.50	164.25
Any dog(s) kept by: - New Zealand Police - Customs Department - Ministry of Defence - Ministry of Agriculture - Ministry of Fisheries - Department of Conservation (for carrying out the function of the Police or Department of State)	-	-	-	-
Security dog (kept by a security guard as defined in the Private Investigators and Security Guards Act 1974 – as a bona fide security dog)	-	-	-	-
Search and Rescue dog	-	-	-	-
Disability assist dog ²	-	-	-	-
Dogs domiciled on Matakana Island	45.50	68.25	68.25	102.38
Re-registration fee for each additional dog exceeding after five ¹	15.00	-	22.50	-

Notes:

- (1) Dog owners who have more than 5 dogs may be entitled to discounted dog registration fees for the sixth and subsequent registration, on the following basis:
- All dogs must be registered by 30 June to qualify.
 - All dogs must be microchipped.
 - All dogs must permanently reside at the registered owners address. Registration discount does not apply to dogs that may reside at a separate address when not being used for breeding purposes (e.g. under an agreement or contract).
 - No verified complaints have been received by Council in the previous registrations year for welfare or nuisance complaints (e.g. barking, roaming).
- Please note:** No refund for deceased dogs will be paid to owners of more than five dogs where dogs were registered at a discounted rate.
- New registrations during the year will be at normal registration fees (prorated) the discounted fee only applies at re-registration.
- (2) **Disability assist dog** has the same meaning as specified in the Dog Control Act 1996. The dog must be certified as a disability dog.

All figures include GST

Animal control services		DRAFT 2022/23 (\$)	Fees and charges explanation	
Dog adoption fee				
A dog adopted from a Western Bay of Plenty District Council pound (including registration until the end of the current year microchip, de-sexing and vaccination)		270.00 male dog		
		300.00 female dog		
Dog pound fees (impounding)		(\$)	(\$)	
		Un-registered	Registered	
First impounding		120.00 100.00	80.00 60.00	
Second impounding (for same dog within 24 months)		200.00	120.00	
Third and subsequent impounding (for same dog within 24 months)		200.00	200.00	
After hours pick-up fee		50.00	50.00	
Dog pound fees (various)				
Sustenance	per day	17.50 12.50		
Seizure fees:				
First seizure fee		100.00		
Second seizure fee		200.00		
Third seizure fee		200.00		
Euthanasia fee		45.00		
Micro-chipping fee		30.00 20.00		
Micro-chipping for third and subsequent dogs		20.00		
Stock pound fees				
For every sheep, lamb or goat		40.00		
For all other animals		80.00		
Repeated impounding				
Stock, not necessarily the same animal but owned by the same person, impounded on a second or subsequent occasion				
For every sheep, lamb or goat (for same person within 24 months)		80.00		
For all animals (for same person within 24 months)		160.00		

All figures include GST

Animal control services		DRAFT 2022/23 (\$)	Fees and charges explanation
Sustenance			
Actual and Reasonable costs (minimum of \$2.00 per head of stock per day)			
Driving charges			
Actual and reasonable costs incurred in moving the stock to the pound or where it is delivered to the owner			
Advertising			
Where applicable, a notification fee of \$10.00 plus the actual cost of advertising impounded stock			
Other fees			
Replacement tag	each	7.50	
Trading items (collars, leads, muzzles) are available and will be priced based on their cost plus a mark-up		Price on application	
Multiple dog owner application		50.00	Applies to new dog owners to District and dog owners who increase their number of dogs to greater than: • 2 dogs urban • 5 dogs rural.
<ul style="list-style-type: none"> • (Greater than 2 dogs urban) • (Greater than 5 dogs rural) 			
<i>*additional charges of officer time may apply for revisit & assessment at hourly rate of \$150.00.</i>			

All figures include GST

Building services		DRAFT 2022/23 (\$)	Fees and charges explanation
Specialist services			
More complex and larger projects may require the Council to refer documentation to external specialists for checking for code compliance and to provide inspection services. Where specialist services are required, additional fees will be payable by the applicant based on actual cost. These may include: Engineering structure or land stability, fire planning and precautions, electrical design check, heating, ventilation and air conditioning, mechanical services.			
Miscellaneous charges			
Extension of time for consents		100.00	
Application to amend building consents (plus building consent fee and additional levies, if any, as a result of change in project value)		195.00	Plus actual processing time
Building inspection - onsite minor variation		80.00	
Application for modification or waiver of New Zealand Building Code		120.00	
Code Compliance Certificate review of historical residential Building Consents (over 5 years old) – charges are per building consent and additional hourly charges are applicable	minimum fee ¹	500.00	Fee applicable to residential only
Code Compliance Certificate review of historical commercial Building Consents (over 5 years old) – charges are per building consent and additional hourly charges are applicable	minimum fee ¹	1000.00	
Document Filing Fee including receiving details of exempt building work undertaken as per schedule 1 of the Building Act 2004 (other than Certificate of Acceptance)		100.00	
Inspections for residential building consents (charged per inspection type at the rate current on the inspection date)		195.00	
Inspections for commercial building consents (charged per inspection type at the rate current on the inspection date)		255.00	
Late cancellation of booked inspection. (Charged where cancellation not received at least 1 working day prior to booking date.)		150.00	
Title endorsements under s73 Building Act (includes Land Registrar fees)	per lot	530.00 450.00	Legal fee component may vary and is cost recoverable
Title endorsements under s75 Building Act (includes Land Registrar fees)	per lot	530.00 450.00	Legal fee component may vary and is cost recoverable

All figures include GST

Building services		DRAFT 2022/23 (\$)	Fees and charges explanation
Application for Certificate of Public Use (S.363A BA 2004)		300.00 plus inspection fees	Includes one inspection. Additional inspections extra.
Notice to fix		350.00	
Compliance schedule and annual building warrant of fitness fees			
Compliance Schedule base fee	minimum fee ¹	140.00	
Plus fee per feature identified in Schedule	minimum fee ¹	30.00	
Amendment of Compliance Schedule	minimum fee ¹	100.00	
Plus fee per feature (altered, added or removed)		30.00	
Annual Building Warrant of Fitness	minimum fee ¹	140.00	
Expired Building Warrant of Fitness		190.00	
Building Warrant of Fitness Site Audit	minimum fee ¹	140.00	
Compliance schedule review of historical building consents (over 5 years old) additional hourly charges are applicable		500.00	
Fees, for non-routine inspections or services where fees have not otherwise been fixed, will be charged out at the Officer's hourly charge out rate plus incidental expenses		Price on application	
Compliance schedule and annual building warrant of fitness inspections requiring particular expertise, e.g. lifts, electrical heating, ventilation and air conditioning, fire safety measures or similar non-routine requests for information or services.			Actual cost incurred of expert's report
Applications for acceptance as independent qualified person (for Bay of Plenty/ Waikato group)		Price on application	

Notes:

¹ Actual processing time and costs associated with approving certificates, building warrants of fitness and compliance schedules over and above the minimum fee will be charged directly to the applicant.

Building consent approval information

Provided as required by (s217 Building Act 2004) printed and forwarded monthly – email preferred	per month	25.00	
	per annum	200.00	

Building consent fee**Pre lodgement fee**

This service is to assist applicants to assemble all necessary information to support their application.

This fee is charged at the discretion of Council and only charged where the service is necessary. Time taken may be charged and included in consent processing charges. Refer to hourly charge out rate.

Western Bay of Plenty District Council Te Kaunihera a rohe mai i nga Kuri-a-Whare ki Otamarakau ki te Uru 12

All figures include GST

Building services**Building consent fees and charges**

Value of project/type or work	Council lodgement fee ² 2022/23 (\$)	Inspections
\$1 to \$5,000	447.00	Inspection fees payable on issue of building consent based on estimated number of inspections needed for the project. Inspections will be invoiced at the Councils inspection rate at completion of the project.
\$5,001 to \$20,000	955.00	
\$20,001 to \$100,000	1,495.00	
\$100,001 to \$400,000	2,230.00	
\$400,001 upwards to \$700,000	3,171.00	
\$700,001 to \$1,000,000	3,565.00	
1,000,001 upwards	4,140.00	
National Multiple-Use approvals granted by MBIE.	The Councils building consent fees apply to this work.	
Solid fuel heater and domestic fireplace (includes Project Information Memorandum (PIM)).	Freestanding 275.00* Inbuilt 425.00*	Freestanding *One inspection includes discounted inspection cost. Inbuilt. *Two inspections includes discounted inspection cost and includes Code Compliance certificate.

Application for Code of Compliance Certificate

Value of project/type of work	Council lodgement fee ² 2022/23 (\$)	
\$1 to \$5,000	143.75	
\$5,001 to \$20,000	161.00	
\$20,001 to \$100,000	356.50	
\$100,001 to \$400,000	529.00	
\$401,000 upwards \$400,001 - \$700,000	661.25	
700,001 to \$1,000,000	833.75	
1,000,001 upwards	1,006.25	

All figures include GST

Building services

Building consent fees and charges Certificate of acceptance

Value of project/type or work	Council lodgement fee ² 2022/23 (\$)	Inspections
\$1,000 to \$5,000	1,067.50	
\$5,001 to \$20,000	1,595.00	
\$20,001 to \$100,000	2,335.00	
\$100,001 to \$400,000	3,050.00	
\$400,001 upwards \$400,001 - \$700,000	3,793.00	
\$700,001 to \$1,000,000	4,485.00	
\$1,000,000 upwards	5,060.00	

Request for exemption from building consent schedule 1
Building Act

Value of project/type or work	Council lodgement fee ² 2022/23 (\$)	Inspections
\$1,000 to \$5,000	312.50	
\$5,001 to \$100,000	635.00	
\$100,001 upwards	960.00	
Compliance Inspection (3 yearly) for swimming pool fencing.	180.00	One inspection
Re-inspection for swimming pool fencing.	150.00	
Desktop review of information to resolve failed swimming pool fencing inspection	75.00	Fixed fee

Also charged when consent is issued:

Building levy (payable to MBIE³) \$1.75 GST inclusive for every \$1,000 value project valued at \$20,444 and over.

Levy for BRANZ (Building Research Authority) \$1.00 GST exempt for every \$1,000 value project valued at \$20,000 and over.

Notes

¹ Actual processing time and costs associated with approving certificates, building warrants of fitness compliance schedules over and above the minimum fee will be charged directly to the applicant.

² This fee is non-refundable once the consent has been approved if you decide not to complete your project. If you cancel prior to approval a pro-rata charge will be made based on the processing undertaken. Actual processing time exceeding plan checking deposit will be invoiced.

³ Statutory payments to BRANZ (Building Research Association NZ) and MBIE (Ministry of Business, Innovation and Employment) (previously DBH).

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All figures include GST

Building services		DRAFT 2022/23 (\$)	Fees and charges explanation
Additional building services fees			
Rural numbers			
Application and administration		45.00	
Replacement rural number plates		15.00	
Assessment required for District Plan, engineering, environmental health and dangerous goods			
Assessments and site inspections charged at Officer's hourly charge-out rate or actual cost if external report required			
Premises and Bylaw Licences		DRAFT 2022/23 (\$)	Fees and charges explanation
**Food premises – Food Act 2014			
Food Control Plans			
Application for Registration of Food Control Plan (based on template or model)	application	220.00	
	plus additional	170.00	Additional fee per hour after the first hour
Additional registration fee per site for multi site registration (deposit)	per site	100.00	
Application for renewal of registration of Food Control Plan (based on template or model)	application	150.00	
	plus additional	170.00	Additional fee per hour after the first hour
Additional re-registration fee per site for multi site registration (deposit)	per site	100.00	
Application for registration of an amendment to a Food Control Plan (based on a template or model)	application	150.00	
	plus additional	170.00	Additional fee per hour after the first hour
Verification, inspection and audit	deposit	500.00	
	plus additional	170.00	Additional fee per hour after the first 2 hours
National Programmes			
Application for assessment and registration of national programme business	application	220.00	
	plus additional	170.00	Additional fee per hour after the first hour
Additional registration fee per site for multi site registration (deposit)	per site	100.00	
Application for renewal of registration of national programme	application	150.00	
	plus additional	170.00	Additional fee per hour
Additional re-registration fee per site for multi site registration (deposit)	per site	75.00	
Verification, inspection and audit	deposit	450.00	
	plus additional	170.00	Additional fee per hour after the first 2 hours

15 DRAFT Schedule of Fees and Charges 2022/23 and Indicative Financial Contributions

All figures include GST

Premises and Bylaw Licences		DRAFT 2022/23 (\$)	Fees and charges explanation
**Non Food Premises (Health) Registration			
Hairdressers		*300.00	
Mortuaries		*300.00	
Camping grounds		*390.00	
Change of ownership		*100.00	
Issue of Notice to Rectify/Non Compliance		*340.00	
Property Inspections and reporting (Health Act 1956)		*170.00	
*Additional inspections and processing		170.00	Per hour
**Bylaw licences			
Amusement devices - licence fees pursuant to Amusement Devices Regulations 1978		12.00	
Trading in Public Places Licence (individual operator) - new licence fee		500.00	
Trading in Public Places Licence (individual operator) - renewal fee	per annum	350.00	
	per month	150.00	Application fee plus \$50.00 per month
Trading in Public Places Event Licence e.g. event - market, fair, festival		350.00	Plus additional monitoring time at - \$170.00 per hour
Public Places Licence - (permission to occupy footpath)	per annum	350.00	Fee for placement of tables & chairs on Council footpath/ road reserve as outdoor seating for premises
**Note: Late penalty fee of 10% applies to all licence registration fees unpaid after 60 days from date of invoice.			
Fireworks permits			
Rural reserves		165.00	
Urban reserves		85.00	
Club, On/Off Licence Food inspection			
Monitoring inspection - annual inspection of On, Off or Club Licence	per hour	170.00	

All figures include GST

Liquor licences		DRAFT 2022/23 (\$)	Fees and charges explanation
Managers Certificates			
New or renewal		316.25	
Special Licences			
Class 1	1 large event More than 2 medium events More than 12 small events	575.00	Large event 400 + people
Class 2	3 to 12 small events 1 to 3 medium events	207.00	Medium event
Class 3	1 or 2 small events	63.25	Small event Less than 100 people
Temporary Authority		296.70	
Public notices – Sale and Supply of Alcohol Act		150.00	

All figures include GST

Liquor Licences

On / Off / Club Licences

Fees vary depending on the “cost/risk rating” of each premises and consist of:

- an application fee, which licensees will have to pay when they apply for a new, renewed, or variation to a licence; and
- an annual fee, which must be paid by licensees each year.

Determining a premises’ cost/risk rating

A premises’ cost/risk rating will be determined by a combination of factors. Table 2 shows how a premises’ cost/risk rating is determined. For example, a liquor store closing at 11:00 pm with two enforcements in the last 18 months would have an overall rating of 38.

Cost/risk rating of premises (direct from the regulations)

- (1) A territorial authority must assign a cost/risk rating to any premises for which an on-licence, off-licence, or club licence is held or sought.
- (2) The cost/risk rating of premises is the sum of the highest applicable weighting.
- (3) The weightings relating to the type of licensed premises are as follows:

	Type of premises	Weighting
On Licence	Class 1 restaurant, night club, tavern, adult premises	15
	Class 2 restaurant, hotel, function centre	10
	Class 3 restaurant, other premises not otherwise specified	5
	BYO restaurants, theatres, cinemas, winery cellar doors	2
Off Licence	Supermarket, grocery store, bottle store	15
	Hotel, tavern	10
	Class 1, 2, or 3 club, remote sale premises, premises not otherwise specified	5
	Winery cellar doors	2
Club Licence	Class 1 club	10
	Class 2 club	5
	Class 3 club	2



Type of premises	Latest trading time allowed by licence (during 24 hour period from 6am to 6am)	Weighting
Premises for which an on-licence or club licence is held or sought	2am or earlier	0
	Between 2.01am and 3am	3
	Any time after 3am	5

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All figures include GST

Liquor Licences

Type of premises	Latest trading time allowed by licence (during 24 hour period from 6am to 6am)	Weighting
Premises for which an off-licence is held or sought (other than remote sales premises)	10 pm or earlier	0
	Anytime after 10 pm	3
Remote sales premises	Not applicable	0

+

Number of enforcement holdings in last 18 months (applies to all types of premises)	Weighting
None	0
1	10
2 or more	20

=

Cost/Risk rating of premises	Fee category
0 - 2	Very low
3 - 5	Low
6 - 15	Medium
16 - 25	High
26 plus	Very High

Liquor Licences	Cost/risk Category (\$)	Application Fee (\$)	Annual Fee (\$)
Application for On, Off or Club Licence, renewal of these licences, variation of condition of Licence.	Very Low	368.00	161.00
	Low	609.50	391.00
	Medium	816.50	632.50
	High	1,023.50	1,035.00
	Very High	1,207.50	1,437.50

19 DRAFT Schedule of Fees and Charges 2022/23 and Indicative Financial Contributions

All figures include GST

Liquor Licences

Class 1 club	means a club that has or applies for a club licence and - (a) has at least 1000 members of purchase age; and (b) in the opinion of the territorial authority, operates any part of the premises in the nature of a tavern at any time.
Class 2 club	means a club that has or applies for a club licence and is not a class 1 or class 3 club.
Class 3 club	means a club that has or applies for a club licence and - (a) has fewer than 250 members of purchase age; and (b) in the opinion of the territorial authority, operates a bar for no more than 40 hours each week.
Class 1 restaurant	means a restaurant that has or applies for an on-licence and - (a) has, in the opinion of the territorial authority, a significant separate bar area; and (b) in the opinion of the territorial authority, operates that bar area, at least 1 night a week, in the manner of a tavern.
Class 2 restaurant	means a restaurant that has or applies for an on-licence and - (a) has, in the opinion of the territorial authority, a separate bar; and (b) in the opinion of the territorial authority, does not operate that bar area in the manner of a tavern at any time.
Class 3 restaurant	means a restaurant that has or applies for an on-licence and that, in the opinion of the territorial authority, only serves alcohol to the table and does not have a separate bar area.
BYO restaurant	means a restaurant for which an on-licence is or will be endorsed under section 37 of the Act.
Enforcement holding	means a holding as defined in section 288 of the Act, or an offence under the Sale of Liquor Act 1989 for which a holding could have been made if the conduct had occurred after 18 December 2013.
Remote sales premises	means premises for which an off-licence is or will be endorsed under section 40 of the Act.

¹ These fees are set by legislation. If there are legislative changes the fees will be updated accordingly.

All figures include GST

Resource Consents		DRAFT 2022/23 (\$)	Fees and charges explanation
Subdivision Consents (non-notified) (includes planning and engineering and deposits)			
Subdivision consents (non-notified applications)	minimum fee ^{1, 6}		
· Controlled activity	minimum fee ¹	2,000.00	
· Restricted discretionary activity	minimum fee ¹	2,500.00 2,000.00	
· Discretionary activity	minimum fee ¹	3,000.00	
· Non-complying activity	minimum fee ¹	4,000.00	
Rights of way (s348 Local Government Act 1974)	minimum fee ¹	700.00	
Certificates under s226 Resource Management Act 1991	minimum fee ¹	700.00	
Lapsing of consent: extension of time (s125 Resource Management Act 1991)	minimum fee ¹	1,400.00	
Change or cancellation of consent conditions (s127 Resource Management Act 1991)/variation of Consent Notice (s221(3) Resource Management Act 1991)	minimum fee ^{1, 7}	3,000.00 2,000.00	
s223 Certificate – payable at 223 stage Resource Management Act 1991	minimum fee ¹	500.00	
s32(2)(a) Certificate – Unit Titles Act 2010	minimum fee ¹	500.00	
s224(c) Certificate – payable at 224 stage Resource Management Act 1991	minimum fee ¹	1,000.00 800.00	
s224(c) Certificate – Unit Titles Act 2010	minimum fee ¹	1,000.00 800.00	
s357 Resource Management Act 1991 Objection		-	No fee.
Road/street naming	minimum fee ¹	500.00	
Engineering fee – payable only if engineering conditions apply (s.244 (c) Resource Management Act 1991 process only)	minimum fee ¹	800.00 550.00	Includes external costs.
Reserves valuations – payable at 224 and not including financial contributions ⁵		-	Fixed by Opteon. (Council's valuation provider).
First additional lot		230.00	Fixed by Opteon. (Council's valuation provider).
Two to four lots	per lot	51.75	Fixed by Opteon. (Council's valuation provider).
Five to ten lots	per lot	23.00	Fixed by Opteon. (Council's valuation provider).
Eleven or more lots	per lot	11.50	Fixed by Opteon. (Council's valuation provider).
Sundry applications; s221, s241, s243 RMA 1991 certifications, Authority and Instruction and other miscellaneous subdivision certificates Sundry applications; s221 Consent Notices/s241 Cancellation of Easement and other miscellaneous subdivision certificates		750.00 500.00	
Subdivision consents that proceed to hearing ⁵		-	Actual and reasonable cost.
Application for esplanade reserve reduction or waiver		2,300.00	

All figures include GST

Resource Consents		DRAFT 2022/23 (\$)	Fees and charges explanation
Notified resource consent applications, designations, heritage orders and plan changes			
Public notification	minimum fee ^{1,5,7}	7,000.00	
Limited notification	minimum fee ^{1,5,6}	5,000.00	
Land Use (non-notified) consent applications except subdivisions			
Deemed permitted boundary activity/deemed marginal activity	minimum fee ¹	500.00	
Non notified applications:			
Controlled activity/fast track	minimum fee ¹	2,000.00	
Restricted discretionary activity	minimum fee ¹	3,000.00 2,000.00	
Discretionary activity	minimum fee ¹	3,000.00	
Non complying activity	minimum fee ¹	3,500.00 3,000.00	
Temporary additional dwelling	minimum fee ¹	1,400.00	
Buildings in coastal erosion area – primary risk zone ^{3,4, 6}	minimum fee ¹	4,000.00 3,000.00	
Change or cancellation of consent conditions (s127 Resource Management Act 1991) ^{7,6}	minimum fee ¹	3,000.00 2,000.00	
s357 Resource Management Act 1991 Objection		0	No fee.
Lapsing of consent/extension of time (s125 Resource Management Act 1991)	minimum fee ¹	1,400.00	
Consents that proceed to hearing ^{6, 5}			Actual and reasonable cost.
National Environmental Standard Assessment (soils/forestry/telecommunications)	minimum fee ¹	900.00	

Notes

General – These fees do not include Financial Contributions that may be imposed as conditions of consent. Council requires payment of all fees and charges prior to release of a decision document and 223 and 224 Resource Management Act 1991 Certificates.

¹ This is a minimum fee. All costs associated with processing the application over and above the minimum fee will be directly charged to the applicant. This may include costs incurred by external parties on Council's behalf.

² These fees are indicative only of the activity and are not payable by the applicant.

³ This fee includes the legal costs of preparing and registering a covenant on the title that will refer to the resource consent conditions. If the resource consent application is withdrawn or the consent is issued without a condition to require a covenant, then a fee refund of ~~\$1,000.00~~ \$1100.00 (GST inclusive) will be payable.

⁴ This fee includes the cost of monitoring visit the issued consent at \$240.00. Additional costs will apply for additional inspections and officer time.

⁵ These fees only apply to subdivision applications that require Opteon (Council's valuation provider) calculations at 224 for the purpose of determining Recreation and Leisure Financial Contributions. Note that any Recreation and Leisure Financial Contributions are additional to these fees.

⁶ Council's funding policy requires that application (not subject to exemption) that proceed to Hearing will be charged 25% of the Elected Member's costs. **Note:** Exempted applications include any objection and any applications made by staff or Elected Members' that would not normally proceed to a Hearing but are required, for transparency purposes, to be heard.

⁶ The application will attract an additional charge of \$60 where a referral has been made under the Resource Consents Consultation protocol.

These fees do not include monitoring costs following granting of the resource consent. Council requires payment of the initial monitoring fee upon issue of the consent. Additional costs will apply for additional monitoring and compliance.

All figures include GST

Resource Consents		DRAFT 2022/23 (\$)	Fees and charges explanation
Planning Advice			
The Council would like to encourage good development outcomes. We believe that this can be achieved by engaging with developers during the early stages of the Planning Process. Council staff will arrange a meeting on request where the developer can discuss a development proposal with key staff members. A request for a meeting can be made through the Duty Planner on phone 0800 926 732		Free advice	For pre-application meetings, time and costs for staff time will be recovered. Should be limited to one meeting of no more than two hours duration. After this time actual costs will be on-charged
Requests for information or other services not subject to specific fee			
Any requests for services or information that are not specifically related to District Plan applications or of a non-routine nature will be charged at Officer's hourly charge out rate		As per hourly charge out rates	
Miscellaneous charges			
Outline plan waiver		500.00	
Outline plan approval		1,400.00	
Miscellaneous Certificates, legal certificates (Authority & Instruction)		500.00	
Overseas Investment Office certificate	minimum fee ¹	600.00	
Certificate of Compliance (s139 Resource Management Act 1991) (except subdivisions) and Certificate of Existing Use Rights (s139A) Resource Management Act Resource Management Act 1991	minimum fee ¹	1,400.00	
Compliance Certificate (Sale and Supply of Alcohol Act)	minimum fee ¹	500.00	
Peer reviews	minimum fee ¹		Actual cost
Designations/notice of requirement (non notified)	minimum fee ¹	3,000.00	
Surrender of Consent (s138 Resource Management Act 1991)	minimum fee ¹	500.00	
Monitoring and compliance			
Site visits required to inspect, monitor and re-inspect conditions of resource consent-Initial inspection (minimum charge). Re-inspection charge (minimum charge).	per site visit	320.00 225.00	Re-inspections will be charged where site inspections are failed
	plus additional	240.00 170.00	Reflects officer charge out rate.
Desk top audit (no inspection required)		150.00	Additional time charges will apply based on Council officers hourly rate.
Noise Return of property seized under an excessive noise direction or abatement notice		256.00	

All figures include GST

Resource Consents		DRAFT 2022/23 (\$)	Fees and charges explanation
Hydrant flow testing			
Hydrant ¹		56.00	
Hydrants		77.00	
Hydrant modelling for new connection purposes		153.00	
¹ This is a minimum fee. All costs associated with processing the application and monitoring the issued consent over and above the minimum fee will be directly charged to the applicant. For discretionary or non-complying applications, Council may not be able to grant consent. In these cases all application fees are still payable.			
Engineering design approval			
Assessment of detailed engineering design for landform, infrastructure and servicing of developments.	minimum fee ¹	800.00	The minimum Engineering fee is \$800.00 \$550.00 or 1.75% of the estimated value of the works at current market rates, whichever is the higher.
Uncompleted works bonds			
Administration process fee			
Uncompleted works bonds are calculated in accordance with our Development Code.	minimum fee ¹	500.00	
Maintenance bonds			
Administration process fee			
Maintenance bonds are calculated in accordance with our Development Code	minimum fee ¹	500.00	
Non-compliance			
Inspections, testing attendance miscertification charges and reinspection of previously non-complying works		500.00 per hour	Refer to hourly charge out (page 5) rates. Travel charged at 79c/km

Notes:

This is a minimum fee. All costs associated with processing the application over and above the minimum fee will be directly charged to the applicant at the hourly rates set out on page 7. This may include costs incurred by external parties on Council's behalf.

All figures include GST

Infrastructure Services		DRAFT 2022/23 (\$)	Fees and charges explanation
Properties / reserves – processing fee			
Right of way easements subject to negotiation and valuation (excludes disbursements and consultation fees)		500.00	
Easements (stormwater, water, etc.) subject to negotiation and valuation		307.00	
Exchange of land subject to negotiation and valuation	per half hour	75.00	Refer to hourly charge out rates plus 79c/km disbursements and consultants fees
Licence to occupy legal unformed road to enable the carrying out of trade or business or for any other purpose		150.00	Refer to hourly charge out rates plus 79c/km disbursements and consultants fees
Lease (excluding community groups) (excludes legal fees and disbursements)		220.00	Refer to hourly charge out rates plus 79c/km disbursements and consultants fees
Variation of lease (excluding community groups) (excludes legal fees and disbursements)		220.00	Refer to hourly charge out rates plus 79c/km disbursements and consultants fees
Renewal of lease (excluding community groups) (excludes legal fees and disbursements)		150.00	Refer to hourly charge out rates plus 79c/km disbursements and consultants internal fees
Transfer of lease or subletting of lease (excluding community groups) (excludes legal fees and disbursements)		150.00	Refer to hourly charge out rates plus 79c/km disbursements and consultants internal fees
Purchase of land		220.00	Refer to hourly charge out rates plus 79c/km disbursements and consultants fees
Partial/full release Memorandum of Encumbrance		150.00	
Esplanade strip instrument (excludes disbursement and consultant fees)		500.00	
Sundry applications	per half hour	75.00	Refer to hourly charge out rates plus 79c/km disbursements and consultants fees
Site inspections			
Subdivision, reserves	per hour	170.00	Refer to hourly charge out rates plus 79c/km mileage and consultant fees
Lease/Licence application and consents			
These fees and charges relate to the third party cost associated with lease/licences and consents.			
(1) Department of Conservation (DOC) fees at approximately \$50.00 per hour; and			
(2) Legal costs from Council's solicitors; and			
(3) Survey costs where applicable.			

All figures include GST

Elder housing			
Fees & Charges 2021/22 (\$)		DRAFT Fees & Charges 2022/23 (\$)	
Existing tenants	Elder housing	All tenants	
180.00	Single unit per week	184.00 180.00	
220.00	Double unit per week	225.00 220.00	

	DRAFT 2022/23 \$	Fees and charges explanation
Cemeteries		
Adult plot purchase	1,451.00	
Children's row plot purchase	535.00	
Ashes plot purchase	394.00	
Ashes wall purchase	394.00	
Katikati Remembrance Wall purchase	155.00	
Burial of ashes in new or existing plot	270.00	
Burial fee (adult and child casket)	1,200.00	
Extra depth	100.00	
Out of hours burial fees:		
• Additional charge for burials one hour later than scheduled	214.00	
• Additional charge for ashes later than scheduled	120.00	
• Additional charge for burials on weekends or after 5pm Monday to Friday	279.00	
• Additional charge for ashes scheduled on weekends or after 5pm Monday to Friday	120.00	
Re-opening fee (breaking of concrete)	148.00	
Disinterment and reinterment	Actual cost	

All figures include GST

Reserves**DRAFT 2022/23**
(\$)**Fees and charges explanation****Sports fields and courts****Ground charges**

During the 2012-22 Long Term Plan process Council resolved to remove user charges for sports fields and courts. However, it is a requirement for Sports Clubs and casual users to still book fields/courts so Council can monitor usage, avoid booking conflicts and collect data for future demand analysis. Council also needs to programme maintenance e.g. mowing, turf renovation around users.

Bonds

Bonds may be required to ensure any potential damage or excessive wear and tear can be reinstated. Bonds are to be paid prior to confirmation of the booking and will range in value from \$150.00 up to \$2,000.00. Bonds are returned if premises are left clean, tidy and in good condition.

Seasons are defined as:

Winter - 1 April to 30 September

Summer - 1 October to 31 March

Sporting codes may overlap the seasons but only if fields/courts are available.

Centennial Park ablution block (booked users only)

Hot showers

Per day
20.00

Note:

1. Clubs and schools are still required to book sports fields/courts for casual/seasonal use.
2. Under the Reserves Act 1977 public shows, fairs with stalls, etc - public liability insurance for \$250,000 is required. Evidence of this must be presented to Council staff two weeks prior to the event.
3. Amusement devices such as merry-go-rounds and magic carpet rides must be registered by the owner with the Department of Occupational Health & Safety. Once registered a permit for use is available from Council.

Centennial Park changing rooms

Casual use

per booking

Seasonal use

Training lights

Storage

52.00

By agreement

By agreement

By agreement

Jubilee Park Cultural Courtyard Stage Hire

per day
per day
plus bond

50.00

250.00

500.00

Community use
Commercial use

Moore Park

- Training lights
- Cricket - water usage

By agreement

By agreement

Based on actual consumption

All figures include GST

Reserves	DRAFT 2022/23 (\$)	Fees and charges explanation
Ground rentals for sport and recreation club buildings on Council land – as per Council's policy		
Annual lease/licence fee for buildings on Council land. Excludes TECT Park and halls.		Subject to individual lease conditions
Annual administration fee:	250.00	The policy allows for fee waiver for certain organisations
• Exclusive ground rental for buildings	0.80/m ²	
• Exclusive land rental	0.10/m ²	
• Commercial	Market rates	As agreed with lessee
Miscellaneous – Reserve use charges		
By agreement / concession / or fee set by authorised staff member		
Motorhome rallies / organised events per vehicle per night	5.00	
TECT All Terrain Park arrival centre and event space		
User group bookings		
No hire bond required. \$50.00 key bond is required		
Hire fee: Park user groups / clubs per day	30.00	
General public bookings		
<i>Hire bond may be required. \$50.00 key bond is required</i>		
Hire fee as follows: per half day	50.00	
per whole day	75.00	
Events space hire		By negotiation / agreement
Call out charge		
Call out charge for non-approved activities per hour	150.00	
<i>Please note: a cleaning fee will be invoiced if facility is left in an unacceptable condition.</i>		
Rental of Council buildings and facilities not listed		
Fee varies depending on building or facility, actual fee in accordance with Council policy or by agreement.		
Kiwi Camp charges		
Purchase of digital key	5.00	
Showers – 5 minutes	2.00	
Laundry – 1 load (wash and dryer)	4.00	
Dishwashing – 3 minutes (manual)	0.50c	
Power – 1 hour	1.00	

All figures include GST

Roading		DRAFT 2022/23 (\$)	Fees and charges explanation
Vehicle crossing applications			
Administration, review and inspections		750.00	The application forms for both urban and rural vehicle crossings can be viewed and downloaded via Council's website www.westernbay.govt.nz .
Re-inspection fee (if failed)		300.00	
Road services			
Stock crossing Permit (No fee for a renewal)		105.00	One-off payment.
Unpermitted Stock Crossing - Inspection Fee (where no permit or permit application exists)		105.00	Per inspection.
Licence to occupy legal unformed road to enable the carrying out of trade or business or for any other purpose		150.00	
Road stock crossing cost recovery			
To be applied where:			
Crossing is not permitted and stock have left effluent and debris on the road		Actual and reasonable costs	Costs incurred by Council's contracted road maintenance provider.
Permitted crossing where permit conditions to clean the road surface have not been complied with		Actual and reasonable costs	
Stock permit inspection and re-inspection fee where there is non-compliance with stock crossing permit conditions		105.00	Per inspection. Plus staff time at charge out rates.
Road opening notices/Corridor Access Requests			
Consent to work on or below the road includes:			
Inspection and re-inspection where CAR (Carriage Way Access Request) or TMP (Traffic Management Plan) is not approved or complied with	per hour	220.00	Plus disbursements.
Emergency works		51.00	
Minor works (connections and excavation less than 20 metres, on site)		51.00	
Major works		123.00	
Project work (work to exceed 28 days)		256.00	

All figures include GST

Roading		DRAFT 2022/23 (\$)	Fees and charges explanation
Roading Other			
Applications for road closures and road use (including sporting, recreational or other events on the road)		123.00	
Assessment of Structures & Pavements	Per m ²	200.00	
Road stopping applications – processing fee (excluding appeal to Court)		750.00	
Application to discharge stormwater to road		123.00	
Decorative streetlighting (see District Plan rule 12.4.4.6)			Calculable
Overweight and over dimension permits		123.00	
Overweight permits requiring bridge analysis		256.00 200.00	Per application, plus Per bridge
Approval of a construction zone		256.00	
Capacity consumption calculations for discretionary activities pavement widening rate	per m ²	250.00	
Inspection, complaint monitoring, re-inspection when property owners fail to maintain structures or obtain permission for works on roads.	per hour	220.00	Include cost of remedial work undertaken by Council to remedy. Inspection kilometres.
	per km	0.79 0.80	

All figures include GST

Roading

Rentals for encroachments on Council land

Including but not limited to unformed road and esplanade reserves

Where Council land is used by a private entity for commercial gain, Council may charge a market rate to that entity for use of that land in accordance with its Policy on Rentals for Encroachments on Council land. The rental is based on the use of the land. Where the assessed rental charge is less than \$250.00 per annum, Council will not charge the annual rental.

Rates are subject to individual assessment of each lease agreement and will be determined on the factors set in the Policy.

		DRAFT 2022/23 (\$)	Fees and charges explanations
Licence application fee			
Licence to occupy legal unformed road to enable the carrying out of trade or business or for any other purpose		150.00	
Usage		Approximate market rates per annum	
Forestry	Up to per Ha	100.00	As determined at time of agreement
Dairy	Up to per Ha	1,500.00	As determined at time of agreement
Grazing	Up to per Ha	650.00	As determined at time of agreement
Horticulture	Up to per Ha	3,500.00	As determined at time of agreement
Retail/Commercial	Up to per m ²	200.00	Katikati – As determined at time of agreement
	Up to per m ²	200.00	Te Puke – As determined at time of agreement
	Up to per m ²	65.00	Industrial – As determined at time of agreement
Kiwifruit – gold	Up to per Ha	*–	*5% of undeveloped adjoining land value
Kiwifruit – green	Up to per Ha	*–	*5% of undeveloped adjoining land value
Avocado	Up to per Ha	*–	*5% of undeveloped adjoining land value
Community information boards			
Business advertising signage			
Supply and install signage		400.00	
Replace damaged / missing signage		400.00	

All figures include GST

Roading		DRAFT 2022/23 (\$)	Fees and charges explanations
As-built data – engineering records			
Receiving accurate/completed electronic as-built records for transfer to Council's Geographic Information System (GIS) and RAMM	per subdivision	100.00	
Correction of inaccurate or incomplete as-built records	per hour	170.00	Reflects updated charge out rate.
Conversion to electronic format			
• Electronic conversion from paper as-built records	per hour	170.00	Reflects updated charge out rate.
• Transfer of electronic as-built records to Council's GIS system	per hour	170.00	Reflects updated charge out rate.
• Transfer of electronic as-built records to RAMM	per hour	170.00	Reflects updated charge out rate.
Utilities		DRAFT 2022/23 (\$)	Fees and charges explanations
Charges for services rendered to the public in excess of 10 minutes (15 minutes at discretion)	10 minutes	25.00	
Services rendered for re-inspection of previously non-compliant works, plus internal fees	per hour	220.00	Hourly rate plus mileage at 79c/km
To observe & certify water pressure test on new water reticulation		300.00	Minimum charge 2 hours. Staff costs \$150.00 per hour plus mileage at 79c/km
To observe, test & certify residual chlorine test results on water reticulation		300.00	Minimum charge 2 hours. Staff costs \$150.00 per hour plus mileage at 79c/km
Filling of water cart from Council supply			
Annual Licence for contractor to take water from approved locations	annual fee	350.00	
Water costs for water taken	per cubic metre	5.75	
Water connection			
Administration fee		150.00	
The physical connection to the water network will be undertaken by an approved contractor.			
Woodland Road Extension – new connection		4,511.45	Includes capital contribution as required by Council's Rural Water Supply Extension Policy 2014
The connection fee for properties that have not previously paid a financial contribution or availability charge shall be set at the discretion of Council. This will be set with consideration to the relevant financial contributions and other associated connection costs.			

All figures include GST

Utilities		DRAFT 2022/23 (\$)	Fees and charges explanations
Final water meter reading			
Final water meter reading requesting for up to 48 hour notice period		150.00	Priority fee \$40 plus hourly rate and mileage at 79c/km
Final water meter reading requesting for up to five day notice period		75.00	Hourly rate plus mileage at 79c/km
Stormwater connection			
Administration fee		105.00	
Inspection fee	per hour	150.00	Hourly rate plus mileage at 79c/km
Sewerage connection			
Administration fee		105.00	
Inspection fee	per hour	150.00	Hourly rate plus mileage at 79c/km
The connection fee for properties that have not previously paid a financial contribution or availability charge shall be set at the discretion of Council. This will be set with consideration to the relevant financial contributions and other associated connection costs.			
*Ongare Point/Te Puna West/Maketu wastewater connection charge		16,250.00 Actual cost by nominated contractor	Maketu and Te Puna West are on a pressured wastewater scheme and each individual property is required to have an onsite grinder pump. The onsite grinder pump are owned and managed by Council. For a connection to these wastewater scheme landowners are required to make an upfront payment of \$16,250 (includes GST). Council will then manage the installation of the tanks on the property. Actual costs for tank installation will be reviewed at the completion of construction and the balance will be either charged or refunded to the landowner. *Ongare Point properties are required to have a STEP tank instead of a grinder pump as noted above.
Ongare Point STEP tank Engineering design review, construction monitoring		550.00	OR 1.75% of the estimated value of the works at current market rates, whichever is higher. This fee applies to all works proposed to be vested in Council or private works that may require engineering design and construction as a condition of consent. 1.75% fixed amount based upon likelihood of inspections being required for separate staged construction checks of excavation shoring compacted base materials and/or concrete ballast installation, on-property PE pressure and boundary connection testing, other structures associated with the STEP tank installation, and these are scheduled separately from any other building inspections involving on-site drainage or other consented building works.

All figures include GST

Utilities		DRAFT 2022/23 (\$)	Fees and charges explanations
Ōmokoroa Pipeline Connection Fee	For any property outside of the Ōmokoroa Peninsula connecting into the Ōmokoroa transfer pipeline. Connection of any property requires approval by Council. Price is per household equivalent (HHE). For any non-residential property an assessment on expected wastewater flows and HHEs should be made and the charge multiplied by HHEs.	4,195.20	
Sewerage inspection - miscellaneous inspections, manhole raise re-inspection for failed works.	Minimum fee Hourly rate plus mileage 79c/km	150.00	Inspection of new infrastructure
Stormwater inspection - miscellaneous inspections, manhole raise re-inspection for failed works.	Minimum fee Hourly rate plus mileage 79c/km	150.00	Inspection of new infrastructure
Obtain quotes from any registered drainlayer. If the stormwater or wastewater connection is undertaken by Council's Network Maintenance Contractor, at a cost to the applicant, no inspection fee will be charged.			

All figures include GST

Utilities		DRAFT 2022/23 (\$)	Fees and charges explanations
Tradewaste bylaw charges			
Initial application fee		155.00	
Connection fee (where applicable)		365.00	
Disconnection fee		365.00	
Re-inspection fee		286.00	
Compliance monitoring (lab testing)		Actual cost	
Temporary discharge application fee		143.00	
Special rates for loan charges		Actual cost	
Annual tradewaste charges			
Annual management fee for discharge to cover the wastewater authority's costs.			
Based on classification of tradewaste as specified below:			
A Permitted (not required)	N/A	B2 Conditional Medium Risk (min 6 hours)	\$960.00 Hourly rate \$160 plus mileage at 79c/km
B1 Conditional Low Risk (min 3 hours)	\$480.00	B3 Conditional High Risk (min 12 hours)	\$1,920.00 Additional costs based on hourly rate
		C Prohibited (not consentable)	N/A
Trade waste reticulation and treatment charges			
Based on calculated cost of reticulation and wastewater treatment plant costs. Calculations will be provided as part of the invoicing process.			
Greenwaste drop-off charges (minimum charge applies)			
Bagged greenwaste per bag			
Minimum charge per bag - less than or equal to 50 litres		5.00	
Black gardening bag - less than or equal to 250 litres		7.00	
Woolbag - less than or equal to 500 litres		15.00	
Loose greenwaste			
All vehicles charged	Per m ³	28.00	Amount charged per m ³
Notes			
Operator will measure vehicle loads and advise customer cost of disposal. Final charge will always be determined by the site operator.			

All figures include GST

Utilities		DRAFT 2022/23 (\$)	Fees and charges explanations
Kerbside collection			
Additional glass crate collection service	per annum	50.00	Cost of the crate is additional
Education fee for tag non-compliance		200.00	
Supply and delivery of replacement or additional kerbside bins (refuse, recycling). Bin delivery will be once a month.		75.00	
Unsubstantiated investigation fee.		50.00	
Kerbside collection – replacement bins (damaged bins)			
Refuse 140 litres		38.64	
Mixed recycling 240 litres		42.77	
Glass recycling 45 litres		11.12	
Food 23 litres		9.45	
Kerbside collection – pro-rata rate for new service connections			
Full service 12 month period – fee will be calculated on pro-rata basis		149.00	
Partial service 12 month period – fee will be calculated on a pro-rata basis		98.00	
Kerbside refuse collection			
Pay as you throw tag for 140 litre bin		3.95	Fees apply when purchased from Council. Fee may vary when purchased from other outlets.
Put back service			
Waihi Beach (including Athenree and Bowentown)	per annum	200.00	
Waste licensing fee			
Licence to collect waste from private land (including one waste collection vehicle)		378.50 375.00	
Fee per additional vehicle		54.60 54.00	
Licence for kerbside waste collection (including one waste collection vehicle)		378.80 375.00	
Additional waste collection vehicle (per vehicle)		54.60 54.00	
Worm composting workshop			
Worm composting workshop		50.00	
Education			
Promotional items (signs, worm farms, worms, bags, promotional reuse items i.e. coffee cups, compost bins etc. Price varies depending on availability at time of promotion)			

Note: financial contributions exclude GST

Indicative financial contributions – for information only

Financial Contributions are included in the fees and charges for information only and become effective on 1 July 2022. Financial Contributions are established based on the policy and methodology as presented in our District Plan in accordance with the Resource Management Act 1991. They may change in response to the capital works identified to be carried out as part of the Annual Plan.

Our District Plan contains the original infrastructure schedules used for calculating financial contributions. These are updated annually through the Annual Plan with respect to costs and time only and are presented below.

As the process for setting financial contributions is established in our District Plan, submissions through the Annual Plan public consultation process are limited to the quantum of the financial contributions as set through the costs and timing of the construction of the various infrastructure.

Water	Per additional lot \$
Western	5,056 4,929
Central	6,207 6,362
Eastern	11,550 11,493
Wastewater	
Waihi Beach	17,772 17,222
Katikati	7,119 7,279
Ōmokoroa	4,869 5,069
Te Puke	6,401 6,358
Maketu/Little Waihi	9,893 8,338
Stormwater	
Waihi Beach	3,433 3,403
Katikati	7,028 7,154
Ōmokoroa	2,493 3,881
Te Puke	7,868 7,966
Ecological	
Ecological	501
Recreation and Leisure	
*Recreation and Leisure	10,100 11,141

**As a result of Plan Change 73 – Financial Contributions, that became operative on the 4 November 2016, the method of financial contribution calculations have changed from a fixed percentage based on land value to a fixed amount.*

Dwellings on multiple-owned māori land

Applicable financial contributions are reduced by 50% where:

- (a) The applicant completes the Papakainga Toolkit process; or
- (b) The application has obtained funding through the Kainga Whenua Loan Scheme or the Kainga Whenua Infrastructure Grant to contribute towards the cost of financial contributions.

FINCO reductions for Papakāinga and Community Housing

- All developments where FINCOs apply, will be charged a FINCO for one Household Equivalent (HHE). This is the base charge.
- Community Housing Providers will receive a 100% reduction in FINCOS for additional dwellings (over and above the base charge of one HHE), for applications up to a maximum of 10 dwellings.
- Papakāinga will receive a 100% reduction in FINCOS for additional dwellings (over and above the base charge of one HHE), for applications up to a maximum of 10 dwellings.

The following criteria apply:

- Kainga Ora are excluded from any waiver / reduction.
- Organisations that are not registered Community Housing Providers (CHPs) will need to provide alternative evidence that the housing they are developing will be held as assisted rental or assisted ownership in the longer term.
- For development of community housing, a restrictive covenant specifying the use of the housing for community housing will be lodged against the title. This will be managed through the resource consent or building consent process.
- Additional dwellings (ie. Beyond 10 dwellings) will have FINCOS assessed in accordance with the District Plan.
- Papakāinga is defined as homes on whenua Māori, where homes will be owned and occupied by the owners of the whenua, and whanau who whakapapa to the land have the opportunity to live according to Te Ao Māori.

Note: financial contributions exclude GST

Transportation	\$	
Margaret Place Extension	18,150	per lot
Access to Ōmokoroa Developments Limited (formerly Fiducia area)	28,714	per lot
Ōmokoroa Southern Industrial Area	3,418	per 100m ²
District-wide	2,144	per lot

	Per additional lot without District-wide transportation	Per additional lot including District-wide transportation
Urban Rooding	\$	\$
Waihi Beach	3,360	5,504
Katikati	6,257	8,401
Ōmokoroa	22,323	24,467
Te Puke	1,507	3,651
Rural Rooding		
Waihi Beach/Katikati Wards	16,821	18,965
Kaimai Ward	16,821	18,965
Te Puke/Maketu Wards	16,821	18,965

All figures include GST

Note: financial contributions exclude GST

Rangiuru Business Park (see District Plan – Appendix 7)		(\$)
Transportation	per m ²	60.98
Water supply	per m ²	21.83
Wastewater	per m ²	23.76
Stormwater	per m ²	17.97
Recreation and leisure (reserves)	per m ²	2.20

Industrial zone – Ōmokoroa		(\$)	Notes
The financial contributions are catchment/area or activity specific and should be confirmed with Council.			
Transportation (Ōmokoroa Southern Industrial area)		3,418	Per 100m ² of lot size
Water supply (Central)		5,070	For 20mm connection or based on connection size
Wastewater (Ōmokoroa)	per HHE	8,076	1 HHE is equal to a lot size or gross floor area of 1800m ²
Stormwater (Ōmokoroa)	per HHE	6,030	1 HHE is equal to 300m ² of development land

Commercial/commercial Transition zones	Notes
The financial contributions are catchment/area or activity specific and should be confirmed with Council.	
Transportation (catchment dependent)	Specific activities only
Water supply (catchment dependent)	Or based on connection size
Wastewater (catchment dependent)	Or 1 HHE is equal to a lot size or gross floor area of 600m ²
Stormwater (catchment dependent)	Or 1 HHE is equal to 300m ² of development land
Recreation and leisure (dwellings/accommodation)	

Post harvest zone

The financial contributions are site specific and should be discussed with Council staff.

Te Puke industrial and Te Puke West industrial

There is a separate financial contribution model for the Te Puke industrial area. To be confirmed with Council on application.

Katikati industrial

There is a separate financial contribution model for the Katikatai industrial area. To be confirmed with Council on application



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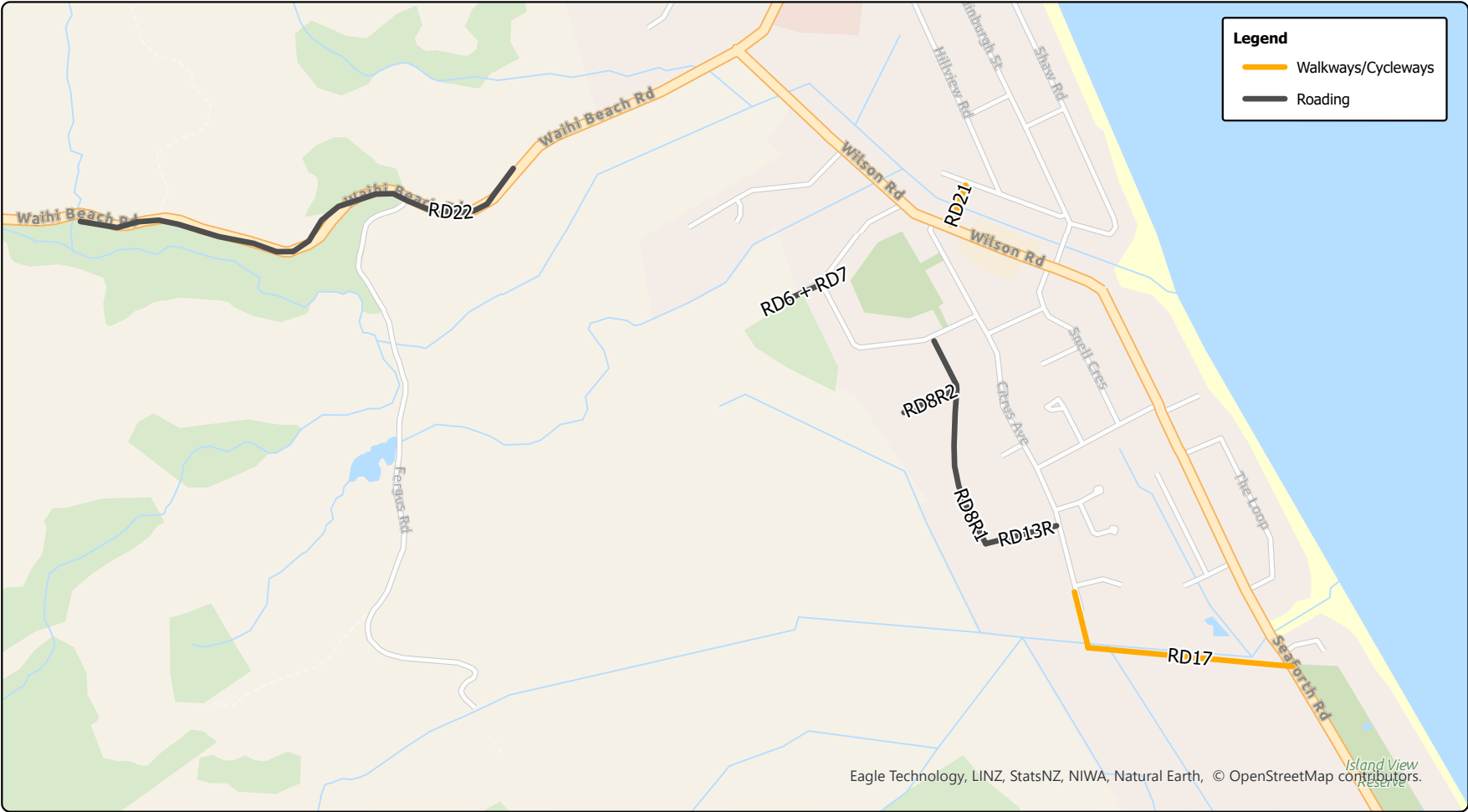


Structure Plan - Waihi Beach (2021-2031) Utilities



Waihi Beach Urban - Utilities Structure Plan - Revised Revised 29/04/2022
For 2022 -2032 AP

Project Number	Project	Description	Current year of Construction	Revised year of Construction	Size	Qty	Current Rates	Revised Rates	Current Construction Cost	Revised Construction Cost	Comments	Funding Source(%)			Funding Amount (\$)			2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
									Total (\$)	Total (\$)		Developer	Rates	Financial Contribution	Developer	Rates	Financial Contribution											
	WATER SUPPLY (WS)																											
WS4	Parallels RD 17 Walkway	New 500m of 150dia PE pipe to service new development	2024	2024	150	500			\$ 132,500	\$ 145,750		40%		60%	\$ 58,300	\$ -	\$ 87,450				\$ 145,750							
WS5	Extends from walkway to Citrus	New 100m of 150dia PE pipe to service new development	2023	2023	150	100			\$ 26,500	\$ 29,150		40%		60%	\$ 11,660	\$ -	\$ 17,490							\$ 29,150				
WS6	Parallels RD 6 - The Crescent	New 400m of 150dia PE pipe to service new development	2031	2031	150	400			\$ 105,000	\$ 115,500		70%		30%	\$ 80,850	\$ -	\$ 34,650											\$ 115,500
	Total Water Supply								\$ 264,000	\$ 290,400				100%	\$ 150,810		\$ 139,590	\$ -	\$ -	\$ -	\$ 145,750	\$ -		\$ 29,150	\$ -	\$ -	\$ -	\$ 115,500
	WASTEWATER (WW)																											
WW3 -1	New reticulation West of Citrus Avenue	300m of 150 dia	2027	2027	150	300			\$ 153,750	\$ 169,125				100%	\$ -	\$ -	\$ 169,125						\$ 30,000	\$ 139,125				
WW3 -2	New reticulation West of Citrus Avenue	Reduced scope - work through citrus ave completed by developer - 100m of 150dia.	2023	2023	150	100			\$ 41,000	\$ 45,100				100%	\$ -	\$ -	\$ 45,100			\$ 45,100								
WW5	New Pump Station in RD 13	pump station and 200m 150dia rising main.	2027	2027		LS			\$ 430,500	\$ 473,550				100%	\$ -	\$ -	\$ 473,550						\$ 80,000	\$ 393,550				
	Total Wasterwater								\$ 625,250	\$ 687,775							\$ 687,775	\$ -	\$ -	\$ 45,100	\$ -	\$ -	\$ 110,000	\$ 532,675	\$ -	\$ -	\$ -	\$ -
	STORMWATER (SW)																											
	No expenditure																											
	Total Stormwater								\$ -	\$ -									\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total WS, WW, SW									\$ 889,250	\$ 978,175					\$ 150,810	\$ -	\$ 827,365	\$ -	\$ -	\$ 45,100	\$ 145,750		\$ 110,000	\$ 561,825				\$ 115,500



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Email: gjs@westernbay.govt.nz
Date: 2020-09-03
Operator: jdm1
Map: E:\Shape\JDM\1_P\Projects\20200715 - Long Term Plan maps updated\20200723 - Long Term Plan maps updated.aprx

0 125 250 500 Meters

Scale A4 - 1:13,000



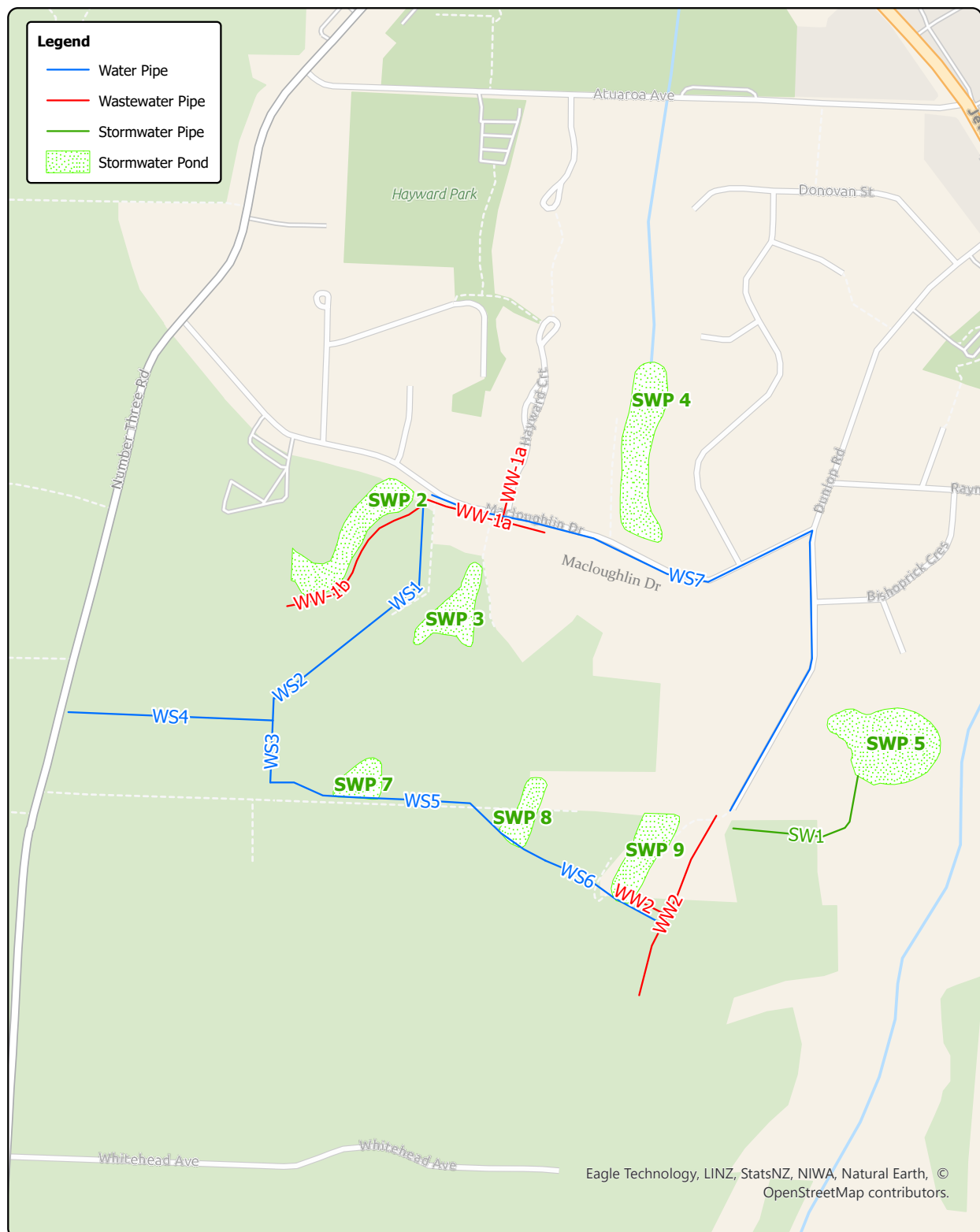
Structure Plan - Waihi Beach (2021-2031)
Roading/Walkways



AP Structure Plan Roothing 2022-2032 - Revised 29/04/2022

Waihi Beach Urban Roothing

Project Number	Project Description	Current year of Construction	Revised year of Construction	Current Cost 2021	Revised Cost 2022	Funding Source(%age)						Funding Amount						2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
						Transportation Capex 302802	Developer Funded	Catchment Allocation	Rates Allocation	Rural Allocation	Strategic Allocation	Transportation + Capex 302802	Developer Funded	Catchment Allocation	Rates Allocation	Rural Allocation	Strategic Allocation											
				Total (\$)	Total (\$)																							
RD 17	Reserves Walkway adjacent toThree Mile Creek: from Citrus Ave to Seaforth Road.	2023	2023	\$ 550,000	\$ 605,000		0%	100%					\$0	\$605,000					\$ 50,000	\$ 250,000	\$ 305,000							
RD 21	Town Centre Link (Wilson to Edinburgh Walkway)	2023	2023	\$ 432,000	\$ 475,200		0%	100%					\$0	\$475,200						\$ 475,200								
RD 13R	New Link road off Citrus Ave linking to RD 8 R1	2027	2027	\$ 2,209,680	\$ 2,430,648		71%	29%					\$1,725,760	\$704,888								\$ 100,000	\$ 1,220,968	\$ 1,109,680				
RD22	Waihi Beach ROAD Upgrade			\$ -	\$ -		76%	24%					\$0	\$0														
RD8R2	Centre Link Road Culdesac	2023	2023	\$ 659,520	\$ 725,472		73%	27%					\$529,595	\$195,877						\$ 725,472								
RD8R1	Centre Link Road	2023	2023	\$ 1,909,440	\$ 2,100,384		88%	12%					\$1,848,338	\$252,046								\$ 100,000	\$ 2,000,384					
RD 6	Farm Road Widening	2040	2040	\$ 51,840	\$ 57,024			100%						\$57,024														\$ 57,024
RD 7	Farm Road Extension	2040	2040	\$ 273,600	\$ 300,960		87%	13%					\$261,835	\$39,125														\$ 273,600
				\$ 6,086,080	\$ 6,694,688							\$ -	\$ 4,365,528	\$ 2,329,160	\$ -	\$ -	\$ -	\$ -	\$ 50,000	\$ 1,341,520	\$ 250,000	\$ -	\$ 200,000	\$ 2,809,440	\$ 1,109,680	\$ -	\$ -	\$ 330,624



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 Date: 2020-09-03
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 Map: E:\Shape\JDM\1_P\Projects\20200715 - Long Term Plan maps updated\20200723 - Long

0 45 90 180 Meters

Scale A4 -
 1:6,200



**Western Bay of Plenty
 District Council**

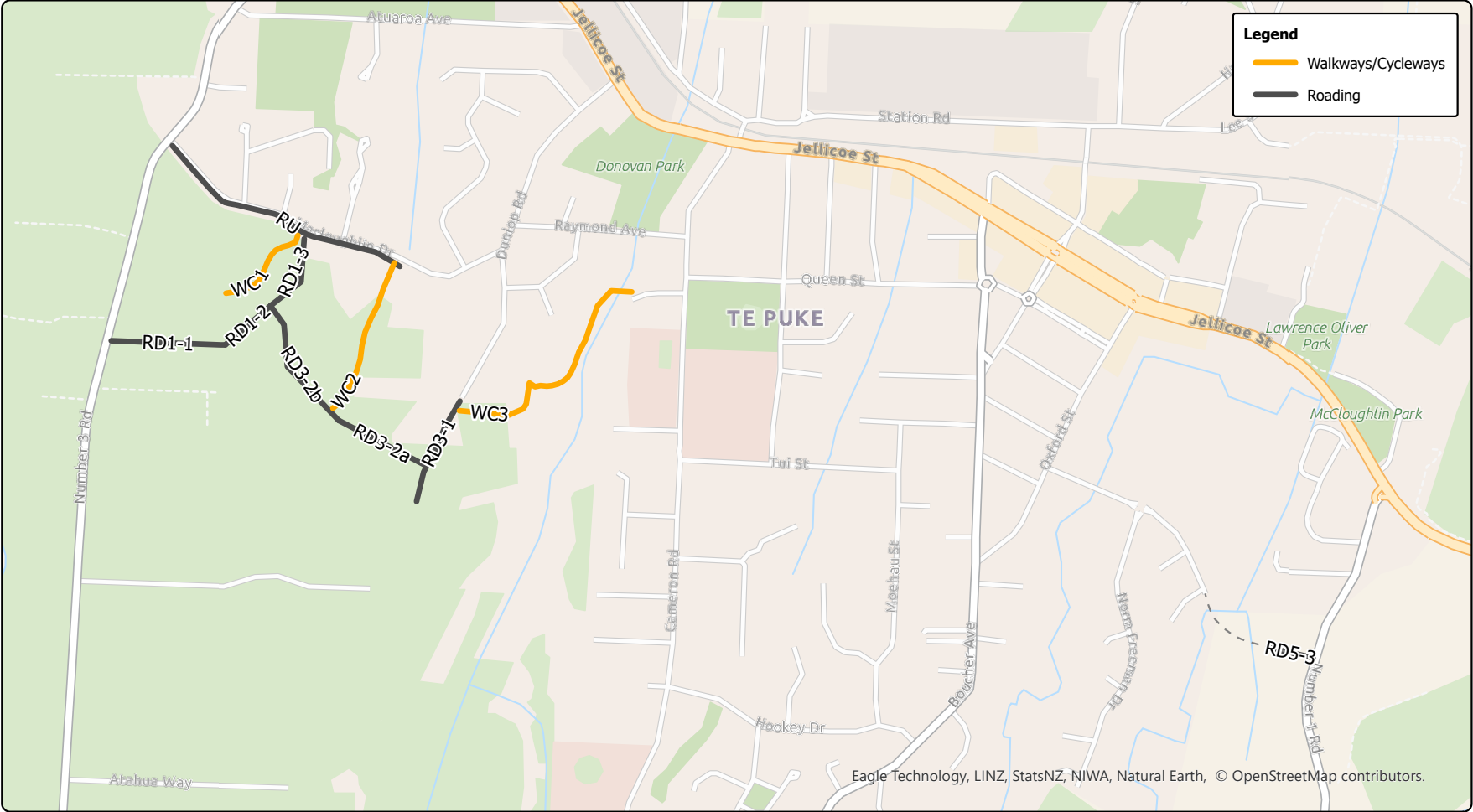
**Structure Plan - Te Puke (2021-2031)
 Utilities**



Te Puke Urban - Utilities Structure Plan
For 2022-2032 AP

Revised - 29/04/2022

Project Number	Project Description	Current year of construction	Revised year of construction	Size	Qty	Current Rates	Revised Rates	Current Construction Total (\$)	Revised 2022 construction Cost Total (\$)	Comments	Funding Source(%)			Funding Source(\$)			2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031		
											Developer	Financial Contributions	Rates	Developer	Financial Contribution	Rates													
AREA 3 - WATER SUPPLY (WS)																													
Area 3 Eastern Water Supply																													
									*																				
		2034	2024	200mm dia	175	\$ 300	\$ 446.29	\$ 71,000	\$ 78,100									\$ 5,000	\$ 73,100										
		2024	2024	200mm dia	175	\$ 300	\$ 414.86	\$ 66,000	\$ 72,600									\$ 5,000	\$ 67,600										
		2024	2024	200mm dia	75	\$ 300	\$ 410.67	\$ 28,000	\$ 30,800										\$ 30,800										
		2025	2025	200mm dia	250	\$ 300	\$ 418.00	\$ 95,000	\$ 104,500										\$ 5,000	\$ 99,500									
		2025	2025	200mm dia	360	\$ 300	\$ 397.22	\$ 130,000	\$ 143,000										\$ 10,000	\$ 133,000									
		2030	2030	200mm dia	165	\$ 300	\$ 400.00	\$ 60,000	\$ 66,000																\$ 66,000				
		2023	2023		1180	\$ 300	\$ 208.49	\$ 223,650	\$ 246,015	37% (\$144,485) of cost is for renewal and funded from rates (through AMP) and the balance (\$246,015) is proposed to be funded from SP (Financial Contribution).	63%				\$ -		\$ 30,000	\$ 216,015											
								\$ 673,650	\$ 741,015						\$ 741,015	\$ -	\$ -	\$ 30,000	\$ 226,015	\$ 186,500	\$ 232,500	\$ -	\$ -	\$ -	\$ -	\$ 66,000	\$ -		
AREA 3 - WASTEWATER (WW)																													
Area 3 - New Wastewater																													
		2022	2022	225 dia	140	450	526	\$ 73,640	\$ 81,004	Re-estimated and includes 10% for design services	100%			\$ 81,004			\$ 81,004												
		2024	2024	225 dia	305	450	526	\$ 160,430	\$ 176,473	Re-estimated and includes 10% for design services	100%			\$ 176,473			\$ 10,000	\$ 166,473											
		2022	2022	225 dia	280	450	526	\$ 147,280	\$ 162,008	Re-estimated and includes 10% for design services	100%			\$ 162,008		\$ 162,008													
		2025	2025	MH Asset IDs: SSMH0957, SSMH0974, SSMH0975, SSMH0976, SSMH0977, SSMH0978, SSMH0981 and pipe from 150 Dia to 225 dia. Ok up to 290 lots, then upgrade	340	450	526	\$ 178,840	\$ 196,724	Re-estimated and includes 10% for design services	100%			\$ 196,724				\$ 20,000	\$ 176,724										
								\$ 560,190	\$ 616,209	\$ -	\$ -	\$ 4	\$ -	\$ -	\$ 616,209	\$ -	\$ -	\$ 243,012	\$ 10,000	\$ 186,473	\$ 176,724	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
AREA 3 - STORMWATER (SW)																													
Area 3 - Stormwater																													
		2021	2022	600 Dia	205	1000	1000	\$ 266,500	\$ 293,150	Rebudgeted with increase of 30%.	0%	100%	0%	0%	\$ 293,150	\$ -	\$ 293,150												
		2024	2024					\$ -	\$ -	Existing pond extended by Developer	100%		0%	0%	\$ -	\$ -													
		2028	2028					\$ -	\$ -	Developer Funded	100%		0%	0%	\$ -	\$ -													
		2030	2030	8500 m2	1	880000	924000	\$ 924,000	\$ 1,016,400	Alternative to SWP 8 and SWP 9: To be confirmed should sale proceed.	0%	100%		0%	\$ 1,016,400	\$ -								\$ 80,000	\$ 936,400				
		2021	2022	10000 m2	1	1100000	1210000	\$ 1,210,000	\$ 1,331,000	Land owned by Council	0%	100%		0%	\$ 1,331,000	\$ -	\$ 100,000	\$ 1,231,000											
		2030	2030					\$ -	\$ -	Developer Funded	100%		0%	0%	\$ -	\$ -													
		2030	2030					\$ -	\$ -	Developer Funded	100%		0%	0%	\$ -	\$ -													
		2030	2030	3500 m2	1	360000	423500	\$ 423,500	\$ 465,850	Alternative to be confirmed in lieu of SWP 4		100%		0%	\$ 465,850	\$ -								\$ 40,000	\$ 425,850				
		2026	2026	5500 m2	1	570000	665500	\$ 665,500	\$ 732,050	Alternative to be confirmed in lieu of SWP 4		100%		0%	\$ 732,050	\$ -			\$ 60,000	\$ 672,050									
								\$ 3,489,500	\$ 3,838,450						\$ 3,838,450		\$ 100,000	\$ 1,524,150	\$ -	\$ -	\$ 60,000	\$ 672,050	\$ -	\$ -	\$ 120,000	\$ 1,362,250	\$ -		
								\$ 4,723,340	\$ 5,195,674					\$ -	\$ 4	\$ -	\$ 5,195,674	\$ -	\$ 100,000	\$ 1,797,162	\$ 236,015	\$ 372,973	\$ 469,224	\$ 672,050	\$ -	\$ -	\$ 120,000	\$ 1,428,250	\$ -



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Date: 15/04/2021
Operator: hlb
Map: E:\Shape\JDM\1_P\Projects\20200715 - Long Term Plan maps updated\20200723 - Long Term Plan maps updated.aprx

0 125 250 500 Meters
Scale A4 - 1:12,134



Structure Plan - Te Puke (2021-2031)
Roading/Walkways



STRUCTURE PLAN 2022-32 - Updated 29/04/2022 - Revised
TE PUKE ROADING AND TRANSPORTATION

Project Number	Project Description			Length	Rate	Current Year of Construction	Proposed Year of Construction	Current Cost 2021	Revised Cost 2022	Funding Source(%age)					Funding Amount					2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	
				m						Developer Funded	Catchment Allocation	Rates Allocation	Rural Allocation	Strategic Allocation	Developer Funded	Catchment Allocation	Rates Allocation	Rural Allocation	Strategic Allocation												
RD 3-1	Collector Road C	New road to 8m wide, footpath, with 20 m road reserve		250	\$4,608		2022	2023	\$ 1,152,000	\$ 1,267,200	74%	26%				\$837,728	\$329,472	\$0	\$0	\$0											
WC 1	Walkway along area	7m wide walkway with gravel surfacing	Land and surfacing	230	\$1,051		2021	2024	\$ 241,776	\$ 265,954	0%	100%				\$0	\$265,954	\$0	\$0	\$0		\$ 100,000	\$ 1,167,200								
WC 3	Walkway towards school	7m wide walkway with 2.5m surfacing	Land and surfacing	580	\$1,296		2023	2025	\$ 751,680	\$ 826,848	0%	100%				\$0	\$826,848	\$0	\$0	\$0				\$ 265,954							
RD 5-3	New Collector Road Intersection No 1 Road	Intersection only	For area Five	Lump Sum	\$408,000		2031	2022	\$ 608,000	\$ 668,800	74%	26%				\$494,912	\$173,888	\$0	\$0	\$0				\$ 826,848							
RD 1-1	Collector Road	New road to 8m wide, footpath, with 20 m road reserve		265	\$4,608		2024	2024	\$ 1,221,120	\$ 1,343,232	74%	26%				\$993,992	\$349,240	\$0	\$0	\$0		\$ 200,000	\$ 200,000							\$ 268,000	
RD 1-2	Collector Road	New road to 8m wide, footpath, with 20 m road reserve		135	\$4,608		2024	2024	\$ 622,080	\$ 684,288	74%	26%	0%	0.00	0.00	\$506,373	\$177,915	\$0	\$0	\$0			\$ 202,112	\$ 1,141,120							
																						\$ 50,000	\$ 634,288								
RD 1-3	Collector Road C	New road to 8m wide, footpath, with 20 m road reserve		185	\$4,608		2024	2024	\$ 852,480	\$ 937,728	74%	26%				\$693,919	\$243,809	\$0	\$0	\$0											
WC 2	Walkway along gully	7m wide walkway with gravel surfacing	Land and surfacing	365	\$1,051		2031	2031	\$ 383,688	\$ 422,057	0%	100%				\$0	\$422,057	\$0	\$0	\$0			100000	\$ 837,728							
RU	Urbanisation Macclaughlan (Partly	Single sided K&C and footpath		735	\$1,728		2028	2024	\$ 1,270,080	\$ 1,397,088	74%	26%				\$1,033,845	\$363,243	\$0	\$0	\$0			100000	1170080	\$ 127,008						
RD 3-2a	Collector Road C	New road to 8m wide, footpath, with 20 m		160	\$4,608		2028	2026	\$ 737,280	\$ 811,008	74%	26%				\$600,146	\$210,862							40000	500000	\$ 271,008					
RD 3-2b	Collector Road C	New road to 8m wide, footpath, with 20 m road reserve		375	\$4,608		2028	2028	\$ 1,728,000	\$ 1,900,800	74%	26%				\$1,406,592	\$494,208														
	Total								\$ 9,568,184	\$ 10,525,002						\$ 6,667,507	\$ 3,857,496	\$ -	\$ -	\$ -	\$ -	\$ 300,000	\$ 1,819,312	\$ 4,049,170	\$ 993,856	\$ 500,000	\$ 351,008	\$ 1,172,800	\$ 648,000	\$ 422,057	\$ 268,000



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Email: gis@westernbay.govt.nz 0 100 200 400 Meters
Date: 30/04/2021
Operator: hlb
Map: E:\Shane\JDM\1. Projects\20200715 - Long Term Plan maps updated\20200723 - Long



Structure Plan - Omokoroa (2021-2031)



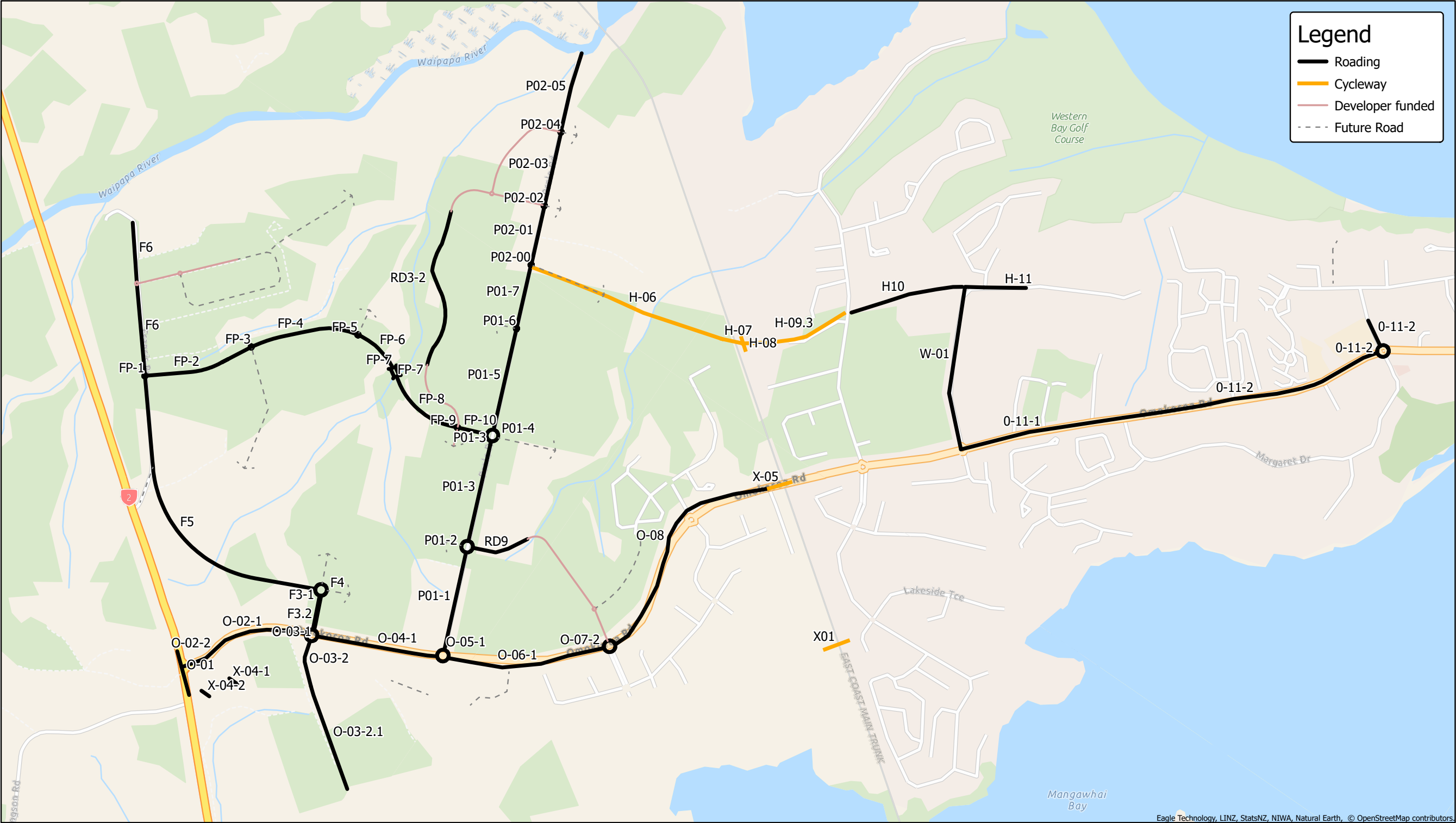
Revised 29/04/2022

Omokoroa Utilities Urban Structure Plan - Revised
LTP SCHEDULE 2022-2032 (Stage 2 plus part Stage 3)

New Projects
Due to growth
Activity Totals

Project Number	Project Description	Current Year of Construction	Revised Year of Construction	Size	Qty	Current Rates	Revised Rates	Current Project Estimate	Revised Project Estimate	Comment	Funding Source(%age)			Funding Amount (\$)			2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Total (\$)										Total (\$)		Developer	Rates	Financial Contributions	Developer	Rates	Financial Contributions										
New Water supply (WS)																											
Central Water Supply																											
WS1	Prole reticulation stage 2 - From Omokoroa Road to the end of Prole Road. This includes the trunk fire main and a rider main.	2022	2023	200 and 100 dia	1650	450	591	\$ 975,150	\$ 1,072,665	construction costs increases, length of road increased, \$110k for design component and rider mains on opposite side of road.						\$ 1,072,665		\$ 536,333	\$ 536,332								
WS2	New Watermain on Hamurana Stage 2 - railway to Prole Road	2022	2023	200 dia	720	450	450	\$ 356,400	\$ 392,040					100%		\$ 392,040		\$ 196,020	\$ 196,020								
WS5	200mm watermain to SH2 from old highway	2027	2027	200dia	1400	450	450	\$ 630,000	\$ 693,000	OK for cost				100%	\$ -	\$ 693,000						\$ 693,000					
WS6a	200 mm main from SH2 to Prole Rd	2026	2026	200dia	760	450	450	\$ 342,000	\$ 376,200	OK for cost				100%	\$ -	\$ 376,200					\$ 376,200						
WS6b	200 mm main from Prole Rd to Railway	2022	2023	200dia	1140	450	450	\$ 513,000	\$ 564,300	This will be constructed with the Omokoroa road urbanisation (Prole Rd to Railway)				100%	\$ -	\$ 564,300		\$ 282,150	\$ 282,150								
WS6c	200mm watermain and 150mm rider main from Omokoroa Rd to the end of Industrial road. Includes fire hydrants and all connections.	2022	2023	200mm and 100mm dia	400		800	\$ 320,000	\$ 352,000	The watermain will be constructed with the industrial road contract				100%		\$ 352,000		\$ 352,000									
WS12a	1Anson Rd - (from Munro Rd to mid point)- New watermain proposed due to new Lifestyle developments.	2022	2023	150dia	500		220	\$ 110,000	\$ 121,000	New project due to Lifestyle developments. Currently not approved by Council.				100%	\$ -	\$ 121,000		\$ 121,000									
WS12b	1Anson Rd - New watermain (from mid point to end) proposed due to new Lifestyle developments.	2022	2022	100dia	500		220	\$ 110,000	\$ 121,000	New project due to Lifestyle developments. Currently not approved by Council.				100%	\$ -	\$ 121,000		\$ 121,000									
New Source and Storage for Growth																											
WS7	Ohourere bore/ WTP2	2021	2021							Included in AMP				100%		\$ -											
WS8	New 4,000 m3 reservoir	2022	2022							Included in AMP, requested to bring forward to support Stage 3				100%		\$ -											
WS9	Youngson Road new bore	2022	2022							Included in AMP, requested to bring forward to support Stage 3				100%		\$ -											
WS10	New 2,250 m3 Reservoir to supplement central area growth	2028	2028							Included in AMP				100%		\$ -											
WS11	Additional Bore required for Central to supplement growth	2026	2026							Included in AMP				100%		\$ -											
Total Central Water Supply (WS)								\$ 3,356,550	\$ 3,692,205						\$ -	\$ -	\$ 3,692,205	\$ -	\$ -	\$ 1,608,503	\$ 1,014,502	\$ -	\$ 376,200	\$ 693,000	\$ -	\$ -	\$ -
New Wastewater																											
Structure Plan Stage 2 including Stage 3 Area																											
WW1-A	Rising Main - Hamurana Rd to Pump Station	2022	2023					\$ 1,100,000	\$1,210,000	now without affecting the total budget of \$3,226,170				100%		\$ 1,100,000		\$ 605,000	\$ 605,000								
WW1-B	Rising Main on Omokoroa Rd (from SH2 to Neil Group, picks up Southern Industrial Road)	2022	2023					\$ 2,126,170	\$2,338,787	now without affecting the total budget of \$3,226,170				100%		\$ 2,338,787.11		\$ 600,000	\$ 1,026,170	\$ 712,617							
WW2	Rising Main on Hamurana Road from Prole Rd to Pump Station and joining onto WW1A	2023	2023					\$ 1,337,394	\$1,471,134	No change required				100%		\$ 1,337,394		\$ 735,567	\$ 735,567								
WW3	Gravity and rising main on previous Hamurana Road (now included in new Francis/Prole Road Link Rd)	2030	2030					\$ 2,048,079	\$2,252,887	No change required				100%		\$ 2,048,079						\$ 404,808	\$ 800,000	\$ 1,048,079			
WW4	Rising main and pump station on upper end of Prole Road	2022	2023					\$ 500,000	\$550,000	WW4 and WW5 combined for the total budget of \$3,967,840				100%		\$ 550,000		\$ 425,000	\$ 125,000								
WW5	Gravity and rising main on Prole Rd (from Omokoroa Rd upper end to the lower end of Prole Rd)	2022	2023					\$ 3,467,840	\$3,814,624	WW4 and WW5 combined for the total budget of \$3,967,840				100%		\$ 3,814,624		\$ 1,000,000	\$ 1,500,000	\$ 1,314,624							
WW6	Francis Road Pump Station and rising main	2030	2030					\$ 1,180,000	\$1,298,000	New item required for Stage 3 SP				100%		\$ 1,298,000							\$ 218,000	\$ 1,080,000			
Total Wastewater (WW)								\$ 11,759,484	\$ 12,935,432					0	0	\$ 12,486,885	\$ -	\$ -	\$ 3,365,567	\$ 3,991,737	\$ 2,027,241	\$ -	\$ -	\$ -	\$ 622,808	\$ 1,880,000	\$ 1,048,079
New Stormwater																											
Stage 2 Structure Plan																											
P01	New Pond							\$ -	\$ -																		
P02	New Pond							\$ -	\$ -																		
P03	New Pond							\$ -	\$ -																		
P04	New Pond							\$ -	\$ -																		
P05	New Pond							\$ -	\$ -																		
P06	New Pond							\$ -	\$ -																		
P07	New Pond							\$ -	\$ -																		
P08	New Pond							\$ -	\$ -																		
P09	New Pond							\$ -	\$ -																		
P010	New Pond							\$ -	\$ -																		
P011	New Pond							\$ -	\$ -																		
P12	New Pond	2022	2023					\$ 1,700,000	\$ 1,870,000	Estimates revised by H&G				100%		\$ 1,870,000		\$ 1,000,000	\$ 400,000	\$ 470,000							
P13	New Pond							\$ -	\$ -																		
P14	New Pond							\$ -	\$ -																		
P15	New Pond							\$ -	\$ -																		
P16	New Pond							\$ -	\$ -																		
P17	New Pond							\$ -	\$ -																		
Total Stage 2 Stormwater reticulation and ponds								\$ 1,700,000	\$ 1,870,000					\$ -	\$ -	\$ 1,870,000	\$ -	\$ -	\$ 1,000,000	\$ 400,000	\$ 470,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Stage 3 Area Structure Plan Ponds																											
N1	New Pond - N1 Wetland (P01)	2023	2024					\$ -	\$ -	Developer Funded	100																
N1a	New Pond - N1a Wetland	2022	2023					\$ 3,500,000	\$ 3,850,000					100%		\$ 3,850,000	\$ -	\$ 500,000	\$ 2,000,000	\$ 1,350,000							
W1	W1 Wetland	2040	2040					\$ 560,000	\$616,000					100%		\$ 616,000										\$ 616,000	
W2a	W2a Pond	2030	2030					\$ 1,635,000	\$1,798,500					100%		\$ 1,798,500										\$ 1,798,500	
W2b	W2b Wetland	2030	2030					\$ 700,000	\$770,000					100%		\$ 770,000										\$ 770,000	
Total Stage 3 - New Stormwater ponds								\$ 6,395,000	\$ 7,034,500	\$ -	\$ -	\$ -	\$ 4	\$ -	\$ -	\$ 7,034,500	\$ -	\$ 500,000	\$ 2,000,000	\$ 1,350,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,184,500
Stage 2 Structure Plan Stormwater reticulation																											
Prole Road Stormwater																											
O-05-1	Omokoroa/Prole Road Roundabout SW	2022	2023					\$ 54,652	\$ 60,117					100%		\$ 60,117		\$ 30,059	\$ 30,059								
O-03-1	Omokoroa/Francis Road Roundabout SW	2027	2027					\$ 140,366	\$ 154,403					100%		\$ 154,403						\$ 154,403					
P01-1	Prole Road: Omokoroa Rd To School Link (Ch1 - Ch268)	2022	2023					\$ 174,556	\$ 192,012					100%		\$ 192,012		\$ 96,006	\$ 96,006								
P01-2	Prole Road/School Link Roundabout	2022	2023					\$ 62,661	\$ 62,661					100%		\$ 62,661		\$ 31,331	\$ 31,331								
P01-3	Prole Road: School Link To Francis Link (Ch355 - Ch575)	2022	2023					\$ 124,849	\$ 137,334					100%		\$ 137,334		\$ 68,667	\$ 68,667								
P01-4	Prole Road/Francis Link Roundabout	2022	2023					\$ 87,649	\$ 96,414					100%		\$ 96,414		\$ 48,207	\$ 48,207								
P01-5	Prole Road: Francis Link To Road 3 (Ch622 - Ch906)	2022	2023					\$ 577,039	\$ 634,743					100%		\$ 634,743		\$ 317,371	\$ 317,371								
P01-6	Prole Road/Rd3 South Roundabout	2022	2023					\$ 118,455	\$ 130,301					100%		\$ 130,301		\$ 65,150	\$ 65,150								
P01-7	Prole Road: Road 3 (South) To Hamarana Road (Ch945 - Ch1101)	2022	2023					\$ 337,655	\$ 337,655					100%		\$ 337,655		\$ 168,828	\$ 168,828								
P02-00	Future Hamarana Intersection (Estimated)	2022	2023					\$ 60,000	\$ 66,000					100%		\$ 66,000		\$ 33,000	\$ 33,000								
P02-01	Prole Road: Hamarana Road To Road 3 (North) (Ch1101 - Ch1254)	2022	2023					\$ 365,040	\$ 401,544					100%		\$ 401,544		\$ 200,772	\$ 200,772								
P02-02	Prole Road/Rd3 North Roundabout	2022	2023					\$ 112,703	\$ 123,973					100%		\$ 123,973		\$ 61,987	\$ 61,987								

Item 9.1 – Attachment 7



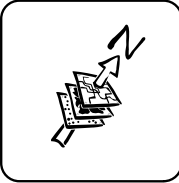
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Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Email: gis@westernbay.govt.nz
Date: 19/03/2021
Operator: hlb
Map: E:\Shape\JDM\1_Projects\20200715 - Long Term Plan maps updated\20200723 - Long Term Plan maps updated.aprx

0 125 250 500 Meters Scale (A3) : 1:10,000



Structure Plan - Omokoroa (2021-2031)
Roading/Walkways - Map 1



Item 9.1 - Attachment 7

TOTAL	\$79,779,486	\$85,556,555	\$96,777,355	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$66,479,051	\$2,011,080	\$6,885,161	\$3,526,063	\$3,876,000	\$14,000,000	\$96,777,355	\$11,220,800	\$17,377,217	\$14,070,837	\$11,065,338	\$200,000	\$880,000	\$7,509,212	\$200,000	\$713,600	\$7,744,000	\$14,976,120	\$10,820,231
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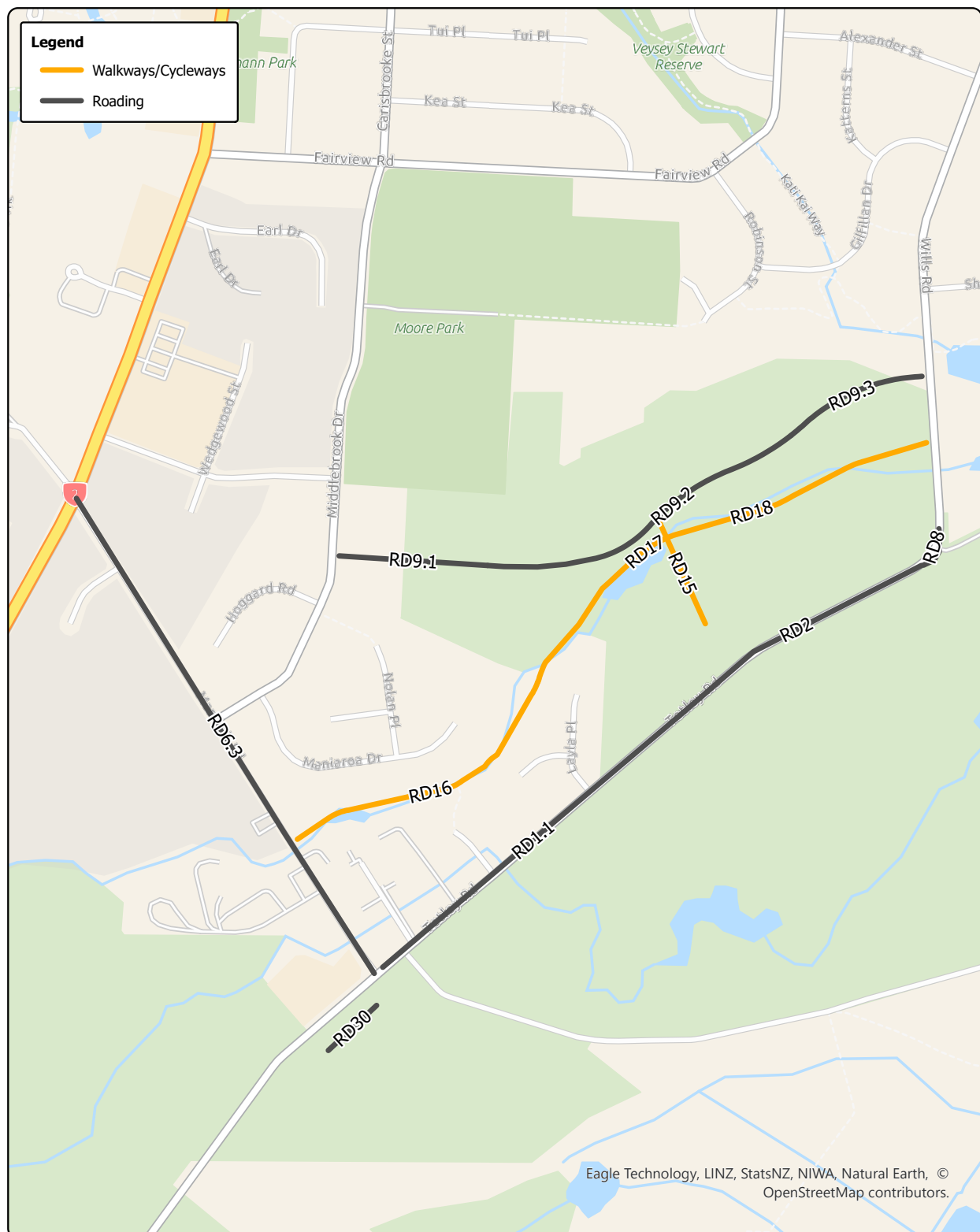
Structure Plan - Katikati (2021-2031) Utilities



Katikati Urban - Utilities Structure Plan
For 2021 - 2031 LTP

Revised - 29/05/2022

Project Number	Project Description	Current year of construction	Proposed year of construction	Size	Qty	Current Rate	Revised Rate	Current Construction Cost	Revised construction Cost	Comment	Funding Source(%)			Funding Amounts (\$)			2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
											Develo per	Rates	Contributi ons	Developer	Rates	Financial Contributions											
								Total (\$)	Total (\$)																		
	WATER SUPPLY																										
WS2	(200mm dia) Tetley Rd mid section Along RD1	2023	2023	200 dia	500	290	333	\$ 166,500	\$ 183,150				100%			\$ 183,150			\$ 183,150								
WS3	(200mm dia) Tetley Rd northern section and Wills Road	2024	2024	200 dia	740	290	333	\$ 246,420	\$ 271,062				100%			\$ 271,062			\$ 271,062	\$ 271,062							
WS4	(200mm dia) Along RD 11 Middlebrook Drive	2023	2023	200 dia	360	290	333	\$ 119,880	\$ 131,868				100%			\$ 131,868			\$ 131,868								
WS5	(200mm dia) Along RD 9	2022	2022	200 dia	870	290	333	\$ 289,710	\$ 318,681				100%			\$ 318,681	\$ 318,681										
WS 9	Beach Road 200 dia, 650m	2025	2025	200 dia	650	290	333	\$ 216,450	\$ 238,095				100%			\$ 238,095				\$ 238,095							
WS 10	New Bore: Included in AMP							\$ -	\$ -							\$ -											
	Water Supply (WS)							\$ 1,038,960	\$ 1,142,856							\$ 1,142,856	\$ -	\$ 318,681	\$ 315,018	\$ 271,062	\$ 238,095	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	WASTEWATER															\$ -											
WW 1a	150mm dia - Moore Park Sth	2022	2022	150	220	340	297	\$ 84,942	\$ 93,436				100%			\$ 93,436			\$ 93,436								
WW3	Park Rd; rising main and pump station.	2025	2025	1 LS		1		\$ 850,000	\$ 935,000	Upgrade pipe and pump station for the dairy co. PSTN = \$500,000. Upgrade 500m from 150PVC to 22SPE (183ID) = \$350,000. Includes \$100,000 for investigation and design			100%			\$ 935,000				\$ 100,000	\$ 835,000						
WW 1b	150mm dia - Moore Park Sth	2031	2031	150	280	340	297	\$ 108,108	\$ 118,919				100%			\$ 118,919										\$ 30,000	\$ 88,919
	Total Wastewater (WW)							\$ 1,043,050	\$ 1,147,355							\$ 1,147,355	\$ -	\$ -	\$ 93,436	\$ 100,000	\$ 835,000	\$ -	\$ -	\$ -	\$ -	\$ 30,000	\$ 88,919
	STORMWATER															\$ -											
SWA	New Pipe 450mm diameter	2030	2030	450	525	580	701	\$ 441,630	\$ 485,793	No budget in 2021. Shift to design in 2029 and construction in 2030. Increase in installation rate/m			100%			\$ 485,793									\$ 40,000	\$ 445,793	
Pond 4b	New Pond 4b	2026	2026	1 LS				\$ 1,083,128	\$ 1,191,441	No budget in 2021. Shift to design in 2022 and construction in 2023.			100%			\$ 1,191,441				\$ 178,313	\$ 1,013,128						
SWC	New Pipe 450mm diameter	2026	2026	450	450	580	701	\$ 378,540	\$ 416,394				100%			\$ 416,394				\$ 40,000	\$ 376,394						
SWD	New Pipe 450mm diameter	2026	2026	450	370	580	701	\$ 311,244	\$ 342,368				100%			\$ 342,368				\$ 35,000	\$ 307,368						
Pond 4c	New Pond 4c	2026	2026	1 LS				\$ 928,453	\$ 1,021,298				100%			\$ 1,021,298				\$ 60,000	\$ 961,298						
	Stevens Pond- Refer to AMP								\$ -							\$ -											
	Total Stormwater (SW)							\$ 3,142,995	\$ 3,457,295							\$ 3,457,295	\$ -	\$ -	\$ -	\$ -	\$ 313,313	\$ 2,658,189	\$ -	\$ -	\$ 40,000	\$ 445,793	\$ -
	Total WS, WW, SW							\$ 5,225,005	\$ 5,747,506							\$ 5,747,506	\$ -	\$ 318,681	\$ 408,454	\$ 371,062	\$ 1,386,408	\$ 2,658,189	\$ -	\$ -	\$ 40,000	\$ 475,793	\$ 88,919



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Email: gis@westernbay.govt.nz 0 60 120 240 Meters Scale A4 -
 Date: 15/04/2021 1:6,759
 Operator: hlb
 Map: E:\Shape\JDM\1_Projects\20200715 - Long Term Plan maps updated\20200723 - Long



Structure Plan - Katikati (2021-2031) Roding and Walkways



KATIKATI TRANSPORTATION STRUCTURE PLAN - REVISED
LTP SCHEDULE 2022-2032

29/04/2022

Project Number	Project Description	Current Year of Construction	Revised Year of Construction	Current Cost	Revised Cost 2022+	Funding Source(%age)					Funding Amount					2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	
						Developer Funded	Catchment Allocation	Rates Allocation	Rural Allocation	Strategic Allocation	Developer Funded	Catchment Allocation	Rates Allocation	Rural Allocation	Strategic Allocation												
				Total (\$)	Total (\$)																						
	Katikati Urban area																										
(RD - Road or walkway project)																											
RD 16	New Walkway: From Marshall Rd to connect with Walkway RD 17 at South corner of High Density Housing zone	2023	2023	\$ 168,168	\$ 184,985		50%	50%				92,492	92,492														
RD 6.3	Marshall Road (Stage 2): From Existing urbanisation to Tetley Rd	2022	2022	\$ 1,101,100	\$ 1,700,000		75%	25%				1,275,000	425,000			\$ 92,492	\$ 92,492										
RD 8	Wills Rd - Tetley Rd intersection corner upgrade.	2023	2023	\$ 111,540	\$ 122,694		25%	75%				30,674	92,021			\$ 100,000	\$ 1,600,000										
RD 9.1	New Road (stage 1): Wills Rd to Carrisbrook extn	2023	2023	\$ 1,000,000	\$ 1,100,000	25%	25%	50%			275,000	275,000	550,000				\$ 122,694										
RD 1.1	Tetley Rd mid section, from north from Marshall Rd 385m	2023	2023	\$ 666,166	\$ 732,782		100%					732,782				\$ 100,000	\$ 1,000,000										
RD 2	Tetley Rd northern section, from RD 1.1 to Wills Rd 500m	2023	2023	\$ 917,059	\$ 1,008,765		100%					1,008,765					\$ 732,782										
RD 9.2	New Road (stage 2): Wills Rd to Carrisbrook extn	2031	2031	\$ 1,892,604	\$ 2,081,864	77%	11.5%	11.5%			1,603,036	239,414	239,414				\$ 1,008,765						\$ 200,000	\$ 491,204	\$ 1,390,660		
RD 9.3	New Road (Stage 3) Wills Rd to Carrisbrook extn	2031	2031	\$ 2,767,050	\$ 3,043,755	77%	11.5%	11.5%			2,343,691	350,032	350,032										\$ 200,000	\$ 100,000	\$ 2,743,755		
RD 15	New Walkway: SE corner of Moore Park to RD 19	2031	2031	\$ 114,400	\$ 125,840		100%	0%				125,840	0												\$ 125,840		
RD 17	New Walkway: From Walkway RD 16 along south boundary of High Density Housing Zone, to Walkway RD 15 at SE Corner of Moore Park	2023	2023	\$ 102,960	\$ 113,256		50%	50%				56,628	56,628				\$ 113,256										
RD 18	New Walkway: From Walkway RD 15 at SE corner of Moore Park to Wills Rd and extension to new road RD 19 culdesac	2031	2031	\$ 137,280	\$ 151,008		50%	50%				75,504	75,504												\$ 151,008		
RD 30	Traffic Demand Management and Calming, NZTA requirement per consent order	2030	2030	\$ 429,000	\$ 471,900		50%	50%				235,950	235,950										\$ 50,000	\$ 421,900			
				\$ 9,407,327	\$ 10,836,849						\$ 4,221,727	\$ 4,498,081	\$ 2,117,041	\$ -	\$ -	\$ 100,000	\$ 1,700,000	\$ 3,069,989	\$ 92,492	\$ -	\$ -	\$ -	\$ -	\$ 450,000	\$ 1,013,104	\$ 4,411,263	

10 INFORMATION FOR RECEIPT