

I hereby give notice that an ordinary meeting of the Golden Bay Community Board will be held on:

**Date:** Tuesday 12 February 2019  
**Time:** 09.30am  
**Meeting Room:** Takaka Office, 78 Commercial Street,  
**Venue:** Takaka

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## Golden Bay Community Board

# CORRESPONDENCE ATTACHMENTS

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ITEM	PAGE
<b>Correspondence December 2018 &amp; January 2019</b>	
1. Local Government Commission Decision.....	3
2. S Chapman.....	9
3. J Pearson.....	11
4. Hon Eugene Sage.....	13
5. Ombudsman LGOIMA Release.....	15
6. Pakawau Beach Reserve.....	19
7. G & D Rogers - Fonterra Corner .....	21





**Decisions of the Commission under clauses 6 and 8 of Schedule 3  
of the Local Government Act 2002 on an application for  
the establishment of a Golden Bay local board**

**Introduction**

1. On 31 October 2018, the Local Government Commission received a local government reorganisation application from the 'Working Group for a Golden Bay Local Board', under clause 3 of Schedule 3 of the Local Government Act 2002 (the Act), for the establishment of a Golden Bay local board.
2. Specifically, the application is for the establishment of a local board for the current Golden Bay Ward of Tasman District which would replace the current Golden Bay Community Board.
3. At a meeting on 29 November 2018, the Commission considered this application and made a number of decisions pursuant to Schedule 3 of the Act. This document sets out those decisions and the reasons for them, and identifies the next steps which the Commission must take.

**Decisions**

4. At its meeting on 29 November 2018, the Commission:
  - noted** that under clause 2 of Schedule 3 of the Act the affected area for the application is Tasman District
  - agreed** that there are no grounds to decline to assess the application under clause 7, including it not containing the necessary information specified in clause 5 of Schedule 3
  - agreed** to assess the application and to notify the applicant and the affected local authority (Tasman District Council) of the decision under clause 6 of Schedule 3
  - agreed** it is satisfied, under clause 8(1) of Schedule 3, that there is demonstrable community support for local government reorganisation in the district of the affected territorial authority, in order to proceed to assess the application.

**Reasons for the decision**

5. The Commission was required under clause 6 of Schedule 3 to consider the application as soon as practicable after receiving it, which was on 31 October 2018, and to decide whether or not to assess the application.

*Page 1 of 3*

6. Clause 7 sets out the grounds on which the Commission may decline to assess an application. The Commission found that none of these grounds applied in respect of the Golden Bay local board application.
7. Among other things, the Commission was required to consider the information provided demonstrating community support in the district of the affected territorial authority for the application. For this purpose it considered the following information it had received:
  - a survey conducted by the Working Group for a Golden Bay Local Board which included 112 signatories supporting the proposal for the Commission to investigate the possibility of a local board for Golden Bay
  - a petition which accompanied the application which contained 501 valid signatures requesting the Commission investigate the possibility of a Golden Bay local board.
8. On the basis of the above information, the Commission came to the conclusion that there was sufficient information demonstrating community support in Tasman District for the application.
9. As there were no further grounds to decline to assess the application, the Commission agreed to assess the application.
10. Before proceeding to assess the application, however, the Commission must first be satisfied, under clause 8(1) of Schedule 3, that there is demonstrable community support in the district of the affected territorial authority for local government reorganisation (as distinct from support for the application) in the affected area.
11. The Commission considered that it did have sufficient information to satisfy itself of this. The basis for this decision was the information referred to in paragraph 7 along with further information provided including the responses to additional questions in the community survey relating to local government arrangements in the area.
12. The Commission was aware that the evidence demonstrating community support does not need to indicate a particular level or type of support, such as whether there is majority support, as this is not a requirement in the Act.
13. As part of its future consideration of whether to proceed to issue a draft reorganisation proposal and then, possibly, a final proposal, the Commission will need to continue to assess levels of community support for local government reorganisation in the affected area, and for particular options that may be identified during the process. At each step in this process the Commission will need to continue to satisfy itself on the existence of demonstrable community support.

**Next steps**

14. The next steps in the process are set out in clause 9 of Schedule 3. These are for the Commission to:
  - advise each local authority that adjoins the affected local authority and any other person, body or group the Commission considers should be notified, of the Commission's decisions

- give public notice of:
  - the receipt of the reorganisation application including the type of reorganisation proposed, the local authorities affected and the extent of the affected area
  - where further information about the application can be obtained
  - an invitation for persons, bodies and groups to submit alternative applications in relation to the affected area
  - when alternative applications must be received by and that applications received after this date may be declined.
- 15. The Commission will consider the timing of these next steps in the New Year. This is because the Commission did not consider that commencing the next steps in the process immediately before the summer break would be conducive to effective community engagement. It also wishes to take the opportunity to meet with the applicant and Tasman District Council to ensure they are fully informed about the process set out in Schedule 3 of the Act before taking the next formal step.

30 November 2018

Page 3 of 3

**Item**

**Attachment 1**



Local Government  
Commission  
Mana Kāwanatanga ā Rohe

## Media Release

30 November 2018

# Commission agrees to assess Golden Bay local board application

At its meeting on 29 November 2018, the Local Government Commission agreed to assess the application it had received for the establishment of a local board for Golden Bay in Tasman District.

The Commission agreed that the application contained all the required information in order for it to assess the application. This included information demonstrating community support for the application by way of a residents survey conducted by the 'Working Group for a Golden Bay Local Board' and a petition that accompanied the application.

The Commission was also satisfied there was the required demonstrable community support for local government reorganisation, as distinct from support for the application, in order to proceed to assess the application.

The next formal steps in the process, set out in Schedule 3 of the Local Government Act, include an invitation for alternative applications. However the Commission decided it would meet with the applicant (the working group) and Tasman District Council before proceeding with these steps. It hopes these meetings will occur early in the New Year.

For further information contact:

Donald Riezebos  
Chief Executive Officer  
Direct Dial: +64 4 460 2202  
Email: [Donald.Riezebos@lgc.govt.nz](mailto:Donald.Riezebos@lgc.govt.nz)

Page 1 of 1

**Item**

**Attachment 1**





### Golden Bay Community Board Meeting 11.12.2018

As we approach a new year, it is time to turn our focus towards a constructive project to plan and fund that will add to the future vision for Recreation Park.

Hockey is on track for use in Winter 2020. Since July, we have made two successful funding applications, one for portable screens and the other for a portable PA system and a computer for audio-visual presentations. Currently, we have a funding application under consideration for an installed water bottle filler and fountain. Another funding application is under consideration for 200 new fold-up chairs to improve Clubrooms on the Park.

Last year, GBSRF and Golden Bay Community Board received a heartfelt letter from a young person asking us to provide a playground at Recreation Park.

It was made clear that when parents are supporting their children to participate in sport, the young ones, toddlers and babies are all here. Sometimes Saturday sport turns into an all day activity with children playing different sports at various times. When there are social events and family days there is no play space for the youngest members of the family.

Takaka and Collingwood have playgrounds and play activities in public spaces. But there is also a playground at Collingwood Rugby Football Club in a small secure area, Takaka Volunteer Fire Brigade has a play module. Rec Park is family friendly and we want to accommodate each generation. There will be health and safety issues to be addressed because the land is reserve but the board believes that a small, contemporary play area would be a real advantage for the community for years to come. This project requires negotiation with TDC Community Development.

The governance board and user council will not ask Tasman District Council or this community board for ratepayer dollars. We have seeding funds in place and believe that this project will be fully funded by GBSRF donors and sponsors. All we ask is your endorsement by way of a resolution. The playground concepts will be the subject of community consultation, with a primary target of young and extended families. The people we need to listen to are the brothers and sisters.

It will not be easy but it will be worthwhile.

#### Governance Board:

Ian Betts, Cherie Byrne (manawhenua ki Mohua), John Byrne, Sara Chapman, Amanda Tait (User Council Chair) Roger Tait, Philip Woolf and ex-officio Cr Sue Brown (Golden Bay ward).

Playgrounds in NZ..... Climbing, hiding, sliding, crossing bridges and most of all active outdoor fun



Presentation to the Golden Bay Community Board Meeting 11 December 2018, Takaka –Jill Pearson

Last week the Golden Bay Grand Stand Community Trust (the Trust) received a grant from Pub Charity Ltd to be spent refurbishing and reinstating the grandstand stairs. We would like to use this money to refurbish the stairs, and to put at least one set of stairs up for the A&P Show next month.

There are ongoing legal proceedings concerning the grandstand which could stretch to September next year. The council resolution of 28 June 2018 speaks of a future lessee of the grandstand and reinstatement of the grandstand to full use, however interested groups are aware that a lease must follow the conclusion of the legal proceedings. This same resolution does not mention the A&P use rights.

One set of stairs are 'bolt on bolt off', and are relatively simple to put up and take down. Putting up one set of stairs temporarily – at no cost to TDC - to allow use of the grandstand for the 2019 A&P Show only, would not prevent the current council resolution from being actioned in due course. Limiting the number of users could address both fire exit and earthquake concerns.

The grandstand is in the same physical condition now as it was in 2016 when TDC advised the rugby club they could put one set of stairs up and use the grandstand, with the exception of some damage to the linings in the rooms beneath the grandstand. This damage can be repaired, and the Trust would like to provide any fair and reasonable materials and labour to do this with a working bee – similar to the working bee held earlier this year to paint the protective plywood and tidy up the northeast wall. With a formal health and safety plan the proposed works including putting the stairs up could be carried out in the same fashion, again at no cost to TDC, and with benefit to attendees and exhibitors at the A&P Show. This would also sit well with TDC's proposed age-friendly policy at both ends of the age scale.

At the 28 June 2018 full council meeting Philip Beck (Technical Lead – Building Assurance) advised that *'no building consent would be required to re-instate the staircase as long as this was like for like maintenance, and provided that the reinstatement complied with the building code.'*

The Pub Charity grant must be used within 3 months. We ask that the Community Board advocates for the interests of the Golden Bay community and supports this suggestion by assisting the Trust, via positive communications with TDC, to utilise the Pub Charity grant which will restore, at no cost to ratepayers, much-needed raised and covered seating for the showgrounds, in time for the A&P Show on 19 January 2019, 21 TDC working days from now.

This is also an opportunity for the Community Board to support the biggest single day event in the Golden Bay year, and help celebrate the grandstand's 120<sup>th</sup> year.

This suggestion is without prejudice to High Court proceedings CIV 2018-442-35.



## Hon Eugenie Sage

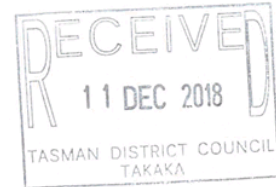
Minister of Conservation  
Minister for Land Information  
Associate Minister for the Environment

Minita mō Te Papa Atawhai  
Minita mō Toitū Te Whenua  
Minita Tuarua mō Te Taiao



19 NOV 2018

Ms Abbie Langford  
Golden Bay Community Board  
C/- Tasman District Council  
PO Box 74  
Takaka 7142



Dear Ms Langford

Thank you for your letter dated 24 September 2018 raising the issue of whitebait catch limits and suggesting a ban on sock nets.

I have requested that the Department of Conservation begin work on improving whitebait management to ensure healthy and restored whitebait populations and to provide for a sustainable fishery. A working group has recently been established to identify a range of options to address the pressures facing whitebait populations.

It is likely the working group will identify options that will include actions that could be implemented at a local, regional or national level, such as:

- actions that could be undertaken at a specific location (e.g., restoring spawning sites)
- best practice for common activities that pose a threat (e.g., drain clearing and culvert design)
- education and advice (e.g., guidance to community groups on how to improve the health of populations)
- actions relating to whitebait fishing regulations, some of which you mention (e.g., gear used [including screens], season length, extension of closed areas, requirements for catch reporting, sale of whitebait).

The department will be offering the public an opportunity to provide feedback at either one of the drop-in sessions around the country or through an online survey. You can find more information about the drop-in sessions and a link to the survey on the following website: <https://www.doc.govt.nz/get-involved/have-your-say/all-consultations/2018/improving-whitebait-management/>

I have forwarded your suggestions to the department so that the working group can build them into their consideration of available options.

+64 4 817 8727

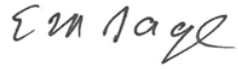
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

e.sage@ministers.govt.nz

beehive.govt.nz

Thank you again for raising this issue with me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'EM Sage', written in a cursive style.

Hon. Eugenie Sage  
Minister of Conservation

**Emma Gee**

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**From:** Kate Redgrove  
**Sent:** Monday, 24 December 2018 2:31 p.m.  
**To:** Motueka Community Board; Golden Bay Community Board  
**Subject:** Tasman District Council - Ombudsman's Investigation  
**Attachments:** Ombudsman LGOIMA release.pdf  
  
**Importance:** High

Good afternoon Community Board Members,

For your information, please find attached a copy of the recent media release. At the request of the Ombudsman, we have also communicated the following on our website and through other publications across the District:

*The Chief Ombudsman recently commenced a self-initiated investigation into Local Government Official Information Meetings Act (LGOIMA) policies and practices within our agency. If you have recently made a LGOIMA request to us (i.e. within the past 6-12 months) or actively follow Council meetings then the Chief Ombudsman would appreciate your feedback on your experience via this survey: <https://www.surveymonkey.com/r/HWKZNWC>. This survey will be open until 28 January 2019.*

The overall purpose of the investigation is identify strengths and weaknesses in the way we deal with our obligations under LGOIMA and so represents a very positive step in the development of our organisation. If you have any questions, our contact person here is Kate Redgrove. Kate can be contacted via [kate.redgrove@tasman.govt.nz](mailto:kate.redgrove@tasman.govt.nz)

Kind regards and Seasons' Greetings to you all

**Kate Redgrove**  
Executive Advisor  
DDI 03 543 8400 | [Kate.Redgrove@tasman.govt.nz](mailto:Kate.Redgrove@tasman.govt.nz)  
Private Bag 4, Richmond 7050, NZ



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**Item**

**Attachment 5**





Media release

13 December 2018

## Four Local Government Official Information and Meetings Act practice investigations underway

The Chief Ombudsman Peter Boshier has commenced the next group of self-initiated investigations into the official information practices of the public sector.

These investigations aim to establish whether the agencies have the leadership, culture, organisational systems, policies and procedures in place to support good official information practices to achieve the purposes of the official information legislation relevant to their organisation.

The four agencies selected are all in the local government sector – the Far North District Council, Auckland Council, Greater Wellington Regional Council, and the Tasman District Council – and are all subject to the Local Government Official Information and Meetings Act 1987 (LGOIMA).

‘I have spoken to the Chief Executives of the agencies, and they all welcome the initiative’, says Mr Boshier.

‘The selection process takes into account my strategic priorities, which for this year includes a focus on local government, public perception of how an agency complies with its official information obligations, factors that might increase the public interest in how the agency is managing its obligations, and any complaints and contacts my Office has received.

‘I have signalled quite clearly in the past that I will be focussing more on local government, and I have ensured we are looking at different sizes of councils in various areas of the country to give us some diversity in the investigations.

‘Central government agencies, generally, have started to lift their game significantly in relation to official information legislation.

‘We want to see if councils are making the same progress, as both the LGOIMA and the OIA are lynchpins of openness and accountability in our democracy. They encourage New Zealanders to take part in issues that affect them, and they increase the transparency required by officials.’

The outcome of the investigations will provide New Zealanders with continuing trust and confidence in public sector agencies, and outline the standards to which government should aspire in terms of decision-making processes, transparency and accountability.

The initiative was flagged in the Office of the Ombudsman’s *Strategic Intentions 2017/21*, and for local government in the *Strategic Intentions 2018-22*, and was made possible by funding from Parliament.

**For more information: Mark Torley, 027 275 5733**

**Surveying the agencies and the public**

To assist in the investigations, the Chief Ombudsman will seek input from the agencies and their staff. Throughout the course of the investigations, areas of good practice may be identified, and where any areas of weakness are found, suggestions may be made for improvement.

The Chief Ombudsman is also keen to get the public's input into the process, and has set up surveys for those who have recently made a request to access information held by any of the four agencies, or who have engaged with the agencies through the LGOIMA process within the last 6-12 months.

The public stakeholder survey looks at the agency's processes, and the experience people had with the agency. It is not designed to reopen individual cases, and for any new complaint, the usual process of approaching the Ombudsman remains in place.

The surveys are open until 28 January 2019 and can be found by clicking the relevant link below:

[Greater Wellington Regional Council](#)

[Auckland Council](#)

[Far North District Council](#)

[Tasman District Council](#)

**Background**

The investigations will be conducted under the Ombudsmen Act 1975. Under the Act, an Ombudsman may investigate the administrative acts, decisions, omissions and recommendations of the agencies subject to it, and form an independent opinion on whether any aspect of their conduct was wrong, unreasonable or contrary to law.

The LGOIMA allows New Zealanders to have access to information held by councils, to enable the public to participate and hold governments and government agencies to account.

The Act sets out the obligations of local authorities in respect of requests for official information, applications for a Land Information Memoranda (LIM), and the administration of local authority meetings. The Chief Ombudsman's investigations will consider each of these functions.

Reports into the investigations for the Ministry for Culture and Heritage, the Ministry for the Environment, the Department of Conservation and Land Information New Zealand were published on 27 September 2018. In October, four more investigations were announced – Treasury, Horowhenua District Council, and Christchurch City Council, and Callaghan Innovation.

**Process**

These investigations will take place between December 2018 and June 2019, and the agencies will be offered an opportunity to comment on the Chief Ombudsman's provisional opinion. The final opinions will incorporate the agency's comments and feedback.

The agencies will be measured against criteria needed to achieve the purposes of the OIA and LGOIMA – leadership and culture, organisation structure, staffing and capability, internal policies, procedures and resources, current practices, and performance monitoring and learning.

It is anticipated the outcome of the investigations will be published and tabled in Parliament mid-2019.

**Emma Gee**

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**From:** Sandie Hutchinson  
**Sent:** Friday, 18 January 2019 12:58 p.m.  
**To:** Golden Bay Community Board  
**Cc:** Hannah Simpson  
**Subject:** Pakawau Community Residents Association - Update 18-01-2019  
**Attachments:** RM071015 - Pakawau Community Residents Association - Update 18-01-2019.docx

Dear Members,

Please find attached an update for your information on the Pakawau Beach Reserve.

Kind regards,  
Sandie

**Sandie Hutchinson**  
Executive Assistant - Mayor's Office  
DDI 03 543 8512 | [Sandie.Hutchinson@tasman.govt.nz](mailto:Sandie.Hutchinson@tasman.govt.nz)  
Private Bag 4, Richmond 7050, NZ



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**Applications for seawall at Pakawau Beach Esplanade Reserve.**

The Council received an application in 2018 for resource consents to construct a 345 metres long, rock revetment-type seawall on Council esplanade reserve land and the coastal marine area at Pakawau. The revetment would be built on Local Purpose Esplanade Reserve located on the seaward frontage of the properties at 1118 to 1154 Collingwood-Puoponga Main Road. The seawall is intended to protect the adjacent private land from coastal erosion. The extent of the revetment to be constructed in the initial stage would be 245m in front of 1118-1144 Collingwood-Puoponga Main Road.

The resource consent application is the first part of the process, this will be followed by consideration of council's consent as the landowner of the reserve. The landowner consent will need to address ownership and liability issues related to a revetment located on the reserve, and there is the issue of payment for the works through a targeted rate.

The Pakawau Community Residents' Association suspended its resource consent application process after the release of the s42A report (planner's report and recommendation). The Residents' Association have now asked for the consent applications to come off suspension and they will be heard by a sole commissioner at a hearing set down for Tuesday 19 March 2019. Sharon McGarry is the independent commissioner. In deciding whether to grant or refuse consent, she'll consider all the reports and the evidence from the Resident's Association, the submitters, and the reporting consultants engaged by Council.

The resource consent decision is expected within 15 working days of the close of the hearing. Assuming all the significant issues are addressed at the hearing this should result in the decision coming out mid to late April.

You can find updates on the progress of the application, and all the documents / evidence by a keyword search for "Pakawau Community" or "Residents Association" on our website. The applicant and submitters' expert evidence will be on the website from 5 and 12 March respectively.

The Council's Community Development Department undertook a modest goodwill sand replenishment work adjacent to the 4-5 worst affected properties north of the existing rock revetment in accordance with its resource consent (RM140845) in September and November 2018, however, this has now been eroded. This work included shifting some of the existing rock material in front of 1118-1126 Collingwood-Puoponga Main Road

This sand replenishment implemented advice from a coastal consultant experienced in shore line management. The replenishment works and dune planting programme has successfully moderated and even restored the effect of erosion processes along the northern Pakawau shoreline, at and for some distance south of Tomatea Point Reserve. There is sand available and Council plans to undertake another modest sand replenishment exercise along the length of the shore in late January/early February subject to contractor availability. This will preserve and bolster the benefits of the works undertaken to date. The proposed works will be of benefit to the applicant group in providing an ongoing sand replenishment erosion buffer. It will assist in maintaining and adding to reserve vegetation integrity and replenishment of sacrificial sand buffers to wave attack, thus minimizing further reserve loss, this is a benefit for all concerned.

**Emma Gee**

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**From:** Graham and Denise Rogers <casarosa1@ts.co.nz>  
**Sent:** Saturday, 19 January 2019 9:27 p.m.  
**To:** Jeremy Katterns  
**Cc:** Golden Bay Community Board; Dennis Bush-King  
**Subject:** Re: Fonterra factory corner traffic hazard

Good evening Jeremy, still no Give Way sign at Fonterra factory corner. Are you able to give this matter another nudge please?

Graham Rogers.

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**From:** Jeremy Katterns  
**Sent:** Tuesday, November 13, 2018 9:46 AM  
**To:** casarosa1@ts.co.nz  
**Cc:** Golden Bay Community Board ; Dennis Bush-King  
**Subject:** RE: Fonterra factory corner traffic hazard

Hi Graham,

Your email was forwarded to me for reply. I am sorry to hear of the concerning incidents involving drivers not adhering to the road rules.

You are correct that vehicle movements from Motupipi Street onto Abel Tasman Drive and vice versa have the right of way.

In response to the issue to you have raised, I propose to install a Straight Ahead Traffic Give Way sign on Abel Tasman Drive as you suggest which is common place for similar intersections in the district (E.g. Moutere Highway/Waimea West Rd) and seems to be effective.



Thanks for bringing this to my attention and feel free to let me know if you have any further concerns.

Regards,  
 Jeremy

---

Jeremy Katterns  
 Road Engineer  
 DDI 03 543 7239 | Mobile 027 223 4001 | [Jeremy.Katterns@tasman.govt.nz](mailto:Jeremy.Katterns@tasman.govt.nz)  
 Private Bag 4, Richmond 7050, NZ



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**From:** Graham and Denise Rogers [[casarosa1@ts.co.nz](mailto:casarosa1@ts.co.nz)]  
**Sent:** Thursday, November 08, 2018 11:10 AM  
**To:** Abbie Langford; Averill Grant; David Gowland; Grant Knowles; Paul Sangster; Sue Brown; Dennis Bush-King; Emma Gee  
**Subject:** Fonterra factory corner traffic hazard

Good morning all. This is to alert you to a potentially serious perhaps even fatal traffic situation which exists at the Fonterra factory corner.

On two occasions recently I have been very close to being an accident statistic when biking home from Takaka to Pohara. Both times I was biking along Motupipi street to turn right at the Fonterra corner. Both times a car proceeded straight through from Pohara into Meihana Street towards the Rural Service Centre. The drivers must have concluded that they were proceeding straight ahead and I was on their left and turning right so I had the double responsibility to let them go first i.e. I should give way to my right, and, right turn goes last.

The situation here is that the painted centre white line curves in the direction from Pohara into Motupipi Street but the white line denotes that legally the curve is straight so I am physically turning but legally going straight ahead. Therefore the car driver is physically going straight ahead but is legally turning right. This is the same situation as exists at Wool Store corner at Riwaka.

In the days of the small circular bump at the Fonterra corner the situation was controlled by a GIVE WAY sign on the approach to the corner from the Pohara side. As I recall there was a secondary sign "straight ahead traffic give way".

Now that the corner has been rebuilt there is no GIVE WAY sign on the approach from Pohara. Given my two experiences – and I doubt that I am alone – I think the situation needs a re-examination with a view to re-instating a GIVE WAY sign to make the situation clearer and safer.

Biking is supposed to be good for my health. My two experiences at Fonterra corner were definitely detrimental to my health at the time. Please give this matter your consideration.

Graham Rogers  
 10 Watino Place  
 Pohara  
 08 November 2018