

# **AGENDA**

**WEDNESDAY 28 JUNE 2017**

## **VENUE**

**Clocktower Chambers  
Palmerston Street  
Westport**

**4.30pm      Refreshments**

**5.00pm      Public Forum  
Council Meeting**

*The Council, in considering each matter, must be:*

- (a) Satisfied that it has sufficient information about the practicable options and their benefits, costs and impacts, bearing in mind the significance of the decisions;*
- (b) Satisfied that it knows enough about and will give adequate consideration to the views and preferences of affected and interested parties bearing in mind the significance of the decisions to be made.*

### **Significance Consideration**

*Evaluation : Council officers, in preparing these reports have had regard to Council's policy on significance. Council, Committee and Community Board members will make the final assessment on whether the subject under consideration is to be regarded as being significant or not. Unless Council a Committee or the Community Board explicitly determines that the subject under consideration is to be deemed significant then the subject will be deemed as not being significant.*

## Public Forum Apologies

Item	Page	Description	Draft Recommendation
1	6	Members Interest	That Councillors disclose any financial or non-financial interest in any of the agenda items
2	7	Confirmation of Minutes	That the minutes of the meetings held on 24, 30 and 31 May 2017 be confirmed.
3	28	Westport No. 1 Water Tunnel - Feasibility Study	<ol style="list-style-type: none"> <li>1. Reject Option 3a (pipe-jacking) based on escalated costs, extended timeframe and residual risks as defined in the completed Feasibility Study.</li> <li>2. Recommence Feasibility Study for Option 2a (tunnel stabilisation) to define an alternative repair method.</li> <li>3. Commence a Selection Study (pre-feasibility) to identify alternative long-term solutions which exclude the vulnerable water tunnels and trunk mains.</li> </ol>
4	31	Bylaw Reviews - Livestock Movements Bylaw, Public Libraries Bylaw and Cultural and Recreational Facilities Bylaw	<ol style="list-style-type: none"> <li>1. Make the determinations required under section 155 of the Local Government Act 2002, in relation to the <i>Buller District Council Livestock Movements Bylaw 2010</i>, as per the attached report titled "<i>Review of Buller District Council Livestock Movements Bylaw 2010 - Report on Determinations Under Section 155, Local Government Act 2002</i>".</li> <li>2. Make the determinations required under section 155 of the Local Government Act 2002, in relation to the <i>Buller District Council Public Libraries Bylaw</i> and the <i>Buller District Council Cultural and Recreational Facilities Bylaw</i>, as per the attached report titled "<i>Review of Buller District Council Public Libraries Bylaw and the Buller District Council Cultural and Recreational Facilities Bylaw - Report on Determinations Under Section 155, Local Government Act 2002</i>".</li> <li>3. Publicly notify the proposal to amend the <i>Buller District Council Livestock Movements Bylaw 2010</i>, as per the attached document, allowing a four week period for written submissions and the opportunity for any submitter who wishes to do so to address Council on their submission at the public forum of a Council meeting.</li> <li>4. Publicly notify the proposal to revoke the <i>Buller District Council Public Libraries Bylaw</i> and the <i>Buller District Council Cultural and Recreational Facilities Bylaw</i>, allowing a four week period for written submissions and the opportunity for any submitter who wishes to do so to address Council on their submission at the public forum of a Council meeting.</li> </ol>

5	64	Policy Reviews - Community Grants Policy, NZLGA Annual Conference and Zone Meetings Policy, Old Sewer Connections Policy, Weedspraying Policy and Dangerous Earthquake Prone and Insanitary Buildings Policy	<ol style="list-style-type: none"> <li>1. That the <i>Community Grants Policy, NZLGA Annual Conference and Zone Meetings Policy, Old Sewer Connections Policy</i> and the <i>Weedspraying Policy</i> continue, with the minor amendments as shown in the attached.</li> <li>2. That the <i>Draft Dangerous and Insanitary Buildings Policy</i> be adopted, to come into force on the date that aligns with the requirements of the Building (Earthquake-prone Buildings) Amendment Act 2016 and the Building Act 2004.</li> </ol>
6	92	Rates Overhaul Project	<p>That Council accept the report for information purposes and -</p> <ol style="list-style-type: none"> <li>1. That Council consult the community and give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter of a Buller District Council Rates Review.</li> <li>2. That consultation be held proposing a rating model with the following attributes to be used for the 2018/2019 rates strike : general rates based on capital value, a uniform annual general charge of \$475 including GST per separately used and inhabited property, targeted rates based on a fixed charge or flat charge where a service is used or available, differentials of 1 for residential, 1 for primary industries, 4 for commercial, 4 for industrial, 1.6 for utilities, 10 for cement, 34.1 for harbour and 18.5 for mining.</li> <li>3. That Council adopt the timeline included in this report, and consultation be undertaken in accordance with that timeline.</li> </ol>
7	99	Statements of Intent - Council Controlled Organisations	That Council approve the Statements of Intent for the year ending 30 June 2018.
8	149	Punakaiki Camp Lease	<p>That Council decides between the options of:</p> <ol style="list-style-type: none"> <li>a) Renegotiating the lease terms in lieu of the camp leasee paying 75% of the camps share; or</li> <li>b) Council paying the full 75% share of the camp wall.</li> </ol>
9	152	2017/2018 Annual Plan Adoption	That Council adopt the Annual Plan for 2017/2018.
10	154	Financial Performance - April 2017	That the report be received for information.

11	156	Significant Projects Report	That the report be received for information.
12	163	Assets and Infrastructure Major Projects - Quarterly Status Report June 2017	That the report be received for information.
13	178	Buller District Water Supplies - Quarterly Status Report June 2017	That the report be received for information.
14	199	Mayor's Report	That the report be received for information.
15	205	Mayor's Correspondence	That the report be received for information.
16	211	Chief Executive's Report	That the report be received for information.
17	213	Council Meeting Action List	That the report be received for information.
18	217	Public Excluded	
1	218	Westport Integrated Family Healthcare Centre	

## BULLER DISTRICT COUNCIL

FOR THE MEETING OF 28 JUNE 2017

Report for Agenda Item No 1

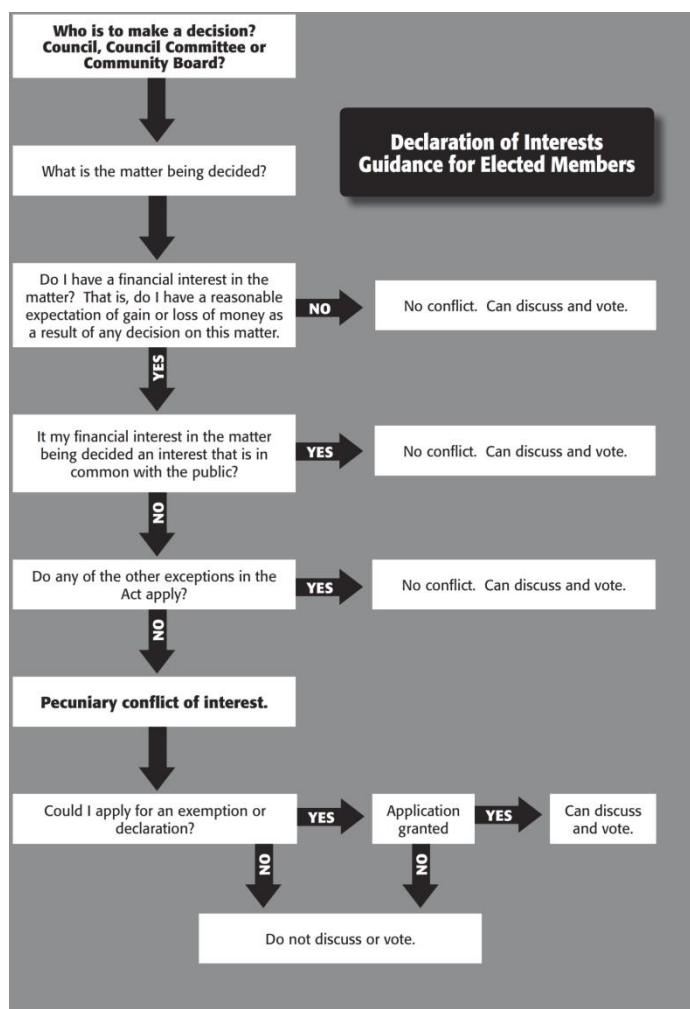
Prepared by - Andy Gowland-Douglas  
- Chief Executive

### Members Interest

Councillors are encouraged to consider the items on the agenda and disclose whether they believe they have a financial or non-financial interest in any of the items in terms of Council's Code of Conduct.

Councillors are encouraged to advise the Personal Assistant, Chief Executive of any changes required to their declared Members Interest Register.

The flowchart may assist Councillors in making that determination (Appendix A from Code of Conduct).



### Draft Recommendation

That Councillors disclose any financial or non-financial interest in any of the agenda items.

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 2**

**Prepared by - Andy Gowland-Douglas**  
**- Chief Executive**

**Confirmation of Minutes**

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Minutes of the meetings held on 24, 30 and 31 May 2017.

**Draft Recommendation**

That the minutes of the meetings held on 24, 30 and 31 May 2017 be confirmed.

**MINUTES OF THE MEETING OF THE BULLER DISTRICT COUNCIL HELD  
AT CLOCKTOWER CHAMBERS, PALMERSTON STREET, WESTPORT,  
ON WEDNESDAY 24 MAY 2017 COMMENCING AT 5.00PM**

**PRESENT**

His Worship the Mayor GC Howard (Chairperson), Crs SM Barry, JW Cleine, GW Hart, DJ Hawes, MJ Hill, EC Miazga, RM Nahr, GT Neylon, SP Roche and PJ Rutherford.

**IN ATTENDANCE**

Chief Executive (A Gowland-Douglas), Manager Community and Environment (CM Scanlon), Group Manager Assets and Infrastructure (M Duff), Manager Corporate Services (DJ Phibbs) and PA Chief Executive (LM Pablecheque).

**PUBLIC FORUM**

**Margaret Grant**, spoke in support of Tourism West Coast receiving a grant of \$100,000 from Council which had already been approved by the other West Coast Councils and Development West Coast. She also spoke as a Sport Tasman representative saying the area was well served by the Westport staff and the Buller District as a whole received good value for the number of events held. She also saw the benefits of having a volunteers register.

**Pip Anscombe**, on behalf of Budget Advice spoke about the financial difficulty owners of Council leasehold land were having when their leases came up for renewal, as well as increases in annual rates. She suggested a rates reduction for ratepayers when their lease came up for renewal.

**David Barnes** said he hoped Council would support the initiative of Phil Phipps regarding the health centre for Westport. He also spoke about the KPIs for the Kawatiri Dredge which indicated a depth reduction from 2.8 metres to 2.0 metres and the safety concerns if this was to happen. Regarding the proposed waste plant he was concerned there was an assumption the plant would be built on the former Holcim site at Cape Foulwind or the Packing Plant, but apart from an article in the newspaper there was no other public information.

**1 MEMBERS INTEREST**

**Resolved: That Councillors disclose any financial or non-financial interest in any of the agenda items -**

**Cr Nahr her interest in Item 5, 'Buller Holdings Limited Financial Report to 31 March 2017'.**

**JW Cleine/GW Hart**

**Carried Unanimously**

**2 CONFIRMATION OF MINUTES**

**Resolved: That the minutes of the meeting held on 26 April 2017 be confirmed.**

**PJ Rutherford/RM Nahr**

**Carried Unanimously**

**3 COUNCIL COMMITTEE MINUTES MAY 2017**

**Resolved:**

- 1. That the Grants Committee for Tourism Grants meeting minutes of 17 May 2017 be received for information.**
- 2. That Council approve a payment of \$11,250 to the Coaltown Trust. This is the rent portion of their funding for the quarter ended March 2017.**

**SP Roche/SM Barry**

**Carried Unanimously**

**4 LONG TERM PLAN 2018/2028 PROJECT PLAN**

Discussion on the establishment of a reference group took place, with some commending the idea as it would provide more upfront consultation and wider engagement with the community, while others did not think it was necessary to go beyond what is legally required because of the extra cost involved. The inclusion of a youth representative was also mentioned.

**Resolved: That Council endorse the project plan and approach as outlined.**

**GC Howard/GT Neylon**

**Carried Unanimously**

5 BULLER HOLDINGS LIMITED - FINANCIAL REPORT TO 31 MARCH 2017

Cr Nahr declared her interest in this item.

Resolved:

1. **That the interim Financial Report be received for information and discussion.**
2. **That the Financial Report for the quarter ended 31 March 2017 be accepted by Council.**

**SP Roche/PJ Rutherford**

**Carried Unanimously**

6 KARAMEA COMMUNITY INCORPORATED VISION 2010 PROJECT UPDATE

Reassurance was sought that other Karamea projects, in particular the swimming pool upgrade, were completed and no other group would be seeking funding before approving for the hub project. The only outstanding issue with the swimming pool was the possibility of disabled access.

Resolved: **That Council approves funding of up to \$93,304 for Karamea Community Incorporated to proceed to design and build stage for the Karamea Hub project.**

**GC Howard/EC Miazga**

**Carried Unanimously**

7 RESERVE CONTRIBUTIONS

It was reiterated that the use of reserve contributions funds had no impact on the general rates. It was also noted that developers have an expectation that the funds are used in the area they were originally attained from. It was felt that the funds should not be spent until there is an approved project. It was also pointed out that any new project would have ongoing maintenance costs.

Resolved: **That the report be received for information.**

**GT Neylon/GC Howard**

**Carried Unanimously**

8 SIGNIFICANT PROJECTS REPORT

Discussions are currently taking place with Opus regarding the water tunnel bracing and the availability of suitable contractors.

A meeting with District Health Board representatives is to take place in the near future to discuss the Integrated Family Health Unit for Westport.

Resolved: **That the report be received for information.**

**GW Hart/RM Nahr**

**Carried Unanimously**

9 FINANCIAL AND NON-FINANCIAL PERFORMANCE AND CAPITAL REPORT FOR 31 MARCH 2017

Resolved: **That the report be received for information.**

**SP Roche/JW Cleine**

**Carried Unanimously**

10 WESTPORT NO. 1 WATER TUNNEL - OPTIONS WORKSHOP UPDATE

Resolved: **That the report be received for information.**

**SM Barry/GW Hart**

**Carried Unanimously**

11 MAYOR'S REPORT

Resolved: **That the report be received for information.**

**GT Neylon/JW Cleine**

**Carried Unanimously**

12 MAYOR'S CORRESPONDENCE

Some concern was expressed that a Heads of Agreement with Waste Energy had been signed when it was not a Council project.

Cr Hawes provided an update on his attendance at the Department of Conservation Te Tau Ihu meeting and the ability to access funding. He recommended Council sign the Memorandum of Understanding.

Resolved: That Council authorise Mayor Howard to sign the Memorandum of Understanding with Te Tau Ihu Alliance.

**GC Howard/GT Neylon**

**Carried Unanimously**

13 CHIEF EXECUTIVE'S REPORT

Resolved: That the report be received for information.

**GT Neylon/EC Miazga**

**Carried Unanimously**

14 COUNCIL MEETING ACTION LIST

A further Punakaiki Community Liaison Meeting was not likely to be held until some of the action points had been attended to.

The meeting was advised the boiled water notice for Punakaiki residents was on target to be lifted next week.

In relation to freedom camping a review of the bylaw was due in August and warranted officers were now in the Punakaiki area.

Resolved: That the report be received for information.

**SM Barry/PJ Rutherford**

**Carried Unanimously**

PUBLIC FORUM RESPONSE

- The presentation of Margaret Grant and Pip Anscombe to be considered during the Annual Plan submission process
- The CCTO Committee to seek further information on bar depths and safety concerns as a result of David Barnes presentation

There being no further business the meeting concluded at 7.55pm

Confirmed..... Date .....





**SPECIAL MEETING OF THE BULLER DISTRICT COUNCIL HELD TO DISCUSS SUBMISSIONS TO THE 2016/2017 DRAFT ANNUAL PLAN. COMMENCED AT 9:30am ON TUESDAY 30 MAY 2017 AT THE CLOCKTOWER CHAMBERS, PALMERSTON STREET, WESTPORT.**

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**PRESENT:**

Mayor Garry Howard, Councillors G Neylon, DJ Hawes, G Hart, S Barry, J Cleine, S Roche, R Nahr and P Rutherford.

**IN ATTENDANCE:**

Chief Executive Officer (A Gowland-Douglas), Manager Regulatory and Environmental (C Scanlon), Manager Assets and Infrastructure (M Duff), Manager Corporate Services (D Phibbs) and PA Corporate Services (M Wilson).

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**1. MEMBERS INTEREST**

Councillor G Hart declared an interest in the Founders Trust and Buller Youth Council.

Councillor S Roche declared an interest in the Northern Buller Communities Society Inc, she reviews their financial statements.

**J Cleine/S Barry  
CARRIED UNANIMOUSLY**

**2. APOLOGIES**

No apologies were received.

**3. DURATION OF MEETINGS**

**RESOLVED** that Members agree to the variance of Standing Orders Clause 3.3.7, allowing the duration of the meeting beyond six hours if required.

**S Roche/P Rutherford  
CARRIED UNANIMOUSLY**

**4. 2017/2018 DRAFT ANNUAL PLAN SUBMISSIONS**

**RESOLVED** that Council consider all submissions to its 2017/2018 Draft Annual Plan.

**D Hawes/J Cleine  
CARRIED UNANIMOUSLY**

## 4.1 SPEAKERS

The following people spoke to their submissions:

Sub:	Name	
47, 48	Allen Morris	
20	Geoff Schurr	<i>Underworld Adventures Ltd</i>
13	Clive Hellyar Karen Forsman Geoff Schurr	<i>Advance Northern West Coast</i>
33	Glenn Irving	<i>Buller Cycling Club</i>
39	Glen Palmer	
96	Richard Niederer Steve White	<i>Kawatiri Coastal Trail</i>
27	Ronnie Buckman	<i>Reefton Inc</i>
21	Hayley Cutbush	<i>Reefton i-Site Visitor Centre</i>

**Tea break: 11:05-11:15am**

Sub:	Name	
12	Jim Little	<i>Tourism West Coast</i>
37	Chris Partridge	<i>Karamea Historical Society Inc</i>
18, 19	Michelle Ibbotson	<i>Karamea Information &amp; Resource Centre</i>
16	Jackie Mathers	<i>Ngakawau/Hector Reserve Board</i>
7	Kevin Fastier	<i>Northern Buller Communities Society Inc</i>

**RESOLVED** that Council adjourn for lunch (lunch break: 12:00am to 1:00pm)

**S Roche/P Rutherford  
CARRIED UNANIMOUSLY**

**Continuation of Submissions:**

Sub:	Name	
50	Sheree Cargill	<i>Buller Basketball</i>
53	Graeme Neylon	<i>Inangahua Community Board</i>
17	Richard Peychers	
38	Lynne Higgins	
26	Peter Langford	<i>Federated Farmers (did not arrive)</i>
25	Emily Miazga	
52	Jeanette Thomas	<i>West Coast Tobacco Free Coalition</i>
54	Zoe Watson	<i>Toimata Foundation</i>
56	Greg Hart	<i>Founders Trust &amp; Buller Youth Council</i>

**(Afternoon break: 3:10 to 3:25pm)**

## 4.2 Staff Submissions – requests:

1	Office Furniture:	\$20,000	Purchase of office furniture and reorganisation of workspaces.
2	Clocktower Meeting Room:	\$20,000	Upgrade of the Clocktower chambers meeting room, including furniture and audio-visual equipment.
3	Health and Safety:	\$30,000	Strategic assistance required to enable BDC to be compliant with changes to the H&S Act
		\$3,000	Additional general expenses
		\$17,620	Salary adjustment, to reflect increase hours
		\$2,500	Adjustment to H&S training budget
4	Emergency Centre:	\$6,000	Alterations to the Emergency Centre at Victoria Square.
5	Information Management:		Requested that \$10,000 be added to the budget to cover the addition of a resource to the Information Management project.
6	Information Technology (IT):	\$(24,000)	Re-organisation of IT Team Leaders role:
		\$(700)	Reduction to Kiwi Saver costs:
		\$35,000	High level strategic support for the IT Team Leader:
		\$23,000	The purchase and implementation of electronic purchase order software and system (\$23,000).
7	Waste Minimisation Plan:	\$80,000	In addition to the current \$15,000 budgeted for 17/18, to allow a resource to write Council's Waste Minimisation Plan, which is carried out three-yearly, and is to be completed by 30 June 2018.
8	NBS Theatre:	\$5,000	To modify the existing signage on the NBS Theatre to include the word 'Cinema'.
		\$8,000	To install a weatherproof signage box with lighting outside the Theatre.
9	Representation Review:	\$1,000	There is a 99% probability that only advertising will be required at an estimated cost of \$1,000, with a 1% probability that a referendum will be required, and this is more likely to cost an estimated \$25,000.
10	Westport water supply:	\$30,500	Water safety plan and catchment risk assessment.
11	Reefton water supply:	\$14,000	Water safety plan and catchment risk assessment.
12		\$10,000	Leak detection.
13	Little Wanganui water supply:	\$10,000	Water safety plan and catchment risk assessment.

14		\$6,500	Survey and register easements.
15	Punakaiki water supply:	\$8,500	Water safety plan and catchment risk assessment.
16	Mokihinui water supply:	\$8,000	Water safety plan and catchment risk assessment.
17	Inangahua water supply:	\$8,000	Water safety plan and catchment risk assessment.
18	Waimangaroa water supply:	\$10,000	Water safety plan and catchment risk assessment.
19	Ngakawau-Hector water supply:	\$10,000	Water safety plan and catchment risk assessment.
20		\$7,000	Survey and register easements.
21	Cape Foulwind water supply:	\$13,000	Survey and register easements.
22		\$25,000	Water modelling for pressure and flow.
23	Little Wanganui sewer:	\$2,500	Register easements.
24	Professional Services Business Unit:	\$2,500	Purchase of a drone.
25		\$5,000	Purchase of upgraded AutoCAD 3D and Pix4D software.
26	Westport Transfer Station:	\$3,900	Change in operating hours. Proposed 9am to 4pm weekdays, and 9am to 1pm Saturdays and Sundays.
27	Karamea Landfill:	\$5,921	Karamea Landfill - cost of a contractor undertaking site supervision at the Karamea landfill. Adjustment to appropriate cost codes. Increases targeted rate slightly to amount that it was last year.
28	Westport Water:	\$1.7m	Increase capital budget for pipe jacking option.
		\$1.7m	Increase loan budget for pipe jacking option
			Increases in the pipe jacking option will increase depreciation, as necessary.
29	Westport Sewer:	\$8,500	Lift electrical cabinet in Roebuck Street to protect against flooding.

### 4.3 Deliberations

**RESOLVED** that Council adjourn the meeting until 9:30am Wednesday 31 May 2017.

**PJ Rutherford/S Roche  
CARRIED UNANIMOUSLY**

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**MEETING ADJOURNED at 4:57pm**

**CONTINUATION OF THE SPECIAL MEETING OF THE BULLER DISTRICT COUNCIL HELD TO DISCUSS SUBMISSIONS TO THE 2016/2017 DRAFT ANNUAL PLAN. RE-ADJOURNED AT 9:30am ON WEDNESDAY 31 MAY 2017 AT THE CLOCKTOWER CHAMBERS, PALMERSTON STREET, WESTPORT.**

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**PRESENT:**

Mayor Garry Howard, Councillors G Neylon, DJ Hawes, G Hart, S Barry, J Cleine, S Roche, R Nahr and P Rutherford.

**IN ATTENDANCE:**

Chief Executive Officer (A Gowland-Douglas), Manager Regulatory and Environmental (C Scanlon), Manager Assets and Infrastructure (M Duff), Manager Corporate Services (D Phibbs) and PA Corporate Services (M Wilson).

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**1. RECONVENE**

**RESOLVED** that the Special Meeting of the Buller District Council re-adjourn at 9:30am.

**R Nahr/S Roche  
CARRIED UNANIMOUSLY**

**2. APOLOGIES**

No apologies were received.

**3. DURATION OF MEETINGS**

**RESOLVED** that Members agree to the variance of Standing Orders Clause 3.3.7, allowing the duration of the meeting beyond six hours if required.

**S Roche/P Rutherford  
CARRIED UNANIMOUSLY**

**4. 2017/2018 DRAFT ANNUAL PLAN SUBMISSIONS**

**RESOLVED** that Council consider all submissions to its 2017/2018 Draft Annual Plan.

**D Hawes/J Cleine  
CARRIED UNANIMOUSLY**

## **5. STAFF SUBMISSIONS:**

### **5.1 Office Furniture**

**RESOLVED** that additional capital budget of \$20,000 be approved for purchase of furniture and reorganisation of workspaces.

**R Nahr/D Hawes**

**Against:** J Cleine, S Roche, E Miazga, G Neylon

**MOTION LOST**

### **5.2 Clocktower Meeting Room**

**RESOLVED** that additional capital budget of \$20,000 be approved to upgrade the Clocktower chambers meeting room, including furniture and audio-visual equipment.

**E Miazga/R Nahr**

**Against:** All

**MOTION LOST**

### **5.3 Health and Safety**

**RESOLVED** that the 2017/2018 Health and Safety budget be increased as follows:

- |     |  |          |
|-----|--|----------|
| (a) | Strategic assistance required to enable BDC to be compliant with changes to the H&S Act: | \$30,000 |
| (b) | Additional general expenses:   | \$3,000  |
| (c) | Salary adjustment, to reflect increase hours:  | \$17,620 |
| (d) | Adjustment to H&S training budget:   | \$2,500  |

**S Barry/R Nahr**

**Against:** P Rutherford, J Cleine

**CARRIED**

**AMENDMENT TO RESOLUTION: RESOLVED** that the increase to the Health and Safety budget to cover strategic assistance be spread over two years (\$20,000 Y1:2017/2018, \$10,000 Y2:2018/2019).

**G Howard/S Barry**

**Against:** R Nahr, J Cleine, G Neylon

**CARRIED**

### **5.4 Emergency Centre alterations, Victoria Square**

**RESOLVED** that \$6,000 be added to the budget for alterations to the Emergency Centre at Victoria Square.

**R Nahr/S Roche**

**CARRIED UNANIMOUSLY**

## 5.5 Information Management

**RESOLVED** that \$10,000 be added to the budget to cover the addition of a resource to the Information Management project.

**R Nahr/G Howard**

**Against:** J Cleine, S Roche, E Miazga, D Hawes

**Abstained:** P Rutherford

**MOTION LOST**

**RESOLVED** that \$10,000 be added to the budget to cover the addition of a resource to the Information Management project, covered by reducing the H&S strategic assistance request by \$10,000 in Y1 (2017/2018) and spreading the H&S project over two years.

**G Howard/S Barry**

**Against:** J Cleine, R Nahr, G Neylon

**CARRIED**

## 5.6 Information Technology (IT)

**Reorganisation of IT Team Leader role:**

**RESOLVED** that the IT budget be adjusted as follows, in regards to the reorganisation of the IT Team Leader's role:

- |     |  |            |
|-----|--|------------|
| (a) | Re-organisation of IT Team Leaders role:             | \$(24,000) |
| (b) | Reduction to Kiwi Saver costs:                       | \$(700)    |
| (c) | High level strategic support for the IT Team Leader: | \$35,000   |

**G Howard/G Hart**

**Against:** D Hawes

**CARRIED**

## 5.7 Electronic purchase order software:

**RESOLVED** that Council approve the purchase and implementation of electronic purchase order software and system (\$23,000), spread over three years.

**S Roche/D Hawes**

**Against:** J Cleine

**CARRIED**

## 5.8 Waste Minimisation Plan

An additional \$80,000 was requested to add to the current budget of \$15,000 to allow a resource to write Council's Waste Minimisation Plan, which is carried out three-yearly, and is to be completed by 30 June 2018.

**RESOLVED** that an additional \$30,000 be added to enable Council's Waste Minimisation Plan to undergo its three-yearly review.

**D Hawes/R Nahr**

**Against:** P Rutherford, S Roche

**CARRIED**

## **5.9 NBS Theatre signage**

**RESOLVED** that \$5,000 be included in the NBS Theatre budget to allow the word 'Cinema' be added to the NBS Theatre's external signage.

**S Roche/S Barry  
CARRIED UNANIMOUSLY**

An additional request of \$8,000 to install a weatherproof signage box with lighting outside the Theatre was withdrawn.

## **5.10 Representation Review:**

**RESOLVED** that no budget be allocated for advertising of the Representation Review. Further discussions will take place with the Local Government Commission.

**S Roche/J Cleine  
CARRIED UNANIMOUSLY**

## **5.11 Water Supplies:**

**RESOLVED** that the water supply budgets be increased as follows, with a partial change to target rates be made where necessary:

(a)	Westport – water safety plan and catchment risk assessment:	\$30,500
(b)	Reefton – water safety plan and catchment risk assessment	\$14,000
(c)	Reefton – leak detection	\$10,000
(d)	Little Wanganui – water safety plan and catchment risk assessment	\$10,000
(e)	Little Wanganui – survey and register easements	\$6,500
(f)	Punakaiki – water safety plan and catchment risk assessment	\$8,500
(g)	Mokihinui – water safety plan and catchment risk assessment	\$8,000
(h)	Inangahua – water safety plan and catchment risk assessment	\$8,000
(i)	Waimangaroa – water safety plan and catchment risk assessment	\$10,000
(j)	Ngakawau-Hector – water safety plan and catchment risk assessment	\$10,000
(k)	Ngakawau-Hector – survey and register easements	\$7,000
(l)	Cape Foulwind – survey and register easements	\$13,000
(m)	Cape Foulwind – water modelling for pressure and flow	\$25,000

**G Howard/S Roche  
CARRIED UNANIMOUSLY**

## **5.12 Little Wanganui Sewer:**

**RESOLVED** that \$2,500 be included in the Little Wanganui sewer charges to provide registration of easements.

**G Howard/R Nahr  
CARRIED UNANIMOUSLY**

### **5.13 Professional Services Business Unit**

Request additional funding to purchase a drone (\$2,500) and to upgrade AutoCAD 3D and Pix4D software (\$5,000).

Council did not agree to replacement of the drone (\$2,500).

**RESOLVED** that \$5,000 be included in the Professional Services Business Unit budget to upgrade AutoCAD 3D and Pix4D software.

**J Cleine/R Nahr  
CARRIED UNANIMOUSLY**

### **5.14 Westport Transfer Station:**

**RESOLVED** that opening hours at the Westport Transfer Station be revised to 9am to 4pm weekdays and include 9am to 1pm Saturday and Sundays, at an additional cost of \$3,900 to the budget.

**R Nahr/G Howard  
CARRIED UNANIMOUSLY**

### **5.15 Karamea Landfill:**

**RESOLVED** that the budget for the Karamea Landfill be increased by \$5,921 to cover the cost of a contractor undertaking site supervision and to correct an adjustment to cost codes.

**R Nahr/S Roche  
CARRIED UNANIMOUSLY**

### **5.16 Westport Water Project:**

**RESOLVED** that the budget for the Westport water project (tunnel 1) be increased as follows:

- (a) Increase capital budget for pipe jacking option: \$1.7m
- (b) Increase loan budget for pipe jacking option: \$1.7m
- (c) Increase depreciation budget for pipe jacking option: As necessary

**R Nahr/J Cleine  
CARRIED UNANIMOUSLY**

### **5.17 Westport Sewer**

**RESOLVED** that the Westport sewerage budget be increased by \$8,500 to allow the electrical cabinet situation in Roebuck Street to be lifted as protection against flooding.

**S Barry/E Miazga  
CARRIED UNANIMOUSLY**

## **6. DELIBERATIONS**

### **6.1 Healthy Homes Scheme**

- Mayor Garry Howard will report back to Council with copies of documentation from the Gore District Council, showing their justification for adopting the scheme.
- The community may need to be consulted through the LTP process if Council is to consider adopting the scheme.
- A meeting between interested community groups is to be called to gauge interest from outside parties.

### **6.2 Northern Buller Communities Society Inc**

**RESOLVED** that the Northern Buller Communities Society Inc receive the following funding, as provided for in the 2017/2018 budget:

- (a) \$4,736 for tourism services;
- (b) \$4,000 for mowing and beautification services provided; and
- (c) \$1,350 for cleaning and maintenance of public toilets located at the Lyric Theatre, Granity.

**G Howard/E Miazga  
CARRIED UNANIMOUSLY**

### **6.3 Zig Zag Track, Karamea**

**RESOLVED** that Karamea Community Inc would receive \$500 for maintenance of the Zig Zag Track, as provided for in the 2017/2018 budget.

**D Hawes/R Nahr  
CARRIED UNANIMOUSLY**

### **6.4 Tourism West Coast**

**RESOLVED** that Council increase funding to Tourism West Coast to \$100,000 on a one year term, subject to agreed KPI's being met.

**P Rutherford/E Miazga  
Against: J Cleine, G Neylon  
CARRIED**

### **6.5 Advance Northern West Coast**

**RESOLVED** that Council continue to provide funding to Advance Northern West Coast to a maximum of \$10,000 on a \$1 to \$1 (matching subscriptions) basis, with KPI's to be developed and met.

**G Howard/D Hawes  
CARRIED UNANIMOUSLY**

**6.6 Northern Buller Museum, Granity**

**RESOLVED** that Council continue to provide funding of \$2,000, as provided for in the 2017/2018 budget.

**P Rutherford/S Barry  
CARRIED UNANIMOUSLY**

**6.7 Ngakawau/Hector Reserve Board**

**RESOLVED** that Council provide funding of \$1,500 for the Ngakawau/Hector Reserve Board, to carry out cleaning and maintenance of the Ngakawau Hall toilets, and weed spraying.

**E Miazga/D Hawes  
CARRIED UNANIMOUSLY**

**6.8 Karamea Information and Resource Centre**

**RESOLVED** that the Karamea Information and Resource Centre receive the following funding, as provided for in the 2017/2018 budget:

- (a)** \$3,000 for cleaning and maintenance of public toilets at Market Cross; and
- (b)** \$800 for maintenance of the love bins, also located at Market Cross.

**R Nahr/J Cleine  
CARRIED UNANIMOUSLY**

**RESOLVED** that the Karamea Information and Resource Centre receive a continuation of \$19,417 funding, as provided for in the 2017/2018 budget.

**S Roche/P Rutherford  
CARRIED UNANIMOUSLY**

**6.9 Reefton i-Site Visitor Centre**

**RESOLVED** that the Reefton i-Site Visitor Centre receive the following funding, as provided for in the 2017/2018 budget:

- (a)** \$20,500 – Reefton Visitor Centre; and
- (b)** \$3,000 – providing public toilets.

**G Neylon/G Howard  
CARRIED UNANIMOUSLY**

**6.10 Reefton Inc**

**RESOLVED** that Reefton Inc receive a continuation of \$15,000 funding, as provided for in the 2017/2018 budget.

**D Hawes/R Nahr  
CARRIED UNANIMOUSLY**

#### **6.11 Public Art Funding**

**RESOLVED** that, as provided for the in the 2017/2018 budget, funding of \$10,000 is to be made available from Parks and Reserves budget towards public art projects, administered by the Grants Committee.

**G Neylon/S Roche**

**Against:** J Cleine

**CARRIED**

#### **6.12 Buller Cycling Club**

**RESOLVED** that Council approve \$30,000 (\$10,000 maintenance, \$20,000 project based) for projects being undertaken and maintained by the Buller Cycling Club.

**G Howard/D Hawes**

**Against:** E Miazga, G Neylon

**CARRIED**

#### **6.13 Reserve Contributions**

**RESOLVED** that any projects being undertaken on Council reserve land, that meet the reserve fund criteria, be considered for reserve contribution funding.

**S Barry/S Roche**

**CARRIED UNANIMOUSLY**

#### **6.14 Karamea Historical Society**

**RESOLVED** that the Karamea Historical Society receive funding of \$2,000, as provided for in the 2017/2018 budget.

**G Howard/S Roche**

**CARRIED UNANIMOUSLY**

#### **6.15 Upgrade of Clocktower Chambers**

**RESOLVED** that the funding of \$80,000 for the Clocktower Chambers project's 2017/2018 budget be removed.

**G Neylon/D Hawes**

**Against:** G Howard, G Hart, R Nahr, P Rutherford

**Abstained:** S Barry

**MOTION LOST**

Council agreed that a cost benefit analysis that is being carried out will continue.

#### **6.16 Waterfront Development Project**

**RESOLVED** that funding of \$100,000 for the Waterfront Development projects 2017/2018 budget be removed.

**P Rutherford/J Cleine**

**Against:** S Barry, G Howard, D Hawes, G Neylon, E Miazga, R Nahr

**MOTION LOST**

**RESOLVED** that the Waterfront Development project funding be reduced to \$60,000 during 2017/2018 to allow a conceptual plan to be developed.

**G Howard/G Neylon**

**Against: J Cleine**

**CARRIED**

**6.17 Toimata Foundation / Enviroschools**

**RESOLVED** that the budget for the Enviroschools Programme be increased from \$5,000 to \$10,000 for 2017/2018, to be funded from within the existing budget.

**D Hawes/E Miazga**

**CARRIED UNANIMOUSLY**

**6.18 Buller Youth Council**

**RESOLVED** that Council encourage the Youth Council to submit an operating plan, at which time funding will be considered from the Grants Committee.

**G Howard/S Barry**

**CARRIED UNANIMOUSLY**

**6.19 Ikamatua Garage**

**RESOLVED** that \$500 be allocated for toilet cleaning and maintenance for public toilet services being provided by the Ikamatua Garage.

**G Howard/S Roche**

**CARRIED UNANIMOUSLY**

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**MEETING CLOSED at 5:15pm**

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 3**

**Prepared by - Mike Duff**  
- Group Manager Assets and Infrastructure

**Reviewed by - Andy Gowland-Douglas**  
- Chief Executive

**Westport No. 1 Water Tunnel - Feasibility Study**

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**Report Summary**

The purpose of this report is to provide Council with the Westport No.1 Water Tunnel Feasibility Study and recommendation in regard to the selected Option 3a (pipe-jacking) and provide other recommendations in relation to, and as a consequence of the study findings.

**Draft Recommendation**

4. Reject Option 3a (pipe-jacking) based on escalated costs, extended timeframe and residual risks as defined in the completed Feasibility Study.
5. Recommence Feasibility Study for Option 2a (tunnel stabilisation) to define an alternative repair method.
6. Commence a Selection Study (pre-feasibility) to identify alternative long-term solutions which exclude the vulnerable water tunnels and trunk mains.

**Issues and Discussion**

At an extraordinary meeting held 10 May 2017, Council resolved to eliminate all tunnel stabilisation options (including Option 2a), on the basis that a longer term solution with lower residual risk may be more feasible.

With tunnel stabilisation eliminated, the focus of the feasibility study changed to selecting a new go-forward option from those remaining in Table 4 of the Opus Supplementary Report March 2016.

The selection process was managed through an Options Workshop held 16 May 2017. After clarifying the desired outcome of affordable, adequate and reliable water supply, the workshop process identified key objectives and corresponding criteria from which to assess the options. Following a bottom-up evaluation and top-down review, Option 3a (extended) was unanimously selected as the go-forward option to complete the feasibility study.

## Report Summary

Option 3a is a pipe-jacking solution through the existing tunnel. The (extended) suffix denotes an increase in length from the originally scoped 450m for Option 3a, up to 660m in order to clear the worst tunnel sections. This improves the reliability of the option significantly, as the remaining 540m tunnel section is believed to be in relatively sound condition.

The key findings of the Feasibility Study in relation to Option 3a (extended) and in comparison to the Opus Supplementary Report March 2016 are summarised in table below:

<b>Option 3a Pipe Jacking</b>	<b>Feasibility Study June 2017</b>	<b>Opus Supplementary Report March 2016</b>
Scope	<ul style="list-style-type: none"><li>• 660m of ≥ DN1200 reinforced concrete pipe (subject to Worksafe approval)</li><li>• Enabling works included</li></ul>	<ul style="list-style-type: none"><li>• 450m of DN1050 reinforced concrete pipe</li><li>• Enabling works not included</li></ul>
Capital Cost	<ul style="list-style-type: none"><li>• \$4.97 M (Median)</li><li>• Includes 25% Contingency</li></ul>	<ul style="list-style-type: none"><li>• \$1.90 M (Median)</li><li>• Includes 25% Contingency</li></ul>
Time	<ul style="list-style-type: none"><li>• 43 Weeks</li><li>• Includes planning, design, procurement and construction</li></ul>	<ul style="list-style-type: none"><li>• Undefined</li><li>• No schedule included</li></ul>
Risk	<ul style="list-style-type: none"><li>• Refer Appendix A1 Risk Register</li></ul>	<ul style="list-style-type: none"><li>• Undefined</li><li>• No risk register included</li></ul>
Comments	<ul style="list-style-type: none"><li>• Material - Approximately 50% increase in concrete per meter</li><li>• Distance - Approximately 50% increase in piping length</li><li>• Key residual risks including cost, regulatory approval and construction H&amp;S</li></ul>	<ul style="list-style-type: none"><li>• Poor planning phase (front-end loading) failed to identify critical issues</li><li>• Poor level of definition and detail as a Selection Study</li><li>• Changes in regulatory H&amp;S requirements since 2016</li></ul>

On the basis of the Feasibility Study findings, it is not recommended to proceed with Option 3a or any pipe-jacking solution through to implementation phase.

Refer to attachment for the full Feasibility Study report (circulated separately).

## Considerations

### 1. Strategic Impact

The successful delivery of major assets and infrastructure projects in accordance with our LTP is critical to the success of our district.

### 2. Significance Assessment

Major projects are considered highly significant in terms of capital and operating expenditure, complexity, impact to levels of service and community benefit.

**3. Risk Analysis**

Major project risks are managed in accordance with Council's risk management processes including a "what could go wrong?" approach to ensure all practicable steps are being taken to assess, control and monitor identified risks.

**4. Policy/Legal Considerations**

Council must comply with the relevant policy and legal requirements including the Public Works Act 1981, the Health and Safety at Work Act 2015, the Resource Management Act 1991, Local Government Act 2002 and Council's own Procurement Policy.

**5. Tangata Whenua Considerations**

Nil noted.

**6. Views of Those Affected**

Affected parties and stakeholders including community members, private sector, government ministries, agencies and authorities are consulted throughout the project delivery process.

**7. Costs**

Costs for major projects are expended against cost codes in our Annual Plan. Deviations (trends and changes) from approved control baselines will be indicated as budget variances and reported to Council accordingly.

**8. Benefits**

The benefits of major projects are in accordance with our LTP and aligned with community outcomes including well-being, learning, who we are, sustainable environment and prosperity.

**9. Media/Publicity**

Publicity is expected with major projects, not all of which will be positive. However, this should not deter from the reasons for delivering important assets and infrastructure for the community.

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 4**

**Prepared by - Rachel Townrow**  
**- Team Leader Planning and Policy**

**Reviewed by - Craig Scanlon**  
**- Manager Community and Environment**

**Bylaw Reviews - Livestock Movements Bylaw, Public Libraries Bylaw  
and Cultural and Recreational Facilities Bylaw**

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**Report Summary**

The *Buller District Council Livestock Movements Bylaw 2010* (the LMB) must be reviewed, in accordance with sections 158 and 160 of the Local Government Act 2002 (the LGA), by 1 July 2017. A draft of the determinations required by sections 155 and 160 of the LGA is attached, along with a track-changes version of the Bylaw showing suggested amendments.

As a consultation process will have to be undertaken for the LMB, it is suggested that the opportunity is taken to revoke Council's *Public Libraries Bylaw* (the PLB) and *Cultural and Recreational Facilities Bylaw* (the CRFB) at the same time.

The Risk and Policy Committee has reviewed the associated documents and endorses this approach.

**Draft Recommendation**

5. Make the determinations required under section 155 of the Local Government Act 2002, in relation to the *Buller District Council Livestock Movements Bylaw 2010*, as per the attached report titled "*Review of Buller District Council Livestock Movements Bylaw 2010 - Report on Determinations Under Section 155, Local Government Act 2002*".
6. Make the determinations required under section 155 of the Local Government Act 2002, in relation to the *Buller District Council Public Libraries Bylaw* and the *Buller District Council Cultural and Recreational Facilities Bylaw*, as per the attached report titled "*Review of Buller District Council Public Libraries Bylaw and the Buller District Council Cultural and Recreational Facilities Bylaw - Report on Determinations Under Section 155, Local Government Act 2002*".

7. Publicly notify the proposal to amend the *Buller District Council Livestock Movements Bylaw 2010*, as per the attached document, allowing a four week period for written submissions and the opportunity for any submitter who wishes to do so to address Council on their submission at the public forum of a Council meeting.
8. Publicly notify the proposal to revoke the *Buller District Council Public Libraries Bylaw* and the *Buller District Council Cultural and Recreational Facilities Bylaw*, allowing a four week period for written submissions and the opportunity for any submitter who wishes to do so to address Council on their submission at the public forum of a Council meeting.

### **Issues and Discussion**

Section 158 of the LGA requires councils to review bylaws made under that Act, its predecessor or the Maritime Transport Act 1994. The review requirement comes into effect five years after the bylaw was made. Section 159 of the LGA requires the further review of such bylaws every 10 years. Section 160A of the LGA states that, “*a bylaw that is not reviewed as required under section 158 or 159, if not earlier revoked by the local authority concerned, is revoked on the date that is 2 years after the last date on which the bylaw should have been reviewed under that section.*”

Section 160 of the LGA outlines the procedure for bylaw reviews. It states that, “*a local authority must review a bylaw to which section 158 or 159 applies by making the determinations required by section 155*”. Following the review, council must carry out consultation on the bylaw regardless of whether the outcome of the review is that the bylaw be retained unchanged, amended, revoked or replaced.

Section 155 of the LGA is reproduced below in its entirety:

#### ***Determination whether bylaw made under this Act is appropriate***

- (1AA) This section applies to a bylaw only if it is made under this Act or the Maritime Transport Act 1994.***
- (1) A local authority must, before commencing the process for making a bylaw, determine whether a bylaw is the most appropriate way of addressing the perceived problem.***
  - (2) If a local authority has determined that a bylaw is the most appropriate way of addressing the perceived problem, it must, before making the bylaw, determine whether the proposed bylaw—***
    - (a) is the most appropriate form of bylaw; and***
    - (b) gives rise to any implications under the New Zealand Bill of Rights Act 1990.***
  - (3) No bylaw may be made which is inconsistent with the New Zealand Bill of Rights Act 1990, notwithstanding section 4 of that Act.***

### **Livestock Movements Bylaw**

The LMB came into force on 1 July 2010. Its review was signalled in 2015 and must now be completed by 1 July 2017 to avoid automatic revocation under section 160A of the LGA. The attached draft report addresses the determinations required under section 155 of the LGA and concludes that a bylaw addressing the movement of livestock remains appropriate. The review has identified some suggested minor amendments to update the LMB and these are shown with tracked changes on the attached. As previously discussed, the LMB is generally considered to be working well and staff recommend that a bylaw addressing this issue remain in place.

The majority of the changes are administrative in nature and address drafting and consistency matters or remove content that is no longer considered necessary, as follows:

- It is proposed to remove references to legislation which can become outdated.
- Definition amendments are proposed to reflect how terms are actually used within the Bylaw:
  - “Mob” and “herd” are used separately in the Bylaw, but the term “mob and herd” does not appear so does not require a definition.
  - “Traffic management plan” is not used as a generic term, the Bylaw refers to specific plans, so the generic definition is not required.
- References to “written permission” are proposed to be replaced with “written approval” for consistency of drafting (both terms are used throughout the Bylaw).
- An amendment is proposed to clause 12.2(b) for the avoidance of doubt. The clause applies to both movements and crossings.

The main change is to the traffic management plans that apply to State Highways. The New Zealand Transport Agency has provided updated guidance and traffic management plans since the Bylaw was written. It is considered that the existing plans at Appendix A of the Bylaw are still appropriate for local roads and that the new plans are appropriate for State Highways. The new plans have been added as Appendix B and clause 11.2 and 11.3 have been updated to apply Appendix A to local roads and Appendix B to State Highways. Consequential amendments have been made to address existing Appendix B becoming Appendix C.

### **Public Libraries Bylaw and Cultural and Recreational Facilities Bylaw**

The PLB and CRFB, both of which were adopted from New Zealand Standard Model General Bylaws without amendment, came into force on 1 September 2002. Copies are attached. They were reviewed under section 158 of the LGA on 10 June 2008 and are due for review under section 159 of the LGA on 10 June 2018. A preliminary review of Council’s bylaws identified that these two bylaws may no longer be required. Further research has now been undertaken and a draft of the determinations under section 155 of the LGA has been completed for these Bylaws, as attached. It is recommended that these two Bylaws are no longer the most appropriate means of addressing their respective issues and that they can now be revoked.

If the PLB and CRFB are to be revoked there are two options to complete this. The first is to simply leave these Bylaws as they are and wait until they are revoked by section 160A of the LGA on 10 June 2020. While this has the advantage of requiring no work or resources, it means that these Bylaws remain in place and will continue to apply despite being outdated and not required. The second and preferred option is to complete and notify the review and revocation of these Bylaws at the same time as the review and amendment of the LMB. This has the advantage of reducing the workload from what would be required if each of these Bylaws were put through the process individually. It also has the advantage of completing the review of three of the 22 bylaws requiring review between now and 10 June 2018.

## **Considerations**

### **1. Strategic Impact**

Council must ensure that its bylaws are necessary, fit for purpose and can achieve their desired outcomes.

### **2. Significance Assessment**

This is of low significance in accordance with our policy.

### **3. Values**

The Buller District Council values are: One Team, Community Driven, We Care, Integrity and Future Focussed. This process aligns with these values.

Community Driven: bylaws are put in place to address issues that can impact on our community. They also place restrictions on what members of the community can do. The consultation process allows the community an opportunity to contribute to bylaw review and development.

Future Focussed: it is important that bylaws remain relevant and fit for purpose. The review of these bylaws has considered their continuing usefulness and, where a bylaw is to continue following review, ensuring as far as possible that they will not become outdated before they are next due for review.

### **4. Risk Analysis**

Council must ensure that it is meeting its legislative requirements in relation to bylaws. These reviews are part of meeting those requirements. They also ensure that the bylaws remain necessary and fit for purpose and that they can continue to achieve their desired outcomes.

### **5. Policy/Legal Considerations**

The processes outlined in the LGA, as discussed above and below, must be followed.

Section 156 of the LGA outlines the consultation requirements for bylaw reviews. If the bylaw concerns a matter identified as being of significant public interest in a council's *Significance and Engagement Policy*, or if council considers that there is or is likely to be a significant impact on

the public due to the changes to/revocation of the bylaw, the special consultative procedure outlined in the LGA must be used. None of the bylaws under consideration concern a matter identified as being of significant public interest in this Council's *Significance and Engagement Policy*. The proposed changes to the LMB and the proposed revocation of the PLB and CRFB are not considered to have, nor are they considered likely to have, a significant impact on the public.

If the special consultative procedure does not apply, Council must consult in a manner that gives effect to the requirements of section 82 of the LGA. It is suggested that public notice be given of the proposed changes and a four week period allowed for people to provide written submissions to Council. Information on the LMB will be provided to Westland Co-operative Dairy Company and Federated Farmers as groups representing the farming sector which is the most impacted by this Bylaw. Information on the PLB and CRFB will be made available at relevant facilities as users of those facilities are the most likely to be interested in the proposed revocation of these Bylaws.

There is no legal requirement to hold a hearing on these proposals. Council can decide to offer the opportunity for submitters to be heard, or it may decide to receive written submissions only. If Council decides to allow for a hearing, this can be by full Council or the Risk and Policy Committee. The suggested approach is to allow a period for written submissions and provide an opportunity at the public forum of a Council meeting for anyone wishing to speak to their submission to do so, rather than convening a formal hearing.

**6. Tangata Whenua Considerations**

No specific considerations have been identified. Tangata whenua will have the opportunity to provide comment through the consultation process.

**7. Views of Those Affected**

The consultation process outlined above will provide people with an opportunity to make their views known to Council.

**8. Costs**

There will be some costs involved with the consultation process, mostly in advertising. The biggest resource requirement will be staff time, which will come from existing budgets and workloads.

**9. Benefits**

Three bylaw reviews will be completed in an efficient and cost effective manner. The LMB will be able to continue, with amendments to bring it up to date. Two redundant bylaws will be removed.

**10. Media/Publicity**

None identified.

## **REVIEW OF BULLER DISTRICT COUNCIL LIVESTOCK MOVEMENTS BYLAW**

**2010**

### **REPORT ON DETERMINATIONS UNDER SECTION 155, LOCAL GOVERNMENT ACT 2002**

#### **INTRODUCTION**

Section 158 of the Local Government Act 2002 (the LGA) requires councils to review bylaws made under the LGA or the Maritime Transport Act 1994.

Section 160 of the LGA outlines the procedure for the review and states that a review is carried out by council "*making the determinations required by section 155 [LGA].*"

The following determination is required under section 155 of the LGA:

- Whether a bylaw is the most appropriate way of addressing the perceived problem.

If it is determined that a bylaw is the most appropriate way of addressing the perceived problem, section 155 of the LGA requires the following further determinations:

- Whether the bylaw is the most appropriate form of bylaw; and
- Whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.

The *Buller District Council Livestock Movements Bylaw 2010* has been reviewed in accordance with the LGA.

This report outlines the findings of Council's determinations under section 155 of the LGA.

#### **WHETHER A BYLAW IS THE MOST APPROPRIATE WAY OF ADDRESSING THE PERCEIVED PROBLEM**

The perceived problem is the need to control the movement of stock on public roads.

Stock crossing roads and stock being driven along roads have been identified as a road safety concern ("*NZTA – Stock under control*

(crossing and driving)", April 2015, *Road Controlling Authorities' Forum study*, December 2004). A lack of adequate advance warning to other road users has been identified as a contributing factor to these safety issues (ibid). A bylaw can set standards for advance warning of livestock crossings and movements to ensure that these are adequate and to address road safety matters.

Stock crossings can cause damage to roads. Control and management of stock crossings aims to reduce this damage. A bylaw can set standards for the management of livestock movements.

Setting these standards through a bylaw makes them enforceable, with penalties available if people do not comply. Council could set guidelines or procedures instead but these can be difficult to enforce and there are no penalties available in the case of non-compliance.

Council has determined that it wishes to continue to control the movement of livestock on public roads and that a bylaw is the most appropriate way of addressing the perceived problem.

## **WHETHER THE BYLAW IS THE MOST APPROPRIATE FORM OF BYLAW**

The *Buller District Council Livestock Movements Bylaw 2010* (the Bylaw) is based on a bylaw developed by members of the Road Controlling Association with input from Federated Farmers. It was refined through a working group process with membership from Federated Farmers, Westland Dairy Company and Council. The Bylaw went through a public consultation process before being adopted by Council.

The Bylaw is considered to be working well and achieving its desired outcomes. Some minor amendments are proposed to 'tidy-up' the Bylaw and to update references. The proposed amendments are summarised below:

- Remove the "Introduction" and amend clause 6 "Compliance with other Acts" – the content is not necessary and by referencing legislation it can easily become outdated (e.g. the Transport Act 1962 was repealed 10 months after the Bylaw came into force).
- The New Zealand Transport Agency (NZTA) has provided updated traffic management guidance since the Bylaw was written. It is proposed to maintain the existing plans in Appendix A for use on roads that are not State Highways, as these plans are still considered appropriate for these roads. It is further proposed to adopt the updated plans from NZTA for use on roads that are State Highways, as these plans are considered appropriate for those roads.
- Minor grammatical corrections and changes for consistency of drafting throughout the Bylaw.

Council has determined that, subject to the amendments outlined above, the Bylaw is the most appropriate form of bylaw.

### **WHETHER THE BYLAW GIVES RISE TO ANY IMPLICATIONS UNDER THE NEW ZEALAND BILL OF RIGHTS ACT 1990**

Consideration has been given to the provisions of the New Zealand Bill of Rights Act 1990 (the BoRA).

A bylaw that controls the movement of stock on public roads is not considered to place an unreasonable limit on any of the rights and freedoms outlined in the BoRA and Council has determined that the Bylaw, including the proposed amendments, does not give rise to any implications under the BoRA.

### **CONCLUSION**

Council has determined that a bylaw is the most appropriate way of controlling the movement of stock on public roads and that the *Buller District Council Livestock Movements Bylaw 2010*, with the amendments proposed, is the most appropriate form of bylaw and does not give rise to any implications under the New Zealand Bill of Rights Act 1990.

**REVIEW OF BULLER DISTRICT COUNCIL PUBLIC LIBRARIES BYLAW AND  
BULLER DISTRICT COUNCIL CULTURAL AND RECREATIONAL FACILITIES  
BYLAW  
REPORT ON DETERMINATIONS UNDER SECTION 155, LOCAL  
GOVERNMENT ACT 2002**

**INTRODUCTION**

Section 159 of the Local Government Act 2002 (the LGA) requires councils to review bylaws made under the LGA or the Maritime Transport Act 1994.

Section 160 of the LGA outlines the procedure for the review and states that a review is carried out by council "*making the determinations required by section 155 [LGA].*"

The following determination is required under section 155 of the LGA:

- Whether a bylaw is the most appropriate way of addressing the perceived problem.

If it is determined that a bylaw is the most appropriate way of addressing the perceived problem, section 155 of the LGA requires the following further determinations:

- Whether the bylaw is the most appropriate form of bylaw; and
- Whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.

The *Buller District Council Public Libraries Bylaw* and the *Buller District Council Cultural and Recreational Facilities Bylaw* have been reviewed in accordance with the LGA.

This report outlines the findings of Council's determination under section 155 of the LGA.

**WHETHER A BYLAW IS THE MOST APPROPRIATE WAY OF ADDRESSING THE PERCEIVED PROBLEM**

The perceived problem is the need to control and set standards for the operation of libraries and other cultural and recreational facilities under the ownership or control of Council.

Both the *Buller District Council Public Libraries Bylaw* and the *Buller District Council Cultural and Recreational Facilities Bylaw* were adopted from New Zealand Standard (NZS) Model General Bylaws without amendment. They came into force on 1 September 2002 and were reviewed under section 158 of the LGA on 10 June 2008, after which they were continued without amendment.

Both the *Model General Bylaws – Public Libraries* and the *Model General Bylaws – Cultural and Recreational Facilities* have subsequently been withdrawn by NZS and have not been replaced.

Around New Zealand, bylaws covering public libraries have been phased out by other councils. There is no longer a need to have a specific bylaw covering libraries. While some councils have retained bylaws covering public facilities under their ownership or control, many have not.

The relevant matters can be covered by policies and procedures which can more easily be tailored and adapted to meet changing needs and circumstances. Without the need to go through formal processes with associated time and costs, these are seen as a more efficient and effective means of addressing the perceived problem. As such, it is considered that the *Buller District Council Public Libraries Bylaw* and the *Buller District Council Cultural and Recreational Facilities Bylaw* are no longer the most appropriate means of addressing the perceived problems.

## **CONCLUSION**

Council has determined that bylaws are not the most appropriate way of setting standards for the operation of libraries and other cultural and recreational facilities under the ownership or control of Council.

Following their review, Council proposes that the *Buller District Council Public Libraries Bylaw* and the *Buller District Council Cultural and Recreational Facilities Bylaw* be revoked.

## NEW ZEALAND STANDARD

### **MODEL GENERAL BYLAWS**

#### **Part 15**

#### **PUBLIC LIBRARIES**

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##### **1500 SCOPE**

The purpose of this Part of the bylaw is to allow Council to exercise control over the operation of public libraries within the District.

This bylaw is made pursuant to section 684 of the Local Government Act 1974 and its amendments.

##### **1501 DEFINITIONS**

For the purposes of this bylaw the following definitions shall apply:

**BOOK** means a book, magazine, newspaper, periodical, pamphlet, manuscript, standard or other article of a similar nature, or any part thereof which is the property of the Council or under the control of Council.

**BORROWER** means any person to whom the Council has by registration granted the privilege to borrow library books or documents.

**BORROWER'S CARD** means any card issued by a librarian as a means of identification of any borrower from the library.

**DOCUMENT** means any map, chart, print, photograph or negative film, plan, picture, broadsheet, card, cutting, microfilm or microfile, photocopy, engraving or etching, video tape, or piece of music including a manuscript, compact disc, record, or audio tape or any other article of a similar nature, or any part of it, whether the property of the Council or for the time being under the control of the Council.

**LIBRARIAN** includes any person for the time being appointed by the Council to control or manage or to assist in the control and management of the library.

**LIBRARY** means any library established and operated for the time being by the Council for use by the public or any section of the public, and includes every portion of any building used for such purposes, and includes a mobile library.

**LIBRARY MANAGER** means the appointed manager of a Council library.

**1502 COUNCIL MAY MAKE RULES FOR LIBRARIES**

Council may, from time to time by resolution, make rules for the following areas that shall apply to one or more libraries:

- (a) For the internal control, management, and use of the library;
- (b) For determining the number of books or documents to be lent to any one borrower at one time;
- (c) For determining the times and hours during which the library and any specified parts thereof shall be open and the holidays, days, and times upon which it may be closed;
- (d) For determining the time to be allowed for the return of any library book or document;
- (e) For maintaining good order and conduct within the library; and
- (f) For fees and charges payable by persons for library membership, overdue books and for any other services of any department of the library.
- (g) For the appropriate use of electronically accessible information.

**1503 UNAUTHORIZED USE OF BORROWER'S CARD**

Any person who is not named in any borrower's card, or duly authorized by the person so named, shall not make use of any such card for the purpose of obtaining any book or document from a library.

**1504 BORROWING**

**1504.1**

No person shall take or borrow any library book or document without having the issue of the library book or document recorded in the library record system.

**1504.2**

No person shall be entitled to borrow any library book or document specified as reference only, except with the permission of a librarian, and subject to such conditions as laid down by the librarian.

## **1505 DAMAGE TO LIBRARY BOOKS OR DOCUMENTS**

### **1505.1**

If any library book or document is lost or returned in a damaged condition the borrower shall pay to the Council such a sum of money as will replace such library book or document or as will be full compensation for any damage or loss to the Council.

### **1505.2**

If a lost book or document is subsequently found and returned within two years of the date of borrowing, a refund of all or part of the charge made for the loss may be paid to the borrower at the discretion of a librarian.

## **1506 UNPAID MONEY**

No person owing any money to the Council in connection with any library service shall take out or borrow any library book or document, and a librarian may revoke that Borrower's card until all such charges have been paid in full.

## **1507 CHANGE OF ADDRESS**

Every holder of a borrower's card shall notify any change in his/her address to a librarian within one month of their obtaining a new address.

## **1508 UNAUTHORIZED TAKING OF LIBRARY BOOKS OR DOCUMENTS**

Any person (other than as a borrower) taking or attempting to take any library book or document, or other article from a library, and any person knowingly pledging, pawning, selling, or purchasing or advancing money on any such library books or documents or article or attempting to do so, shall commit an offence against this Part of this bylaw, in addition to any other offence of which such offender shall be guilty.

## **1509 EXPULSION OF OFFENDERS**

A librarian may require any person behaving in a disorderly manner in the library, or any person who is not bona fide using the library for the purpose for which it is intended, to leave the library, and any refusal on the part of the person to do so will constitute an offence against this bylaw.

## **1510 BREACH**

Where in the opinion of a librarian, any person has contravened any of the provisions of this bylaw or any rules made by the Council relating to the library use, or has otherwise acted in an unlawful manner in the library, a librarian may exclude that person from the library, until notice is given for the person to return.

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## NEW ZEALAND STANDARD

# MODEL GENERAL BYLAWS

## Part 16

### CULTURAL AND RECREATIONAL FACILITIES

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#### 1600 SCOPE

The purpose of this Part of the bylaw is to enable the Council to control and set standards for the operation of the cultural and recreational facilities under the ownership or control of the Council.

This bylaw is made pursuant to sections 613 and 684 of the Local Government Act 1974 and its amendments.

#### 1601 DEFINITIONS

For the purposes of this bylaw the following definitions shall apply:

**COUNCIL FACILITY** includes any swimming pool, aquatic centre, recreational, cultural or community centre, museum, art gallery, hall, zoo or golf course under the ownership or control of Council.

**MANAGER** means the appointed manager of a council facility, or his or her appointed deputy.

#### 1602 COUNCIL MAY MAKE RULES FOR COUNCIL FACILITY

##### 1602.1

Council may from time to time, by resolution, make rules for the following areas that shall apply to one or more council facilities:

- (a) For the control, management and use of the Council facility;
- (b) For determining the hours during which the council facility and any specified parts thereof shall be open and the holidays, days, and times upon which it will be closed;
- (c) For maintaining good order and conduct whilst persons are in or on a council facility;

(d) For fees and charges payable for entry to, or use of a council facility;

(e) For the closure of that facility or part thereof or for setting aside of part or all of that facility for the exclusive use of individuals or groups.

**1602.2**

The Manager of a council facility shall post the rules that apply to any member of the public using that facility, in a visible place as near as is reasonably practical to the entrance to that facility.

**1603 EXPULSION OF OFFENDERS**

Any person responsible for any Council facility may require any person behaving in a disorderly manner in or on a council facility, or any person who is not bona fide using the council facility for the purpose for which it is intended, to leave the council facility, and any refusal on the part of the person to do so will constitute an offence against this Part of this bylaw.

**1604 BREACH**

Where in the opinion of a Manager any person has contravened any of the provisions of this bylaw or any rules made by the Council relating to the use of the council facility, or has otherwise acted in an unlawful manner in or on the council facility, the Manager may exclude that person from the council facility, until notice is given for the person to return.

## **Buller District Council Livestock Movements Bylaw**

TO CONTROL THE MOVEMENT OF LIVESTOCK ACROSS AND ALONG PUBLIC ROADS

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## **INTRODUCTION**

~~Buller District Council may make bylaws to regulate the movement of livestock on, across or along public roads under the control of the Council under the authority of and in accordance with the provisions of the Bylaws Act 1910, Transport Act 1962 and the Local Government Acts 1974 and 2002.~~

### **1.0 Title**

- 1.1 This bylaw is made under ~~Section~~section 145 of the Local Government Act 2002 and shall be known as the Buller District Council Livestock Movements Bylaw (2010).

### **2.0 Commencement And Application**

- 2.1 This bylaw comes into force on 1<sup>st</sup> July 2010 and applies to all parts of all roads under the control of the Buller District Council and also to those State Highways within the Buller District Council area.

### **3. Revocation**

- 3.1 The Buller District Council Stock droving Bylaw 1996 will be revoked from the date of implementation of the Buller District Council Livestock Movement Bylaw 2010.

### **4. Purpose of the Bylaw**

- 4.1 The purpose of the Bylaw is to improve the control of the movement of livestock on public roads:
- (a) to protect:

- (i) the safety of all road users including those associated with moving livestock;
- (ii) the structure and surface of the carriageway in the roads; and
- (iii) public and private structures and utilities situated in the road.

- (b) to reduce inconvenience, nuisance and potential hazard for all road users

## 5. Scope of the Bylaw

- 5.1 This bylaw provides for the acceptance of long-term, intermittent, or temporary movement of livestock on, across or along public roads in the district;

## 6. Compliance with other Acts

- 6.1 Nothing in this bylaw shall derogate from any ~~provision of the Health and Safety in Employment Act 1992, the Resource Management Act 1991, the Litter Act 1979, the Animal Welfare Act 1999, the Impounding Act 1955, the Land Transport Acts 1993 and 1998, the Transit New Zealand Act 1989 or any~~ statutory or regulatory requirement.

## 7. Interpretation

- 7.1 For the purposes of this bylaw:  
(NOTE: Words in *italics* are also defined.)

**'Approval or approved'** means approved in writing by an *authorised officer* of the *Council*.

**'Authorised officer'** means any person appointed by the Chief Executive of the *Council* for the purposes of acting as an *authorised officer* under this bylaw.

**'Carriageway'** means that part of a road constructed or made for use of vehicular traffic and includes any shoulder, edging, kerbing or channelling thereof.

**'Characteristic'** means any of the features of a *road* or *livestock movement* described in Schedule 1 of this bylaw.

**'Competent person'** means a *person* being able to provide reasonable care and supervision.

**'Council'** means the Buller District Council.

**'Livestock'** means any animal kept or normally kept for commercial purposes, whether so kept or not, and may include, but is not limited to, any hoofed animal, domestic fowl or poultry.

**'Livestock movement'** means any movement of *livestock* on, across or along a road where the animals move by their own efforts and are free of individual control, such individual control being by means of being ridden or lead or driven on a bridle, halter, collar or similar restraint.

**'Mob' and 'Herd'** means more than one livestock.

**'Road'** means a road as defined in section 315 of the Local Government Act 1974, being all the land under the control of Buller District Council maintained for public use as a highway and being the full width of the legal road between adjacent property boundaries and including both the *carriageway* and any unformed parts to the sides of the *carriageway*, but excluding any unformed road. Road also includes any road designated as a State Highway within the Buller District Council area.

~~**'Traffic management plan'** means a plan, drawing, sketch or map indicating the method or measures for the ensuring the safety of the livestock and all other road users to be used by a competent person, that is acceptable to the Council, or if State Highway, the New Zealand Transport Agency.~~

**'Person'** means a legal person and includes a corporation sole and also a body of persons whether corporate or incorporate.

**'Urban Area'** means an area where the posted speed limit is 60 km/hr or less.

## COMPLIANCE WITH THE BYLAW

### 8. Control of Livestock Movements

#### 8.1 No person shall:

- (a) move, or cause or allow to be moved, any livestock to which the provisions of this bylaw apply except in accordance with the provisions of this bylaw; ~~or~~
- (b) move, or cause or allow to be moved, any livestock on a road restricted for the movement of livestock by this bylaw; ~~;~~
- (c) move livestock across or along a road where they may reasonably move the livestock on private land (raced or un-raced) or on road reserve; ~~;~~
- (d) move livestock within an urban area without written ~~permission~~ approval from the Council; ~~or~~
- (e) move livestock where the number of animals being moved exceeds the maximum appropriate to the average daily traffic volume as indicated on the chart in ~~Appendix B-C~~ without written ~~permission~~ approval from the Council.

### 9. Council May Restrict Movement

- 9.1 In the event that an authorised officer considers it necessary to close or restrict access to any road as a result of obstruction from road works, flooding, landslide, civil emergency or any other event, the authorised officer shall have discretionary power to halt or divert any movement of livestock from the use of that road notwithstanding any prior consent for movement of livestock on that road.

## 10. Movements to Comply with Best Practice

- 10.1 Any and every movement of livestock on a public road shall comply with the requirements of any applicable statute, regulation, code of practice or similar directive relating to the safety, health and welfare of livestock.

## LIVESTOCK MOVEMENTS

### 11. Management of Livestock Movements

- 11.1 All livestock movements along or across a road shall be classified as one of the following types, and shall be undertaken in accordance with the appropriate conditions set out in 11.2 or 11.3;

- (a) Any movement of livestock across a road and for a distance of less than 250m along a road shall be considered a livestock crossing for the purposes of 11.2.
- (b) Any movement of livestock along a road for a distance of greater than 250m shall be considered a livestock movement for the purposes of 11.3

- 11.2 Any livestock crossing shall be undertaken in accordance with the traffic management plans included as Appendix A when it is taking place on a road that is not a State Highway, and in accordance with the traffic management plans included as Appendix B when it is taking place on a road that is a State Highway;

- (a) At least one competent person must be present while livestock is on the road.
- (b) Either;
  - (i) Livestock excrement and debris shall be removed from the carriageway and entrances to the road prior to staff leaving the site-; or

(ii) Mats or similar devices shall be used to protect the road from excess livestock excrement and debris. The device(s) shall be removed prior to staff leaving the site.

(c) Any tapes used to guide stock across the road are to be removed prior to staff leaving the site.

11.3 Any livestock movement along a road shall be undertaken subject to the following conditions:

(a) Appropriate warning mechanisms must be used at all times that livestock are on the road. These may include:

- (i) Orange flashing waring lights / flagman
- (ii) Warning signs
- (iii) Road Cones
- (vi) High visibility clothing worn by staff.

(b) Warning signs / devices, must be placed both in front of and behind the herd at the visibility and warning distances shown on the sign layout table included with the traffic management plans included as Appendix A when the movement is taking place on a road that is not a State Highway, and in accordance with the traffic management plans included as Appendix B when it is taking place on a road that is a State Highway.

(c) For livestock movements involving up to 150 livestock at least two competent persons must be present while livestock is on the road. For livestock movements greater than 150 livestock at least three competent persons must be present while livestock is on the road.

(d) The mob size is not to exceed 500 livestock without prior written permission-approval from the Council.

## **12. Livestock Movements to Require Written ~~Permission~~Approval**

12.1 Where any person is unable to comply with any of the aforementioned conditions, that person shall not drive any livestock along or across any road without the prior written ~~permission~~-approval of the ~~Buller District~~ Council.

12.2 When considering written ~~permission~~-approval under 12.1 the ~~Buller District~~ Council shall consider the following matters:

- (a) Traffic safety criteria, including traffic volume and sight distances
- (b) Number of livestock involved ~~in crossing~~
- (c) Frequency or scale of any potential traffic hazard or obstructions or nuisance
- (d) Potential damage to the road or structures in the road
- (e) Use, size, colour and placement of any warning devices
- (f) Number of competent persons required to be present
- (g) Use of mats or similar devices to protect the road
- (h) Removal of excess excrement and debris from the carriageway and entrances to the road
- (i) Specific routes and times of movement
- (j) Meeting of any other conditions reasonably necessary to achieve or ensure compliance with this bylaw.

## **13. Exemptions**

13.1 Livestock movements on public roads that are the result of an emergency, such as flooding or fire, landslide and damage to fences, or similar, or for the purposes of returning wandering or loose livestock to the owner's property or to a temporary pound, shall be exempt from Clause 11.1.

13.2 Where livestock are moved on to a road to graze it and are securely contained by temporary fencing or similar measure to ensure that no animal intrudes onto or across the carriageway while grazing within the road

adjacent to the livestock owner's property, and such road is not restricted for livestock movements by this bylaw, and the livestock are within the road only during the hours of daylight, such livestock movement shall be exempt from Clause 11.1.

NOTE: Specific Council approval is required prior to grazing any road sides.

#### **14. Decision on an Application**

- 14.1 The Council shall, within five (5) working days of receiving all information necessary to process a request for written approval, after considering the request:
- (a) grant the request as a livestock crossing; or
  - (b) grant the application as a livestock movement; and
  - (c) notify the applicant of any conditions attached to the written approval.

#### **15. Suspension or Cancellation of Written Approval**

- 15.1 The Council may suspend or cancel any written approval by giving twenty (20) working-days written-notice to the approval holder where it is in the public interest to do so or if the approval holder fails to comply with any condition of the written approval.

#### **16. Summary Cancellation**

- 16.1 An authorised officer may suspend or cancel any approval immediately by giving written notice to the approval holder, if the:
- (a) Council is lawfully directed to suspend or cancel the approval;
  - (b) Approval holder disregards any conditions of the approval in a manner which the authorised officer determines may endanger the

- health or safety of any person or damage any part of the road or cause environmental degradation; or
- (c) Livestock movement is not effectively controlled to be in accordance with the requirements of the written approval.

## **BYLAW ADMINISTRATION**

### **17. Incidents to be Reported**

- 17.1 The approval holder shall inform the Council of any incident which may cause a breach of the written approval or this bylaw within one day. Any incident causing or likely to cause a breach of an approval or of this bylaw shall be cause for the Council to review the conditions of the consent.

### **18. Council May Recover Costs**

- 18.1 The Council may set fees and charges for the recovery of the reasonable costs incurred for the:
- (a) administration of written approval;
  - (b) unscheduled maintenance or repair of the road or any part of the road due to damage caused by the livestock movement, except under circumstances set out in 13.1; and
  - (c) unscheduled maintenance to remove livestock excrement from the road carriageway or any entrance to the road after the livestock movement except in circumstances set out in 13.1.
- 18.2 The calculation of charges shall be based on recovery of reasonable costs incurred by the Council as a result of the livestock movement consent.
- 18.3 Charges shall be payable to the Council within 30 days of the date of the notice of the charges levied.

- 18.4 Any person wishing to object to any assessment of charges levied by the Council in respect of a livestock movement consent has the right to appeal in accordance with the provisions of the Local Government Act 2002.

## **19. Offences and Penalties**

- 19.1 Every person who fails to comply with this bylaw or breaches any condition of a written approval granted under this bylaw or fails to comply with any notice served under this bylaw commits an offence under section 239 of the Local Government Act 2002 and is liable to a fine not exceeding \$20,000 under section 242(4) of the Local Government Act 2002.

## **20. Review of Decisions**

- 20.1 If any person is dissatisfied with a decision of an authorised officer, that person may request the Council to review any such decision by notice to the Chief Executive Officer not later than twenty (20) working days after the decision of the authorised officer has been received.

## **21. Service of Documents**

- 21.1 A person authorised by the Council shall sign any notice or document to be served or delivered to any person and such notice or document may be left at a conspicuous place at the persons property or handed to an employee of the person at the person's property or given or served by delivery or courier or sent by facsimile or electronic mail or registered post addressed to the:

- (a) 'Address for service' specified in a written approval; or
- (b) Person's last known place of residence; or
- (c) Registered office of an incorporated entity.

## **22. Date of Service**

- 22.1 Any notice or document sent by registered post shall be deemed to have been received on the third working day following posting. Any notice or document left at a conspicuous place at the property of or handed to an employee of any person at that property or given or served by delivery or courier or sent by facsimile or electronic mail shall be deemed to have been received on the same day as the notice or document was despatched.

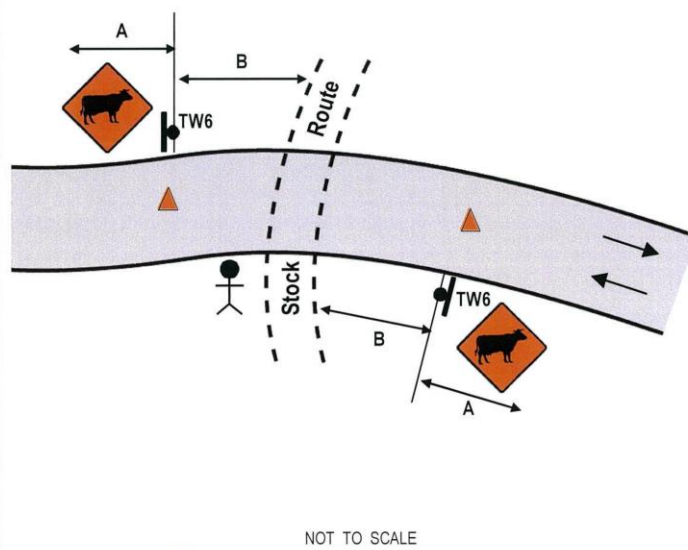
## APPENDIX A

### OTHER ACTIVITIES

#### STOCK

**Crossing road**  
**Good visibility**

**200**



#### Notes:

1. All TW6 signs to be folded or removed when not required
2. Visibility A and warning B distances are:

A	B	Posted speed limit or Operating Speed of RCA
50m	30m	50km/h
60m	80m	60km/h
70m	105m	70km/h
80m	120m	80km/h
90m	135m	90km/h
100m	150m	100km/h

3. The cones on the centre line are optional

Local Road Supplement – Second Edition

August 2009

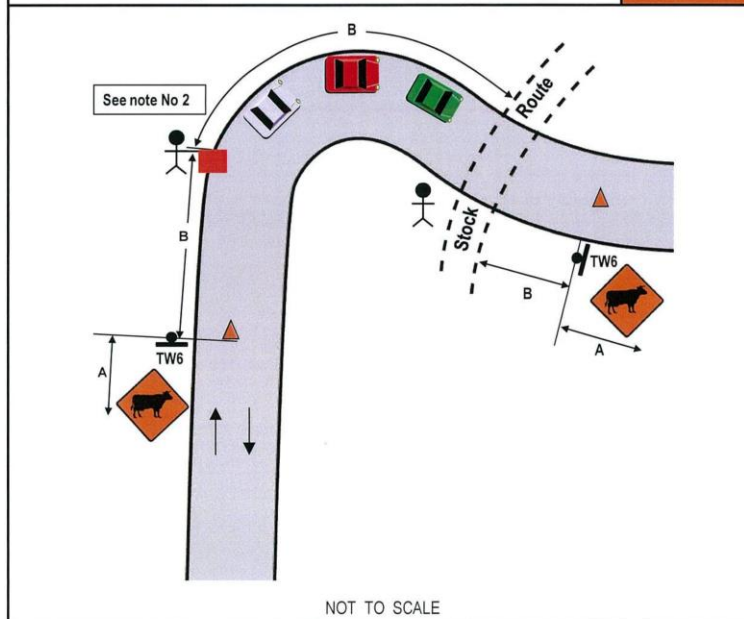
OTHER  
ACTIVITIES

# STOCK

## Crossing road

### Poor visibility

201



#### Notes:

1. All TW6 signs to be folded or removed when not required
2. An amber flashing beacon or a person/s waving an orange flag is required during times and situations of poor visibility
3. Visibility A and warning B distances are:

A	B	Posted speed limit or Operating Speed of RCA
50m	30m	50km/h
60m	80m	60km/h
70m	105m	70km/h
80m	120m	80km/h
90m	135m	90km/h
100m	150m	100km/h

4. The cones on the centre line are optional

## APPENDIX B

RCA consent (eg CAR/WAP) and/or  
RCA contract reference

### Special Activity: Stock under control

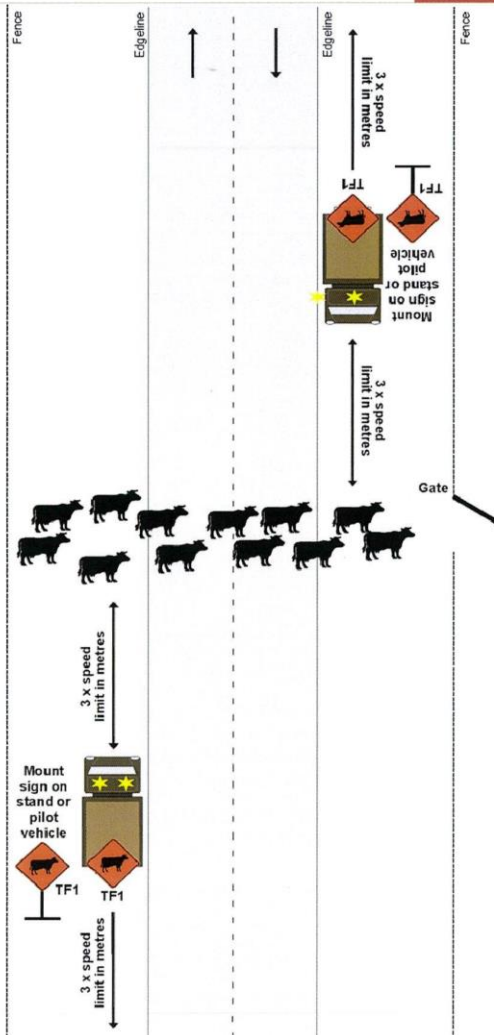
#### TWO-WAY TWO-LANE ROAD Stock crossing road

**15.1**  
**Level 1**

##### Notes

1. The signs can be mounted on a pilot vehicle or placed on a stand on the side of the road
2. The signs must be visible from 3 x the speed limit in metres (eg 3 x 100 = 300m). This could be the permanent speed or (where the Road Controlling Authority allows) the operating speed
3. If pilot vehicles are used, they must have flashing amber beacon(s)
4. Distance from the sign (or pilot vehicle and sign) to the stock should be 3 x speed limit in metres

This traffic management diagram may be used as part of a TMP where the RCA permits (refer section A5.3.1)



RCA consent (eg CAR/WAP) and/or  
RCA contract reference

**Special Activity: Stock under control**

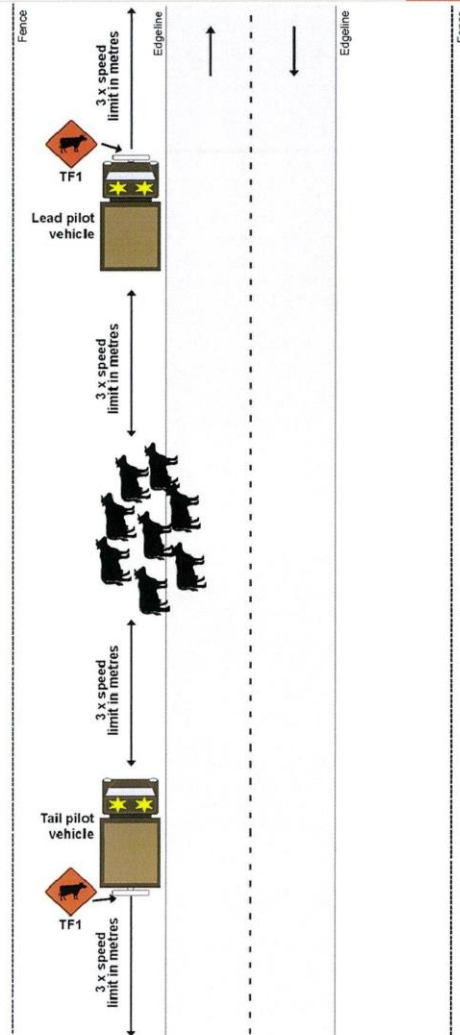
**TWO-WAY TWO-LANE ROAD**  
**Stock droving on left hand side of road**

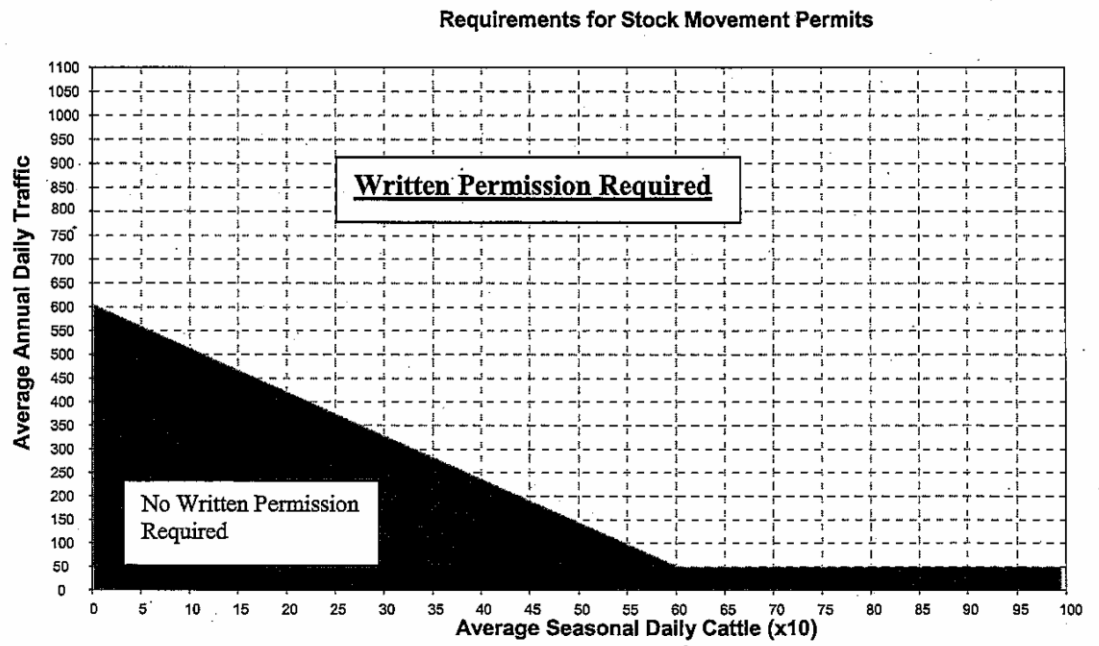
**15.2**  
**Level 1**

**Notes**

1. The signs and pilot vehicles must be visible from 3 x the speed limit in metres (eg 3 x 100 = 300m). This could be the permanent speed or (where the Road Controlling Authority allows) the operating speed
2. All pilot vehicles must have flashing amber beacon(s)
3. Distance from the pilot vehicles to the stock should be 3 x speed limit in metres

This traffic management diagram may be used as part of a TMP where the RCA permits (refer section A5.3.1)





**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 5**

**Prepared by - Rachel Townrow**  
**- Team Leader Planning and Policy**

**Reviewed by - Craig Scanlon**  
**- Manager Community and Environment**

**Policy Reviews - Community Grants Policy, NZLGA Annual Conference and Zone Meetings Policy, Old Sewer Connections Policy, Weedspraying Policy and Dangerous Earthquake Prone and Insanitary Buildings Policy**

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**Report Summary**

Among the policies reviewed by the previous Risk Committee in 2014 were the *Community Grants Policy, NZLGA Annual Conference and Zone Meetings Policy, Old Sewer Connections Policy* and the *Weedspraying Policy*. It was suggested that Council review each policy once every three years so that every policy is reviewed within the term of each Council. Those policies reviewed in 2014 are now due to be reviewed again based on a three-yearly review cycle.

The Risk and Policy Committee reviewed these policies at its meeting of 20 June 2017. It is suggested that the policies referred to above continue, with the minor amendments outlined in the attached.

The Building (Earthquake-prone Buildings) Amendment Act 2016 removes the requirement for individual councils to have a policy on earthquake-prone buildings as a national approach to this issue will be put in place. Once the Act is in force, councils are required to remove their existing policies on earthquake-prone buildings. As this is likely to occur on 1 July 2017, it is suggested that the necessary amendments be considered now so that they are ready when needed.

**Draft Recommendation**

1. That the *Community Grants Policy, NZLGA Annual Conference and Zone Meetings Policy, Old Sewer Connections Policy* and the *Weedspraying Policy* continue, with the minor amendments as shown in the attached.
2. That the *Draft Dangerous and Insanitary Buildings Policy* be adopted, to come into force on the date that aligns with the requirements of the Building (Earthquake-prone Buildings) Amendment Act 2016 and the Building Act 2004.

## Issues and Discussion

Under the previous Risk Committee, once the review of a policy was completed that policy was given a three-yearly review cycle. This would ensure that each policy comes up for review at least once within the term of each Council.

That Committee completed the review of six policies in 2014 and these are now due for review again. Of those six, four are considered to remain appropriate largely as they are, requiring only minor amendments to address matters such as changes to committee and job titles. These four policies are attached with suggested changes shown tracked.

The other policies reviewed in 2014 were Fencing of Swimming Pools and Building on Reserve Land. Recent legislative and process changes mean that these policies will require amendment. This has been factored into the work programme for the year.

Council has a *Dangerous, Earthquake Prone and Insanitary Buildings Policy*. Once the Building (Earthquake-prone Buildings) Amendment Act 2016 comes into force, councils must remove earthquake-prone buildings from their existing policies as soon as reasonably practicable. It is expected that this will come into effect on 1 July 2017. If earthquake-prone buildings are combined with other matters in one policy, any references to earthquake-prone buildings must be removed from that policy. Provided that no other amendments are made that would materially affect the application of the residual policy, councils can make these changes without going through the consultation process normally required by the Building Act 2004.

The attached *Draft Dangerous and Insanitary Buildings Policy* shows proposed changes tracked. The majority of changes are to remove references to earthquake-prone buildings. Some additional minor amendments are proposed to remove superseded information and to update references (e.g. the Historic Places Trust is now Heritage New Zealand). These amendments are not considered to materially affect the application of the residual policy and it is considered that they do not trigger the need for consultation.

## Considerations

### 1. Strategic Impact

Council must ensure that its policies are necessary, fit for purpose and can achieve their desired outcomes.

### 2. Significance Assessment

This is of low significance in accordance with our policy.

### 3. Values

The Buller District Council values are: One Team, Community Driven, We Care, Integrity and Future Focussed. This process aligns with these values.

Community Driven: policies are put in place to address issues that can impact on our community. They also place restrictions on what members of the community can do.

Future Focussed: it is important that policies remain relevant and fit for purpose. The review of these policies has considered their continuing usefulness and has tried to ensure, as far as possible, that they will not become outdated before they are next due for review.

**4. Risk Analysis**

These reviews ensure that Council's policies remain necessary and fit for purpose and that they can continue to achieve their desired outcomes. Without review, policies can become outdated or obsolete and can result in unintended consequences, including both having regulation where it is not needed and not having regulation where it is needed.

**5. Policy/Legal Considerations**

None identified.

**6. Tangata Whenua Considerations**

None identified.

**7. Views of Those Affected**

The proposed changes are not considered to have any impact on members of the community and as such there is no requirement for consultation to be carried out. Those interested in the content of these policies will have the opportunity to present their views at the public forum of the full Council meeting where the reviews were being considered.

**8. Costs**

The only cost is in staff time. This will come from existing budgets and workloads.

**9. Benefits**

Four policy reviews will be completed, ensuring that these policies are up to date and remain fit for purpose.

**10. Media/Publicity**

None identified.

## COMMUNITY GRANTS POLICY

Source:	Manager Community Services, ratified by Council		
Date:	22/11/2001		
Reviewed:	<a href="#">28/06/2017</a>	15/07/2014	Next review: <a href="#">2017-2020</a>
See also:			

The [Communities-Grants](#) Committee shall meet [no less than](#) twice each year for the purpose of considering applications from community organisations for grants from the Council.

The [Communities-Grants](#) Committee shall, when considering applications give recognition to funds already approved, including base funding, minor grants and rates funding before making allocations from the funding pool.

All decisions on grant allocations are the delegated responsibility of the [Communities-Grants](#) Committee. That ~~sub~~-committee may seek comments and recommendations from the Community Board or from other members of the Council should it be deemed necessary.

### Information required to accompany grant applications

That applications to the [Communities-Grants](#) Committee be accompanied by a copy of a current financial statement and that the formal status of the organising body be declared prior to the allocation of grants.

**NZLGA ANNUAL CONFERENCE AND ZONE MEETINGS POLICY**

Source:	Chief Executive, ratified By Council		
Date:	22 November 2001		
Reviewed:	<a href="#">28/06/2017</a> , 15/07/2014	Next review:	<a href="#">2017-2020</a>
See also:			

The Council shall be represented at the Annual Conference and Zone meetings of Local Government New Zealand by up to two members (His Worship the Mayor being one when available) and its Chief Executive. Actual and reasonable costs of attendance shall be met by the Council. ~~Partners are eligible to attend the Annual Conference.~~

## **OLD SEWER CONNECTIONS POLICY**

Source:	Operations Committee		
Date:	08/03/1990		
Reviewed:	<a href="#">28/06/2017</a> , 15/07/2014	Next review:	<a href="#">20172020</a>
See also:	R5/17, W1/2		

That where a section is served by a sewer connection to a Council main and a new building is to be erected requiring a sewer connection the owner shall either:

1. Prove by test, to the satisfaction of the [Manager Operations Group Manager Assets and Infrastructure](#), that the old connection allows no stormwater or ground water infiltration; or
2. Apply for a new service connection to the property at the applicants' cost.

Council will provide main extension at its cost, to within 30 metres of the property boundary where necessary to allow the operation of this policy.

**WEEDSPRAYING POLICY**

Source:	Council		
Date:	25/11/1999		
Reviewed:	<a href="#">28/06/2017</a>	15/07/2014	Next review: <a href="#">2017-2020</a>
See also:			

That Council offers a "No Weedspray Option" to residents/property owners within the Buller District on the condition that the residents/property owners confirm in writing their agreement to maintain the street/road frontage/roadside channel/footpath adjacent [to](#) their residence/property in a tidy condition, free of weeds and noxious plants.

Should any residents/property owners fail to comply with Council's requirements then they be sent a reminder notice, with continued non-compliance resulting in Council removing the resident/property owner from the register and arranging for weedspraying to be undertaken as in other areas of the District.

Residents/property owners will be required to register each year with Council for continued inclusion on the *No Weedspray Option* register.

**| DANGEROUS, ~~EARTHQUAKE-PRONE~~ AND INSANITARY BUILDINGS POLICY**

Source:	Council
Date:	16/12/2009
Reviewed:	2014                      Next review: 2019
See also:	Building Act 2004, Local Government Act 2002, Department of Building and Housing's guidance documents

**1. INTRODUCTION AND BACKGROUND**

Section 131 of the Building Act 2004 (BA 2004) requires territorial authorities to adopt a policy on dangerous, ~~earthquake-prone~~ and insanitary buildings ~~by 31 May 2006~~. In developing this policy the Buller District Council has balanced the need to protect public health and safety against the economic implications of requiring significant remedial building work and the community's desire to protect heritage structures.

This document sets out the policy adopted by Buller District Council ~~in accordance with the requirements of the BA 2004, and includes:~~

~~The policy is required to state:~~

1. The approach that the Buller District Council will take in performing its functions under the BA 2004;
2. Buller District Council's priorities in performing those functions; and
3. How the policy will apply to heritage buildings.

The Building (Earthquake-prone Buildings) Amendment Act 2016 has established a new nationally consistent system for identifying and remediating earthquake-prone buildings.

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~~In developing and adopting its earthquake-prone buildings policy, Buller District Council has followed the consultative procedure set out in section 83 of the Local Government Act 2002.~~

~~In preparing this policy, Buller District Council has made extensive use of the Department of Building and Housing's guidance documents.~~

## 2. BUILDING ACT PRINCIPLES

~~Section 4 of the BA 2004 lays down the~~The principles to be applied in performing functions or duties or exercising powers under the Act are as detailed under Section 4 (2)(a-p) of the BA 2004. The subclauses appropriate to this policy are as follows:

~~(2) In achieving the purpose of this Act, a person to whom this section applies must take into account the following principles that are relevant to the performance of functions or duties imposed, or the exercise of powers conferred, on that person by this Act:~~

~~(a) when dealing with any matter relating to 1 or more household units,—~~

~~(i) the role that household units play in the lives of the people who use them, and the importance of—~~

~~(A) the building code as it relates to household units; and~~

~~(B) the need to ensure that household units comply with the building code;~~

~~(ii) the need to ensure that maintenance requirements of household units are reasonable;~~

~~(iii) the desirability of ensuring that owners of household units are aware of the maintenance requirements of their household units;~~

~~(b) the need to ensure that any harmful effect on human health resulting from the use of particular building methods or products or of a particular building design, or from building work, is prevented or minimised;~~

~~(c) the importance of ensuring that each building is durable for its intended use;~~

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~~(d) — the importance of recognising any special traditional and cultural aspects of the intended use of a building;~~

~~(e) — the costs of a building (including maintenance) over the whole of its life;~~

~~(f) — the importance of standards of building design and construction in achieving compliance with the building code;~~

~~(g) — the importance of allowing for continuing innovation in methods of building design and construction;~~

~~(h) — the reasonable expectations of a person who is authorised by law to enter a building to undertake rescue operations or firefighting to be protected from injury or illness when doing so;~~

~~(i) — the need to provide protection to limit the extent and effects of the spread of fire, particularly with regard to —~~

~~(i) — household units (whether on the same land or on other property); and~~

~~(ii) — other property;~~

~~(j) — the need to provide for the protection of other property from physical damage resulting from the construction, use, and demolition of a building;~~

~~(k) — the need to provide, both to and within buildings to which section 118 applies, facilities that ensure that reasonable and adequate provision is made for people with disabilities to enter and carry out normal activities and processes in a building;~~

~~(l) — the need to facilitate the preservation of buildings of significant cultural, historical, or heritage value;~~

~~(m) — the need to facilitate the efficient use of energy and energy conservation and the use of renewable sources of energy in buildings;~~

~~(n) — the need to facilitate the efficient and sustainable use in buildings of —~~

~~(i) — materials (including materials that promote or support human health); and~~

~~(ii) — material conservation;~~

~~(o) — the need to facilitate the efficient use of water and water conservation in buildings;~~

~~(p) — the need to facilitate the reduction in the generation of waste during the construction process.~~

### 3. DEFINITIONS OF BUILDINGS COVERED BY THIS POLICY

The definitions of dangerous, ~~earthquake-prone~~ and insanitary buildings are set out in sections 121 ~~—and~~ 123 of the BA 2004 ~~and are~~ as follows:

#### 121 Meaning of dangerous building

- (1) A building is dangerous for the purposes of this Act if,—
  - (a) in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause—
    - (i) injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or
    - (ii) damage to other property; or
  - (b) in the event of fire, injury or death to any persons in the building or to persons on other property is likely because of fire hazard or the occupancy of the building.
- (2) For the purpose of determining whether a building is dangerous in terms of subsection (1)(b), a territorial authority—
  - (a) may seek advice from members of the New Zealand Fire Service who have been notified to the territorial authority by the Fire Service National Commander as being competent to give advice; and
  - (b) if the advice is sought, must have due regard to the advice.

#### ~~122 Meaning of earthquake-prone building~~

- ~~(1) A building is earthquake-prone for the purposes of this Act if, having regard to its condition and to the ground on which it is built, and because of its construction, the building—~~
  - ~~(a) will have its ultimate capacity exceeded in a moderate earthquake (as defined in the regulations); and~~
  - ~~(b) would be likely to collapse causing—~~
    - ~~(i) injury or death to persons in the building or to persons on any other property; or~~
    - ~~(ii) damage to any other property.~~

- ~~(2) Subsection (1) does not apply to a building that is used wholly or mainly for residential purposes unless the building—~~  
~~(a) comprises 2 or more storeys; and~~  
~~(b) contains 3 or more household units.~~

~~The definition of moderate earthquake is laid down in the Building Regulations, 2005 as:~~

~~"... in relation to a building, an earthquake that would generate shaking at the site of the building that is of the same duration as, but that is one-third as strong as, the earthquake shaking (determined by normal measures of acceleration, velocity and displacement) that would be used to design a new building at the site."~~

~~Note: The definition of earthquake prone building covers more buildings and requires a higher level of structural performance of buildings than that required by the Building Act 1994.~~

#### 123 Meaning of insanitary building

A building is insanitary for the purposes of this Act if the building—

- (a) is offensive or likely to be injurious to health because—
  - (i) of how it is situated or constructed; or
  - (ii) it is in a state of disrepair; or
- (b) has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or
- (c) does not have a supply of potable water that is adequate for its intended use; or
- (d) does not have sanitary facilities that are adequate for its intended use.

## 4. OVERALL APPROACH

### 4.1 Policy Principles

Buller District Council has noted that provisions of the BA 2004 in regard to dangerous, ~~earthquake-prone~~ and insanitary buildings reflect the government's broader concern with the health and safety of the public in buildings and, more particularly, the need to address human safety in the event of an earthquake.

Council is committed to ensuring that the Buller District is a safe and healthy place to live and work while also ensuring that the District continues to develop and thrive. This policy supports the following outcomes from the Buller District Long Term Community Plan:

- |                        |  |
|------------------------|--|
| Outcome 1 Health:      | <i>Healthy communities with access to quality facilities and services.</i>       |
| Outcome 3 Safety:      | <i>A region that is a safe place to live.</i>                                    |
| Outcome 4 Environment: | <i>The distinctive character of the environment is appreciated and retained.</i> |

~~Buller District Council has also noted that the development of dangerous, earthquake-prone and insanitary building policies is up to each territorial authority to determine and has responded accordingly by putting individual focus on these areas.~~

This policy ~~has~~ was ~~been~~ developed and finalized after due consultation with Buller District Council ratepayers and stakeholders in accordance with Section 83 of the Local Government Act 2002.

#### **4.2 District Characteristics**

~~The built environment of the Buller District has developed over the last 150 years. European settlement has largely been based around the original early settlements. Construction of buildings has been according to the standards and styles of the period.~~

Local buildings comprise a range of types and ages with construction techniques ranging from wood and unreinforced masonry buildings to a few modern multi-

storey steel and concrete buildings. The great majority of buildings are one or two-storey only.

~~Buller District is presently experiencing a period of steady economic growth that reflects the confidence in greater agricultural productivity, a growth in tourist activity, increased land prices and an influx of new residents.~~

~~Buller District is in a zone of high to moderate seismic activity, with the alpine fault bordering the district, but due to the mountainous terrain a very low density of building stock exists close to the Main Divide. Farm Buildings and Recreational Huts make up the greater percentage of buildings in this higher risk location of the District.~~

~~In developing this policy the Buller District Council must balance the need to protect public health and safety against the economic implications of requiring significant remedial building work and the community's desire to protect heritage structures.~~

~~Dangerous and Insanitary Buildings are addressed in this first part of the Policy, while Earthquake Risk Buildings are addressed in the second part.~~

## **5. ——— DANGEROUS AND INSANITARY BUILDINGS POLICY**

### **5.1 Policy Approach**

Conversions of existing buildings, lack of maintenance, lack of appropriate facilities, overcrowding and un-consented alterations can cause serious health and safety problems.

The failure to obtain a building consent or the use of buildings for unauthorised purposes can pose a danger to the occupants as well as users. Dangers may include danger of collapse, inadequate fire protection or means of escape.

The development of the New Zealand Building Code and associated standards creates, over time, an effective "raising of the bar" for the standards which buildings and Building Owners must meet. Existing buildings must be maintained appropriately in order to continue to meet such standards.

The Council is actively involved in educating the public on BA 2004 matters with a view to encourage owners to obtain building consent where necessary. The Council treats building safety as a serious matter; buildings must be safe for their intended use and for Occupiers.

## **5.2 Identifying Dangerous or Insanitary Buildings**

The Council will identify potentially dangerous or insanitary building on the basis of:

1. Complaints from members of the public.
2. Advice received from Council staff.
3. Complaints or advice from other agencies (e.g. local health providers, NZ Police, trades people).

## **5.3 Assessment/Prioritisation Criteria**

The Council will assess potentially dangerous or insanitary buildings in accordance with sections 121(+) or 123 of the Act as appropriate and in terms of the level of risk to public health or safety that is presented.

The Council will give priority to buildings that have been determined to present such a high level of risk as to warrant immediate action to remove the risk.

Options for such immediate action include:

- Prohibiting any person from occupying or using the building;
- If necessary, erecting barriers and warning signs, plus securing the building to prevent entry until such time as remedial action can be taken;
- Undertaking remedial action under s129 of the BA 2004. Note that, in the case of insanitary buildings, the Council reserves the right to use its powers available under s34 of the Health Act, 1956.

Where the Council undertakes remedial action under either s129 of the BA 2004 or s34 of the Health Act, all costs will be recoverable from the building owner(s) as provided for in the relevant legislation.

Buildings that are determined to present a serious risk which is not immediate will be subject to the minimum timeframes for reduction or removal of the danger (being not less than 10 days) as set out in s124(1) (c) of the Act.

In addition to remedial action, the BA 2004 also empowers the Council to prosecute Building Owners and this power may be considered at times by the Council.

#### **5.4 Investigation and Enforcement Process - Dangerous or Insanitary Buildings**

The Council will:

1. Respond to and investigate all building complaints received.
2. Identify from these investigations any buildings that are dangerous or insanitary.
3. Assess the level of risk presented by the building and, if required, take immediate action.
4. Inform the owner and occupier of the building to take action to reduce or remove the danger or insanitary condition, as required by s124 and s125 of the Act.
5. Liaise with the New Zealand Fire Service when Council deems it appropriate, in accordance with s121 (2) of the Act which provides that:

*"For the purpose of determining whether a building is dangerous in terms of s121 subsection (1) (b), a territorial authority-*

*(a) May seek advice from members of the New Zealand Fire Service who have been notified to the territorial authority by the Fire Service National Commander as being competent to give advice; and*

*(b) If the advice is sought, must have due regard to the advice."*

6. Where the building is a heritage building listed in Council's District Plan or a building listed in the [Heritage New Zealand Historic Places Register List](#), the ~~New Zealand Historic Places Trust~~[Heritage New Zealand](#) shall also be advised and consulted.

If the building is found to be dangerous or insanitary but does not present an immediate risk the Council may:

7. Attach written notice to the building requiring work to be carried out on the building, within a time stated in the notice being not less than 10 days, to reduce or remove the danger.
8. Give copies of that notice to the building owner, occupier and every person who has an interest in the land, or is claiming an interest in the land, as well as the ~~New Zealand Historic Places Trust~~[Heritage New Zealand](#), if the building is a registered heritage building.
9. Contact the owner at the expiry of the time period set down in the notice in order to gain access to the building to ascertain whether the notice has been complied with.
10. Where the danger is the result of non-consented building work the owner will formally be requested to provide an explanation as to how the work occurred and who carried it out and under whose instructions.
11. Pursue enforcement action under the BA 2004 and Health Act 1956 and recover actual and reasonable costs.

All owners have a right of objection as defined in the Act, which can include applying to the Department of Building and Housing for a determination under s 177(e) of the Act. Council will reserve the right to recover costs of this process from Objectors and / or Building Owners.

#### **5.5 Interaction between this Policy ~~And and~~ Related Sections of the Act**

Section 41 of the BA 2004 provides for situations where, because of the urgency of the work to be done to remove the danger, it is not practical to apply for a building consent before the work is undertaken. ~~It~~ In these cases an application

~~for a certificate of acceptance may be required. cases where a building is assessed as being immediately dangerous the Council may not require a building consent to be obtained for any building work considered to be immediately necessary to remove the danger.~~ However, prior to any action being taken it is essential that building owners provide a written proposal of any proposed works to the Council for agreement on the matter.

## **5.6 Record Keeping**

Any buildings identified as being dangerous or insanitary will have a requisition placed on the Council's records for the property on which the building is situated until the danger or insanitary condition is remedied.

In addition, the information will be placed on any Land Information Memorandum (LIMs) and will be available for public release in accordance with the provisions of Local Government Official Information and Meetings Act 1987.

# **~~6. EARTHQUAKE-PRONE BUILDINGS POLICY~~**

## **~~6.1 Policy Approach~~**

~~Because of the high to moderate seismic risk, Buller District Council has pursued a policy of encouraging the strengthening of earthquake-prone buildings through the building consent process and at times when alterations are being considered. In developing this policy the Buller District Council must balance the need to protect public health and safety against the economic implications of requiring significant remedial building work and the community's desire to protect heritage structures. In some instances, property owners have acted on their own accord and have carried out strengthening work.~~

~~Some buildings have also been strengthened in accordance with the requirements of Section 46 of the BA 2004.~~

In developing its approach to this policy, Buller District Council has to consider key issues of:-

- Economic impacts of progressively strengthening building stock in anticipation of an earthquake that could damage the building stock.
- Economic impacts of NOT strengthening building stock and incurring the cost of repair / replacement all at the same time and at the same time that infrastructure may be damaged and require repair as the result of an earthquake.
- The level of risk to human life and safety which can be tolerated over both the short and long term if building strengthening is delayed.

In considering the key issues, the Council needs to achieve a balance between a number of conflicting issues and concerns:

- The safety of the public when an earthquake event occurs.
- The likelihood, severity and potential timing of a major earthquake and effects on different locations within the District.
- The economic impact on the District of a major earthquake.
- The relative age and condition of non-residential buildings within the District.
- The costs of undertaking a comprehensive review of potentially earthquake-prone buildings and the availability of funding for this work.
- The costs of planned and progressive strengthening of buildings versus the economic impact of catastrophic failures caused by an earthquake.
- The costs to building owners of undertaking various levels of strengthening work and the potential economic impact (including loss of businesses) to the District.
- The risk that buildings which are uneconomic to strengthen will be demolished and that the character of the built environment in Buller District will alter as a result.
- The potential loss of heritage buildings as the result of this process.
- The need for statutory compliance by Building Owners and the Council.

~~Buller District Council's Earthquake-Prone Building Policy needs to reflect Council's approach to reduce earthquake risk over time, but in a way that is acceptable to its ratepayers in terms of the key well-beings;—economic, social, environmental and cultural.~~

## **~~6.2 Identifying Earthquake-Prone Buildings~~**

~~The Council does not intend to conduct a preliminary "desk top" assessment of the districts' building stock. Alternately the following criteria will drive when the Council becomes involved;—~~

- ~~1. —When a Building Consent Application is received, or;~~
- ~~2. —When a "Change the Use" occurs; or~~
- ~~3. —When complaints are made or concern is received about the state of a building and the Council considers there are grounds for further investigation and assessment.~~

### **~~6.2.1 Building Consent Applications~~**

~~On receipt of an application for a Building Consent relating to alterations to a building, the Council may;~~

- ~~i. —Require an assessment of structural strength of the entire building or parts of the building. Such an assessment will address whether or not the building could be earthquake-prone;~~
- ~~ii. —Assess whether or not the work to be consented will be so minor that it will not impact on the structural integrity of any part of the building.~~

~~Where a Building Consent is applied for and a satisfactory assessment of structural strength of the building, or relevant parts of the building, has NOT been accepted by the Council, then a Building Consent will not be issued or progressed further, until the Council has been satisfied that the building, or parts of the building subject to the Building Consent Application, currently meets the minimum requirements of this policy for structural strength, or will do so upon completion of the proposed works.~~

#### **~~6.2.2 "Change the Use" Applications~~**

~~All owners wishing to change the use of a building must advise the Council of their intentions in writing.~~

~~Section 115 of the Act requires that, where the use of a building changes, and prior to issuing a code compliance certificate, the Council must be:~~

~~"satisfied, on reasonable grounds, that the building, in its new use, will —~~

~~(i) — comply, as nearly as is reasonably practicable and to the same extent as if it were a new building, with the provisions of the building code that relate to —~~

~~(A) — means of escape from fire, protection of other property, sanitary facilities, structural performance..."~~

~~In the case of a "Change the Use" (section 115 of the BA 2004), Building Owners are required to ensure that their building has the same strength as a NEW building. As such this aspect cannot be subject to this policy with regard to providing for a lesser level of strength, or for objections to statutory requirements.~~

#### **~~6.2.3 Complaints~~**

~~Potentially earthquake-prone buildings may also be identified as the result of complaints about a specific building or following investigations into complaints about dangerous or insanitary buildings.~~

#### **~~6.3— Assessment and Strengthening Criteria~~**

~~For practical purposes relating to this policy, Buller District Council will define earthquake-prone buildings as those that, when subject to moderate earthquake shaking, do not achieve 33% of ultimate limit state as defined in the loadings and materials Standards for new buildings, with the exception of those buildings that have special strategic "Life Lines" importance to the Buller District as set out in section 6.3.2 of this policy.~~

~~The Council will require prior assessment and reporting by an appropriately qualified person or persons of the structural strength of a building, at the Building~~

~~Owners expense. Such assessment will be provided to the Council before a Building Consent is issued for any structural work on the building or parts of the building.~~

~~Where the building is assessed as being potentially earthquake-prone and the work to be consented will not impact on the structural integrity of the building, the Council will require the building owner to undertake, within fifteen years of the date of the Building Consent Application, the strengthening work detailed in the Structural Strength Assessment Report that has been accepted by the Council.~~

~~If upon expiry of the period of fifteen years and the strengthening work subject to the Structural Strength Assessment Report, has not been satisfactorily completed, then the Council will determine the safety of the building and if necessary declare the Building to be Dangerous.~~

~~Notwithstanding the above situations, if at any time a building poses a risk to persons or property due to the risk of partial or total collapse in an earthquake, then the Council may declare the building dangerous and proceed in accordance with adopted policy in that regard.~~

#### **~~6.3.1 Assessment Process, Criteria and Cost~~**

~~Assessment of whether or not a building is earthquake-prone will be undertaken by an appropriately qualified person — i.e. a Chartered Professional Engineer with expertise in Earthquake Engineering and preferably recognised by the New Zealand Society of Earthquake Engineers. The Council anticipates that in the majority of occasions that the Building Owner will commission Structural Strength Assessment Reports on affected buildings. However the Council recognizes, that at times to fulfill its statutory obligations, some investigation and assessment may have to be commissioned by the Council and recovered from the Building Owner.~~

~~In addition to the more generic risks of the likely probability and magnitude of an earthquake affecting the building, assessments will take into account the following factors specific to the building and its site:~~

- ~~Hazard – geographic proximity to an earthquake hazard/fault line.~~
- ~~Vulnerability of site – building site conditions, especially with regard to liquefaction risk and soil types.~~
- ~~Vulnerability of building – construction methods, materials, maintenance, current condition, height, design and loadings.~~
- ~~Importance – of building and/or contents, e.g. strategic value of the building.~~
- ~~Damage – risk of the building damaging neighbouring property.~~
- ~~Exposure – the numbers of people using the building and frequency of use.~~

~~In all situations Building Owners will be required to fund 100% of costs incurred in assessment and strengthening of a building, including Objection Hearings Panel, Council staff, consultancy and legal costs, unless the Councils Funding Policy specifically contains provision for remission due to public benefit.~~

#### **~~6.3.2 Strengthening Requirements~~**

~~Buller District Council will use the New Zealand Society for Earthquake Engineering Recommendations as its preferred basis for defining technical requirements and criteria. These Recommendations are designed to be used in conjunction with AS/NZS 1170 Loadings Standard, NZS 3101 Concrete Structures Standard, NZS 3404 Steel Structures Standard and other materials Standards.~~

~~Where a building is formally identified as being earthquake-prone, the Buller District Council will apply the following strengthening criteria:~~

- ~~"A Buildings" with special post-disaster functions as defined in AS/NZS 1170.0: 2002, Importance Level 4, to be strengthened to a minimum of 67%.~~
- ~~"B Buildings" that contain people in crowds or contents of high value to the community as defined in AS/NZS 1170.0: 2002, Importance Level 3, to be strengthened to a minimum of 33%, with strengthening to 67% to be strongly encouraged.~~

- "C Heritage" buildings listed in Council's District Plan Schedule, Marae and buildings listed in the [New Zealand Historic Places Trust Register](#) to be strengthened to a minimum of 33%.
- "D Buildings" with an Importance Level of less than 3 as defined in AS/NZS 1170.0: 2002 and identified as being earthquake-prone to be strengthened to a minimum of 33%.

#### **6.3.3 Partial Strengthening**

On occasion, the detailed assessment may find that only part of a building is earthquake-prone and requires strengthening – e.g. an addition or façade. In these situations, Council will decide on the level of strengthening and the timetable for remedial action on a case-by-case basis.

#### **6.4 Liaison with Building Owners and Taking Action on Buildings Likely to be Earthquake-Prone**

Before exercising its powers under section 124, Buller District Council will seek to discuss options for remedial action with affected building owners to reach agreement on the best approach to deal with the danger. The building owner will then be required to submit a formal proposal to Council which confirms the works to be undertaken to strengthen the building, remove the danger or remove the building.

In the event that discussions do not result in a mutually acceptable proposal, Buller District Council will serve a formal notice on the building owner to strengthen or demolish the building. A Building Consent will not be issued that could extend the building life or maintain / increase the level of danger to building occupants or neighbouring persons / buildings, unless the Building Consent also includes strengthening of the building / parts of the building, to the Councils' satisfaction.

Buller District Council will:

Local Government Official Information and Meetings Act 1987. The information will be available at the Council offices and via the LIM process.

## **~~7. HERITAGE BUILDINGS~~**

~~Heritage buildings are those listed in Councils District Plan Schedule, Marae and buildings listed in the [New Zealand Historic Places Trust](#) Register. The BA 2004 recognises that special provision shall be made for such buildings. Buller District Council believes it is important that its heritage buildings have a good chance of surviving a major earthquake in order to retain these important connections to the District's history and unique character. However, Buller District Council does not wish to see the intrinsic heritage values of these buildings adversely affected by structural improvement measures.~~

~~Heritage buildings will be assessed in the same manner as other potentially dangerous, earthquake-prone or insanitary buildings and as per ss121-123 of the Act and discussions will be entered into with the owner and the [New Zealand Historic Places Trust](#) (pursuant to s125(2)(f) where the building is contained in their Register) to identify a mutually acceptable way forward which meets heritage objectives and BA 2004 requirements included in this Policy as near as is reasonably practicable in the circumstances.~~

~~Council will serve notices requiring upgrading or demolition within specified timeframes, in consultation with building owners. A copy of any notice issued under s124 of the Act will be sent to the Historic Places Trust in the case of all heritage buildings. Any upgrading work must take into account the principles of the International Council on Monuments and sites (ICOMOS) NZ Charter, any advice from Council's heritage staff or other heritage professionals or organisations, where applicable and should be designed to involve minimal loss to heritage fabric.~~

~~Waivers or modifications of the building code will be considered on a case-by-case basis and seismic strengthening methods that respect heritage values will be supported.~~

~~Demolition is an option of last resort for heritage buildings.~~

#### ~~8.5.~~ **PLANNING**

Buller District Council will:

- (i) enter into mutual aid agreements with other Territorial Authorities / Building Control Authorities to share resources;
- (ii) develop a current list of contacts with other organisations that may co-operate during an emergency;
- (iii) use ~~building identification evaluation stickers (green/yellow/red) when rapidly~~the national rapid assessment forms and stickers when assessing building structural damage;
- (iv) identify priorities for building evaluation; and
- (v) prepare a database for receiving and recording information.

#### ~~9.6.~~ **OBJECTIONS**

In the first instance, building owners or other directly affected parties who wish to object to a building being (or not being) declared dangerous, ~~earthquake-prone~~ or insanitary should record their objections in writing to the Council's Chief Executive Officer who will undertake an investigation of the circumstances of the building and the reasons behind the Council's decision on the matter and arrange for the executive management of Council to review the decision and if necessary to hear evidence from parties involved. The executive management decision will be provided by way of response to an objection.

Further legal remedies and application to the Department of Building and Housing for a Determination are also available to Building Owners.

The Council reserves the right to recover actual and reasonable costs incurred in conducting review and objection processes, in accordance with fees set from time to time.

Priority will be given to objections where the building has been declared to be of such as risk as to require immediate remedial action so that no undue delays are caused.

#### 9.1 Determinations

Building owners and a variety of other interested parties can formally object to the Council's decision through the right to apply to the Chief Executive of the Department of Building and Housing for a determination. Determinations can be applied for concerning the Council's decisions to issue or not issue a consent or code compliance certificate, or to exercise its powers concerning dangerous, earthquake-prone or insanitary buildings. Sections 176 – 190 of the BA 2004 lay out the requirements for determinations.

### ~~10.7.~~ ECONOMIC IMPACT OF POLICY

The economic impact of the dangerous and insanitary buildings ~~section of this policy~~ is assessed as being minor, since there are relatively few such issues each year.

~~The economic impact on the District of an earthquake involving the alpine fault is likely to be very substantial given the probability of a significant earthquake that is predicted to adversely affect building structures in the District. Such an earthquake is predicted as having a probability of 65% (+/- 15%) of occurring within the next 50 years. Given the high level of risk (in terms of both severity and likelihood), it would seem reasonable for Buller District Council to pursue a much more proactive stance on earthquake-prone buildings. However, the Council is sensitive to issues such as the limited rating base and potential costs to Building Owners, and with a~~

~~relatively low income level within the District a more restrained approach is required.~~

#### 11.8.      **REVIEW**

Pursuant to section 132 of the BA 2004 this policy is required to be reviewed by the Council every 5 years. Any amendment or replacement of the policy must be in accordance with the Local Government Act 2002 Special Consultative Procedure.

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 6**

**Prepared by - Lynn Brooks**  
**- Management Accountant**

**Reviewed by - Dean Phibbs**  
**- Manager Corporate Services**

**Rates Overhaul Project**

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**Report Summary**

This report presents a summary on the Rates Overhaul Project to date and provides a timeline for information and decision making purposes.

**Draft Recommendation**

That Council accept the report for information purposes and -

1. That Council consult the community and give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter of a Buller District Council Rates Review.
2. That consultation be held proposing a rating model with the following attributes to be used for the 2018/2019 rates strike : general rates based on capital value, a uniform annual general charge of \$475 including GST per separately used and inhabited property, targeted rates based on a fixed charge or flat charge where a service is used or available, differentials of 1 for residential, 1 for primary industries, 4 for commercial, 4 for industrial, 1.6 for utilities, 10 for cement, 34.1 for harbour and 18.5 for mining.
3. That Council adopt the timeline included in this report, and consultation be undertaken in accordance with that timeline.

**Issues and Discussion**  
**Consultation**

This report is presented to Council in accordance with the instructions directed by the Rates Overhaul Committee which last met at a workshop on 24 May 2017.

The Committee has continued to work on the details of a rates model which could be used as a basis of a new rates system to consult on with our community since a first rates review consultation document was released during December 2014. At that time there was helpful feedback received from the community and this identified a number of areas the Councillors wished to revise and consider further. The consultation also identified a number of inconsistencies in the proposed model where properties were misclassified and in some instances it revealed errors in the current system which could be corrected, and errors in the proposed model. Council decided to work on with alternate models and consult the community again at a later date.

The review of rates has not been easy and taken far longer than Councillors thought due to the limited tools available to set rates under the Local Government Rating Act. Councillors have had to make incremental decisions to develop a model and with each decision we have tested the results on a sampling of properties. While it is acknowledged that no rating system can be perfect the work to date has looked closely at capital value (instead of land value) rating used by the majority of Councils throughout New Zealand.

### **Why Consider Undertaking a Rates Review**

When the Committee looked at the way we strike our rates now, there were many areas where the rates did not seem to be fair. The system had grown over the years since our Council amalgamated the County and the Borough Councils and it is based on historical yield based systems, some of which may not be as relevant today.

There were 44 different rates in the dollar charges (differentials). Some differentials were introduced to reduce the amount of rates collected from high land value beachside property, or to reduce the amount of rates collected from pockets of high value land as established by Quotable Value NZ due to escalating market property prices. These differentials were introduced after ratepayers successfully petitioned for special discounts to be applied in their area, however once the market changed or corrected, these differentials were not removed.

The yields from each sector of our community (such as industrial, or residential) were collected on a historical basis and little recognition for changes in a sector (such as the construction of a large industrial plant in addition to the historical properties in the sector) were not always factored into the rates strike.

The present rating system has become regressive over time. A regressive tax is a tax that takes a larger percentage of income from low-income earners than from high-income earners. A regressive tax is generally a tax that is applied uniformly to all situations, regardless of the payer. An example of a regressive tax would be a poll tax, which is levied on everybody, regardless of income.

The opposite of a regressive tax is a progressive tax. That is, it has a step-by-step tax system, which means that different portions of a person's or company's income are taxed at increasing rates (that's why the rates are often referred to as marginal rates).

Back in 2001/2002 about 40% of the total rates collected by Council were fixed rates. Fixed rates include the Uniform Annual General Charge (UAGC) and flat charge target rates. By 2014/2015 the proportion of fixed rates had increased to around 60%.

The increase in fixed rates over this timeframe occurred because the construction of new water and sewerage schemes created ongoing higher charges. These higher operating costs required to run the schemes continued to be applied as flat target rates.

This raised affordability queries and questions of fairness when looking at ability to pay and comparing older low value properties to newer high value property. A work plan to review the way the rates are struck was agreed by Council, and the Rates Overhaul project was started.

### **Principles of a good rating system**

Council has modelled a large number of models (in excess of 70) and looked closely at about one third of these. Models have been reviewed in workshops where Councillors have been able to compare the results to the eight principles of a good rating system which were decided at the beginning of the project.

When undertaking the final evaluation of any rating model, it is important to consider the rating principles and their weighting as listed below.

#### **Principles with a greater weighting:**

- A good rating system should produce consistent results for similar ratepayers
- A good rating system should strike the right balance between benefits available and requirement to pay
- A good rating system should be equitable to all taking into account the benefit available
- A good rating system will be progressive to recognise different abilities to pay

#### **Principles with a lesser rating:**

- A good rating system will recognise that rates are a tax not a user charge
- A good rating system should be simple
- A good rating system should be easy to understand
- A good rating system should be low cost to administer

Ability to pay is usually favoured by those who believe property values as the funding tool we use along with a broad assumption that the relative value of a property provides an accurate enough indication of the property owner's relative ability to pay. Those who have the ability to pay more should pay a greater share.

Benefits received is usually favoured by those who believe that this approach to Council funding is more relevant given that local government has no place in transfer or social redistribution of an individual's relative wealth or income. If rates are tailored to create a better connection between what each ratepayer pays and the benefit they receive from Council activities this would

create a better connection between what a community wants and what it is prepared to pay for.

Council workshop discussions to date have proved there is always going to be varying degrees of tension between whether one principle should outweigh another after taking into account an individual's views and experiences. A strong message from those Council workshops is that the proposed model developed so far is not yet complete, it requires community input and help through consultation to decide if the model should be introduced.

### Timeline

The following timeline is proposed for the Rates Overhaul Project:

### PROJECT TASKS AND TIMELINES

Task	Allocate to:	Required	Comments
Water meter installation programme and budget	Steve Griffin	August 2016	Completed
Confirm how water meter policy is applied to ratepayers	Steve Griffin	September 2016	Presented at September 2016 workshop. Completed and the outcome is there was to be no changes to current practice
Establish Community Group Differential	Council	August 2016	Completed
Review impact of Rates Rebate programme	Wendy Thompson	September 2016	Completed
Review definition and application of SUIPs	Council	August 2016	Completed
Review penalties regime	Wendy Thompson	Council Report June 2016	Completed
Continuation of Modelling	Lynn Brooks	January 2017-31 July 2017	
Continue database integrity checks once consultation model decided upon	Lynn Brooks John Rodger	After 1 July 2017 rates strike is set	
Ratepayer feedback on use and category codes - before? or with? rates system proposal	Lynn Brooks John Rodger	Timing to be Confirmed	
District Plan Review - require consistency between the rates resolution and DP at Plan Change 144 Utilities and Infrastructure Policy 7 around connections into reticulated systems where available.	Graeme Neylon	To be confirmed	
Refine draft Statement of Proposal	Lynn Brooks Dean Phibbs	15 August 2017	

Task	Allocate to:	Required	Comments
Prepare draft consultation document and covering letter	Lynn Brooks Dean Phibbs	30 September 2017	
Design advertising framework	Lynn Brooks/Annikka Pugh	30 September 2017	
Set up rating database for consultation rates lookups	John Rodger Hayden Sharpe	31 July 2017	
Arranging community drop in sessions and engagement with stakeholder groups	Lynn Brooks Mary Wilson	30 September 2017	Via website newsletter and community group lists
Engage printing service consultation document (3 weeks minimum lead in required)	Lynn Brooks	30 September 2017	Note on rates demands sent in October that rates overhaul information is coming out soon
Rates database available		1 November 2017	
Open consultation		1 November 2017 to 15 December 2017 (Proposed between this period)	(Require 30 days)
Deliberations		Mid - to late January 2018	
Amendments to rating model		January 2018	
Finalise and adopt rating system for inclusion in the 2018-2028 LTP		February 2018	
Draft LTP Released for consultation		April 2018	
Adoption of 2018/2019 Rates Resolution		July 2018	

## Considerations

### 1. Strategic Impact

The strategy of the rates overhaul project has been a top-down approach, based on a group of ideal principles which are able to be described and discussed with our community, encouraging transparency about how rates are collected. This approach aligns to the core values of Council.

59% of the annual revenue required to operate Council is collected from both general and target rates, and it is important to recognise the majority of Council income is currently collected under a system which is historic and yield based, and not always able to be explained, it is “just how it has always been”. The current rates system is a bottom-up approach where differentials are difficult for any ratepayer to assess and discuss with Council.

## **2. Significance Assessment**

The Significance and Engagement Policy is written in accordance with The Local Government Act 2002 (LGA 2002) section 76AA. This part of the Act sets the general approach to determine if a proposal or decision is significant requiring the Council to make judgements about the likely impact of that proposal or decision on:

- a) The District;
- b) The persons who are likely to be particularly affected by, or interested in, the proposal or decision;
- c) The financial impact of the proposal or decision on the Council's overall resources; and
- d) The capacity of, the Council to perform its role and carry out its activities, now and in the future.

The Significance and Engagement Policy sets out the criteria and framework for a matter or transaction to be deemed significant. The content included in this report is considered significant because a change in the way rates are struck is significant at an organisational level and is significant for every ratepayer.

## **3. Risk Analysis**

Risk is assessed by taking into account the likelihood of an event occurring and the result of that event.

A rates review does not change the amount of rates revenue received by Council, it simply reallocates the share that each ratepayer contributes. Rates are an emotive topic and there is some risk that ratepayer goodwill could be eroded if a ratepayer were to face an increase. Conversely if a ratepayer were to face a decrease that goodwill may be enhanced.

There is potential risk around computational and mathematical calculations within the structure of the model. This is mitigated by robust peer review and using specifically designed software to create rating models.

There is some legal risk around the structure of the model. This is mitigated by robust peer review and using the services of an external legal expert to review any final model which may be selected for future rates collection.

## **4. Values**

The Buller District Values are: Integrity, Future Focussed, Community Driven, One Team and We Care. Carefully considering how Council collects rates from our community aligns to all of these values. Consulting on the Rates Overhaul project allows for discrepancies in the application of the rating systems (both in place now, and proposed new system) to be examined and allows for greater transparency between Council and community.

**5. Policy/Legal Considerations**

The striking and collection of rates is set out in the Local Government (Rating) Act 2002. All rates must be struck lawfully and collected in accordance with this Act.

**6. Tangata Whenua Consultation Considerations**

The contents of the report are not a matter requiring consultation with Tangata whenua.

**7. Views of Those Affected**

It is equitable for all our ratepayers to have an opportunity to provide feedback to Council on the proposed rates model and to guide and help Councillors decide if a new rating system should be adopted, by ensuring a consultation period is held.

**8. Costs**

\$100,000 (excluding GST) was provided in prior year budgets for the Rates Overhaul project. No consultants have been used to assist in the project. To date the costs incurred (\$47,943 excluding GST) include rates modelling software annual user licence fees and support, and printing/advertising costs to date. There is sufficient funds in the budget to complete consultation and to engage a suitably qualified legal professional to review any proposed changes to collection of rates income.

**9. Benefits**

The benefits of reviewing the way rates are struck is to promote fairness and equity for all ratepayers so that everyone is paying their portion of the cost in a way more closely aligned to the principles of a good rating system, rather than a yield based system which does not take into account the changes in the respective categories of ratepayers as these change over time.

**10. Media/Publicity**

There are many media or publicity opportunities within the content of this report.

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 7**

**Prepared by - Wendy Thompson**  
**- Financial Accountant**

**Reviewed by - Dean Phibbs**  
**- Manager Corporate Services**

**Statements of Intent - Council Controlled Organisations**

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**Report Summary**

Council is required to receive Statements of Intent for each of its Council-controlled organisations (CCOs) relating to the upcoming financial year.

The Council has five CCOs that are required to provide Statements of Intent:

- Westport Airport Authority
- Buller Holdings Ltd
- Westport Harbour Ltd
- Buller Recreation Ltd
- WestReef Services Ltd

**Draft Recommendation**

That Council approve the Statements of Intent for the year ending 30 June 2018.

**Issues and Discussion**

Schedule 8 of the Local Government Act 2002 states that the purpose of a Statement of Intent is to:

- State publicly the activities and intentions of a Council-controlled organisation for the year and the objectives to which those activities will contribute; and
- Provide an opportunity for the shareholders to influence the direction of the organisation; and
- Provide a basis for the accountability of the Directors to their shareholders for the performance of the organisation.

The draft Statement of Intent must be delivered to its shareholders for approval each year. The final Statement of Intent must be delivered to Council before 30 June each year.

Council has the power to pass a resolution requiring a modification to the Statement of Intent however it should consult with the entity concerned before this.

## **Considerations**

### **1. Strategic Impact**

The Statements of Intent link the CCO's activities into Council's 2017/2018 annual planning processes and provide opportunities for Council to review the goals and negotiate key performance targets.

### **2. Significance Assessment**

The scope, objectives and performance targets of Council's CCOs summarised in the 2017/2018 Annual Plan are based on the content of the Statements of Intent. Our community has the opportunity to review and provide feedback on this information as part of the annual plan consultation process.

### **3. Values Assessment**

The Buller District Council's values are: One Team; Community Driven; We Care; Future Focusses; and Integrity. Adopting annual Statements of Intent for Council's CCOs brings the objectives of the group together in a transparent annual planning and performance goal setting process.

### **4. Risk Analysis**

Failure to follow the statutory process for reviewing and approving Council's CCOs Statements of Intent risks a breach of the legislation. It may also create misunderstanding between Council and its subsidiaries about the performance levels and other targets expected for the year.

### **5. Policy/Legal Considerations**

The Local Government Act (2002) prescribes the content, processes and timelines required to adopt draft and final Statements of Intent.

### **6. Tangata Whenua Considerations**

None identified.

### **7. Views of Those Affected**

The management and directors of Council's CCOs have prepared the content of these Statement of Intents based on financial forecasts and other information including their perception of future expectations from Council as their shareholder.

### **8. Costs**

Approving the Statements of Intent will provide shareholder approval of the plans, budgets and performance targets for inclusion in the 2017/2018 Annual Plan.

**9. Benefits**

The formal process for setting and refining financial and performance expectations between Council and its CCOs provides the framework for aligning annual objectives and targets.

**10. Media/Publicity**

None identified.

# **WESTPORT AIRPORT AUTHORITY**

## **Statement of Intent For the year ended 30 June 2018**

**WESTPORT AIRPORT AUTHORITY  
STATEMENT OF INTENT  
FOR THE YEAR ENDING 30 JUNE 2018**

Introduction

The Westport Airport Authority is a joint venture operation between the Buller District Council and the Ministry of Transport. Management and control of the Airport is vested in the Buller District Council.

This Statement of Intent sets out the intention and the objectives for the joint venture for the period 1 July 2017 to 30 June 2018 and the following financial year.

Objectives

The principal objective is to operate a safe and efficient airport facility and assist in the provision of air services for visitors and stakeholders alike.

To operate as close as possible to a commercial business offering cost effective value for the ratepayer investment.

To maintain the Airport's assets and infrastructure at a level compliant with our CAA Part 139 certification status.

To pursue any commercial undertakings at the Airport that will complement the Airport operation and increase the level of economic activity

Nature and Scope of the Activities to be Undertaken

The nature of the activities of the Airport is to operate Airport facilities at Westport that support scheduled flights and other general aviation activity including air ambulance, charter and leisure.

The Airports scope envelops the provision, maintenance, upgrading and enhancement of services and facilities to accommodate the safe movement of aircraft and the efficient facilitation of passengers and cargo through the Airport.

In addition to the airside operations the airport authority also derives income from providing ground handling services to the scheduled operator, managing property leases and car parking.

The deviation from the long term plan estimates reflect the new management structure which was adopted following a change in scheduled operator in May 2015. At this time staff were employed to provide ground handling services and maintenance tasks which had previously been outsourced.

Accounting Policies

The accounting policies used by the Westport Airport Authority are consistent with generally accepted accounting principles, legal requirements and the Joint Venture Agreement.

## WESTPORT AIRPORT

	AP Budget 2017/2018	LTP Forecast 2018/2019	LTP Forecast 2019/2020
<b><u>INCOME</u></b>			
Airport Dues/Landing Charges	42,000	50,762	52,234
Farmland Lease	52,000	56,162	57,791
Terminal and Sundry Income	15,000	98,619	101,479
Service Charge	78,750		
Electricity Recovery	1,000		
<b>Total Income</b>	<b>188,750</b>	<b>205,543</b>	<b>211,504</b>
<b><u>EXPENDITURE</u></b>			
Employment Costs	102,100	80,334	82,101
Power	12,000	10,152	10,447
Audit Fees	9,200	9,612	9,891
Depreciation	113,240	69,408	50,453
General Expenses	15,000	7,506	7,724
Insurance	6,000	11,880	12,225
WestReef Outwork	500	4,860	5,001
Rates	1,400	1,620	1,667
Rep/Mtce and other Outwork	65,000	54,431	64,827
Telephone	1,500		
Share of Overheads	29,840	26,327	26,036
<b>Total Expenditure</b>	<b>355,780</b>	<b>276,130</b>	<b>270,372</b>
<b><u>Profit/(Loss)</u></b>	<b>(167,030)</b>	<b>(70,587)</b>	<b>(58,868)</b>
<b><u>Capital Expenditure</u></b>			
Fence	5,000		
Rock Protection Wall			55,568

### Performance Targets

The Joint Venture performance will be judged against the following measures:

	AP Budget 2016/2017	LTP Forecast 2017/2018	LTP Forecast 2018/2019
Operating Revenue	188,750	205,543	211,504
Operating Expenditure	355,780	276,130	270,372
Net Profit (Loss)	(167,030)	(70,587)	(58,868)
Capital Expenditure	5,000	0	55,568

### Ratio of Shareholder Funds to Total Assets

The forecast ratio of shareholder funds to total assets for the next 3 years is:

2017/18	2018/19	2019/20
94%	94%	92%

Shareholder Funds is represented by Total Equity. Total Assets is Total Current and Non Current Assets not including any liabilities.

### Profit or Loss Ownership

Profits or losses will be shared equally between the Joint Venture partners on a 50/50 basis from annual surpluses/deficits after tax, made after the deduction of appropriations to reserves amounting to a maximum total of the depreciation charged in that year.

### Information to be Provided to Partners

The Annual Report is to be provided to shareholders within three months of the end of each financial year.

The report will include:

- A Statement of Financial Performance and Statement of Financial Position including comparison with the previous financial period.
- Any other statements as may be required by generally accepted accounting principles and legislation.

The report will also include a report from the appointed auditors.

### Acquisition Policy

The Westport Airport Authority does not anticipate that it will acquire any new equity investments other than the purchase of operational assets approved as part of the yearly budgeting process. Any major acquisitions will only be entered into with the prior approval of the joint venture partners; Buller District Council and The Ministry of Transport.

### Other Matters Agreed by Partners

The Airport being owned by the Buller District Council and the Ministry of Transport has commitments to the public.

- A commitment to the environment.  
To comply with the Resource Management Act and undertake its activities in an environmentally sound manner having regard to the interest of the community.
- A commitment to service.  
To systematically improve the quality and cost effectiveness of services provided to customers.
- A commitment to the community.  
To operate the Airport with due regard to sound, cultural and environment issues arising from the community in which they are located.



# **BULLER HOLDINGS LIMITED**

## **STATEMENT OF INTENT**

**FOR THE YEAR ENDED 30 JUNE 2018**

## **1. Preamble**

Buller Holdings Limited (“Company”) was set up in September 2007 as a Council controlled trading organisation with WestReef Services Limited as its only subsidiary. Buller Recreation Limited (T/A the Solid Energy Centre) was purchased from the Buller District Council in 2009 and Westport Harbour Limited in 2010. The Buller District Council is the sole shareholder of Buller Holdings Limited.

The Company’s continued purpose is to provide a commercial focus in the governance and management of the Council’s commercial assets, allowing for maximum returns on behalf of the ratepayers and benefits to the wider community.

Section 6 (1) of the Local Government Act 2002 (“Act”), provides that any company in which equity securities carrying 50% or more of the voting rights are held by one or more local authority is to be known as a council controlled organisation. In addition, any council controlled organisation that operates a trading undertaking for the purposes of making a profit is considered a council controlled trading organisation.

Buller Holdings Limited (“Company”) is a council controlled trading organisation for the purposes of the Act and is therefore required to have a Statement of Intent (SOI) that complies with clause 9 of Schedule 8.

This SOI, prepared in terms of the Act and clause 22.1 of the Constitution of Buller Holdings Limited sets out the activities and intentions of the Company for the year ending 30 June 2018.

The Company will update its SOI annually and deliver a draft to shareholders before 1 March each year and a completed SOI by 30 June each year.

## **2. Objective**

### **Introduction**

The strategic direction of the Company is guided by the vision, values and strategic objectives. These provide the framework for the Company to establish make plans and investment decisions. The following is an overview of these key planning components.

### **Vision**

Buller Holdings Limited will provide a commercial focus in the governance and management of Buller District Council's commercial assets, allowing for maximum returns on behalf of ratepayers and benefits to the wider community.

### **Objectives**

The principal objective of Buller Holdings Limited is to operate as a successful business while working for the benefit of shareholders. In pursuing this objective the company is guided by the following key principles.

#### **(a) Financial Performance**

The company is committed to operating the group as a successful business and achieving a competitive commercial rate of return on the investment while working for the benefit of the shareholders. It will be striving to minimise operating costs and manage the assets and liabilities in a prudent way. The definition of return on investment the company is broader than the financial returns, but takes into account social, economic and environmental needs of the community.

## **(b) Service**

The company recognises that the needs of its major customers are paramount and is committed to meeting those business needs. It also recognises the need to develop its customer base to ensure sustainability of the business in the future.

## **(c) Employee Relations**

The company values its employees and will recruit and retain employees with the skills necessary to run the business and will provide opportunities for staff training and development.

It will ensure that employees are fairly treated and provided with good and safe working conditions.

The company, together with its employees, will create a culture that recognises the importance of being competitive, the value of delivering a high quality of customer service and the mutual benefit of continued employment. This will involve effective leadership and communication.

## **(d) Safety and Environment**

The company has a zero tolerance to safety and environmental incidents. The company undertakes to comply with all Health and Safety legislation requirements.

## **(E) Marketing**

The company and each of its subsidiaries has developed a marketing plan with objectives, costs, timeline and KPI's to retain and obtain increased external and non-council profitable business.

### **3. Nature and Scope of Activities**

The nature and scope of Buller Holdings Limited will be to provide a holding company structure for the ownership of selected Council assets and investments.

Buller District Council will review the current structure, charter and constitution of its Council Controlled Trading Organisation, Buller Holdings Ltd and will require the assistance of BHL directors and management with the objective to ensure Council has the most efficient and financially beneficial model for the Buller community.

#### **(a) WestReef Services Limited**

The nature and scope of WestReef Services Limited activities will be predominantly to provide contracting services for physical works in the Buller Region and the West Coast of the South Island. Its activities will include maintenance and construction services for:

- Roads and bridges
- Response to Road and Civil Defence emergencies
- Parks and reserves (including associated facilities)
- Utility services (water and sewerage reticulation, waste water treatment, storm water collection)
- Solid and Liquid Waste Collection and Disposal
- Vehicle workshop repairs
- Transfer stations
- Recovery parks
- Roadside vegetation control
- Property maintenance
- Refuse collection

#### (b) Westport Harbour Limited

Westport Harbour Limited assumed responsibility for managing the delivery of port services from 1 September 2010 under a Harbour Management Agreement with the Buller District Council.

Westport Harbour Limited is involved in providing land, facilities, plant and labour for the receiving, delivery, stockpiling, stacking and shipment of a wide range of products and raw materials; the control of land and facilities necessary to maintain the company's commercial assets; and the provision of contract dredging services.

#### (c) Buller Recreation Limited

Buller Recreation Limited owns and operates the Solid Energy Centre a sports and leisure complex that was formally opened on 18 April 2009, and provides a range of leisure services to the district as summarized below:

- Recreational swimming and learn to swim programmes
- Aquatic sports events
- Indoor court sports competitions and events
- Fitness centre programmes and classes
- Outdoor turf sports
- Corporate, trade and social events

## **4. Corporate Governance**

The Board of Directors of Buller Holdings Limited is responsible for the corporate governance of the Company. The term “corporate governance” encompasses the direction and control of the business by the Directors, and the accountability of Directors to shareholders and other stakeholders for the performance of the Company and compliance by the Company with laws, standards and agreed protocols as specified in the charter between Buller Holdings Limited and Buller District Council.

## **Role of the Board**

The Board is responsible for the proper direction and control of the Company on behalf of the shareholders. The principal objective of the Company is to operate a successful business.

The functions of the Board include:

- Ensuring that the Company goals are clearly established, updated annually and that strategies are in place for achieving the goals.
- Establishing policies for strengthening and enhancing the performance of the Company and group.
- Monitoring the performance of management relative to the established goals and plans, having delegated day-to-day management of the company to the Chief Executive.
- Appointing and annually assessing the performance of the Chief Executive
- Ensuring that the Company's financial position is fully protected so as to allow it to meet all debts and obligations as they fall due.
- Ensuring that the Company and group's financial statements are fairly presented and conform to law.
- Ensuring that the group adheres to high standards of ethics and corporate behaviour.
- Ensuring that the group has appropriate risk management and regulatory compliance policies in place.
- Approving and implementing the Business Plan and Statement of Intent of the Company, and
- Reviewing and approving the Company's capital investments and distributions

## **Board operations and membership**

The composition of the Board is determined in accordance with the following principles:

- The Board comprises up to 6 directors.
- Directors are appointed by the Buller District Council.

- The Board meets regularly and schedules additional meetings as required.
- Directors receive formal Board papers for consideration and all necessary information to enable participation in an informed discussion of all agenda items.

The Company constitution sets out policies and procedures on the operation of the Board including the appointment and removal of Directors.

The Board supports the concept of separation of governance and management of the businesses. The role of the Chairman is to lead the Board to ensure that it carries out its governance role effectively, and to provide leadership and direction to the Chief Executive of the business on behalf of the Board.

## **5. Ratio of Shareholders Funds to Total Assets**

The ratio will be maintained at a minimum of 60% (net of any proposed dividend). Total assets are defined as the sum of all current and non-current assets of the company including goodwill.

## **6. Distribution Policy**

It is the company's intention to maximise distributions after meeting the financial needs of the company including future operations and capital expenditure. Directors should aim to deliver a minimum distribution as agreed in this Statement and as forecasted in the Statement of Intent.

## **7. Accounting Policies**

Buller Holdings Limited will adopt and adhere to accounting policies that are consistent with those of the Buller District Council and comply with appropriate accounting practices and in accordance with the Companies Act 1993, the Financial Reporting Act 2013, NZ Equivalents to International Financial Reporting Standards, and any other applicable laws and standards.

## **8. Information to be Reported**

The following information will be available to shareholders based on an annual balance date of 30<sup>th</sup> June.

### **Statement of Intent**

The Directors shall deliver to the shareholders a draft Statement of Intent by 1<sup>st</sup> March for comment by the shareholder. The Directors shall deliver to the shareholder a completed Statement of Intent by 31st May.

### **Quarterly Reports**

The Directors shall deliver to the shareholders by 16 November, 16 February and 16 May an un-audited report containing the following information as a minimum in respect to the quarter under review.

- a. A revenue statement disclosing actual and budgeted revenue and expenditure with comparative figures for the previous equivalent period.
- b. A statement of financial position at the end of the half year.
- c. A statement of cashflows at the end of the half year.
- d. Key performance indicators.
- e. A commentary on the results for the quarter together with a report on the outlook for the remainder of the year with reference to any significant factors that are likely to have an effect on the company's performance, including an estimate of the financial result for the full year. A commentary on progress towards meeting proposed distributions to shareholders should be included.

## Annual Report

The Directors shall deliver to the shareholders by 30 September an annual report and audited financial statements in respect to the financial year containing the following information as a minimum.

- a. A Directors report including a summary of the financial results, a review of operations, a comparison of performance in relation to objectives and any recommendation as to a dividend.
- b. A revenue statement disclosing revenue and expenditure with comparative figures for the previous year.
- c. A statement of financial position at the end of the year.
- d. A statement of cashflows.
- e. An auditor's report on the above statements and the measurement of performance in relation to key performance targets.

## 9. Group Performance Targets

The performance of Buller Holdings Limited will be judged against the following measures and targets;

Objective	Key Performance Measure	Budget Targets		
		2018	2019	2020
Health & Safety	Total recordable injury frequency rate (per 1,000,000 hr)	0.0	0.0	0.0
	Serious harm accidents	Nil	Nil	Nil
Operational	The board of directors will meet with the BDC, CCTO Committee on a formal basis: (per/year)	3.0	3.0	3.0
	The Buller Holdings Ltd Chief Executive will provide a formal and or informal report to Council as requested.	As requested		
	The Chief Executive of Buller Holdings Ltd will meet with the Chief Executive of Buller District Council at least quarterly	Minimum is quarterly		

	or when requested.			
Financial (Parent)	Revenue	\$507,784	\$520,479	\$590,592
	Expenditure	\$509,701	\$522,444	\$576,412
	Net Operating Surplus	-\$1,917	-\$1,965	\$14,180
	Return on Revenue %	0%	0%	0%
	Ratio of Shareholders Funds to Total Assets	60%	60%	60%
<b>Financial (Group) (000's)</b>	Group Revenue	\$12,442	\$12,731	\$13,133
	Group Expenditure	\$12,860	\$12,754	\$12,764
	EBITDA	\$950	\$1,317	\$1,674
	Provision for capex	\$466	\$375	\$395
	Return on Revenue	-3%	0%	3%
	Forecasted distribution to Shareholders	\$810	\$852	\$859

## Financial Performance

The financial performance of the Group will be an aggregation of the results from the businesses that make up the structure including administration costs of the parent company. This aggregation will include surpluses after tax less any losses incurred.

## Subsidiary Performance Measures and Targets

The performance objectives, measures and targets for each subsidiary are attached to this Statement of Intent. Formal reports by the company to the shareholder will include the outcomes against each measure for each subsidiary company.

## 11. Value of Shareholders Investment

The value of the Shareholders' investment will be not less than the carrying value of the investment in the Council's financial statements.

## **12. New Investments**

The Company's ability to subscribe for, purchase or otherwise acquire shares in any company or other organisation, or enter into a major transaction is governed by the provisions in the Company's constitution, standards and agreed protocols as specified in the Charter between BHL and BDC.

The company will consult with the shareholders with regard to purchasing a business or subscribing for shares in any company or other organisation where that investment is more than 25% of shareholders' funds as at the previous balance date. Where the investment is more than 50% of shareholders' funds, shareholder approval will be required.

## **13. Role in the Buller District Council Group and Regional Economy**

### **(a) Commercial Relationship**

Buller Holdings Limited acknowledges that there may be commercial opportunities within, or in partnership with other group entities that can be developed to benefit the company, BHL and the Buller region.

### **(b) Growth of the Regional Economy**

Buller Holdings Limited acknowledges that it has a role to play in promoting the growth of the Buller region by contributing to regional initiatives as a good corporate citizen.

### **(c) Customer Service Principles**

As part of the Buller District Council Group, Buller Holdings Limited has adopted the Council's Customer Service Principles and Action policies.



# **WESTPORT HARBOUR LTD**

## **STATEMENT OF INTENT**

**FOR THE YEAR ENDED 30 JUNE 2018**

## **1. Preamble**

On 1 July 2009, Westport Harbour Limited ("Company") became a fully owned subsidiary of Buller Holdings Limited having previously been a subsidiary of Buller District Council ("BDC"). Since 1 September 2010 the company has managed the assets of the harbour and been responsible for the delivery of services to harbour customers, as documented in a number of agreements between the BDC and the Company.

Despite the departure of the Company's major customer, the Company remains committed to developing their customer base, in addition to maintaining bar depths and exploring dredging options. The Company's financial objective is to operate as a successful business, and they continually strive to minimise operating costs and manage assets and liabilities in a prudent manner.

Section 6 (1) of the Local Government Act 2002 ("Act"), provides that any company in which equity securities carrying 50% or more of the voting rights are held by one or more local authority is to be known as a council controlled organisation. In addition, any council controlled organisation that operates a trading undertaking for the purposes of making a profit is considered a council controlled trading organisation.

The Company is a 'council controlled trading organisation for the purposes of the Act and is therefore required to have a Statement of Intent (SOI) that complies with clause 9 of Schedule 8.

This SOI, prepared in terms of the Act and clause 22.1 of the Constitution of Westport Harbour Limited sets out the activities and intentions of the Company for the year ending 30 June 2018.

The Company will update its SOI annually and deliver a draft to shareholders before 1 March each year and a completed SOI by 30 June each year.

## **2. Objective**

### **Introduction**

The strategic direction of the Company is guided by the vision, values and strategic objectives. These provide the framework for the Company to establish make plans and investment decisions. The following is an overview of these key planning components.

### **Vision**

Westport Harbour Limited will provide innovative and profitable port services. Westport Harbour Limited will achieve this through delivering fast efficient services to its customers and by being proactive in managing bar depths and contract dredging options.

### **Objectives**

The principal objective of Westport Harbour Limited is to operate as a successful business. In pursuing this objective the company is guided by the following key principles.

#### **a) Financial Performance**

The company is committed to operating as a successful business and achieving a competitive commercial rate of return on the investment in the businesses and optimising the returns for the shareholders. It will be striving to minimise operating costs and manage the assets and liabilities in a prudent way. The definition of return on investment the company is broader than the financial returns, but takes into account social, economic and environmental needs of the community.

#### **(b) Service**

The company recognises that the needs of its major customers are paramount and is committed to meeting those business needs. It also recognises the need to develop its customer base to ensure sustainability of the business in the future.

### **(c) Employee Relations**

The company values its employees and will recruit and retain employees with the skills necessary to run the business and will provide opportunities for staff training and development.

It will ensure that employees are fairly treated and provided with good and safe working conditions.

The company, together with its employees, will create a culture that recognises the importance of being competitive, the value of delivering a high quality of customer service and the mutual benefit of continued employment. This will involve effective leadership and communication.

### **(d) Safety and Environment**

The company has a zero tolerance to safety and environmental incidents. The company undertakes to meet all legislative Health and safety requirements and meet the obligations and responsibilities as specified in the Deed of Navigational Safety.

## **3. Nature and Scope of Activities**

Westport Harbour Limited will be involved in providing land, facilities, plant and labour for the receiving, delivery, stockpiling, stacking and shipment of a wide range of products and raw materials; the management of land, vessels and facilities necessary to maintain the company's commercial assets; and the provision of contract dredging services.

## **4. Corporate Governance**

The Board of Directors of Westport Harbour Limited is responsible for the corporate governance of the Company. The term "corporate governance" encompasses the direction and control of the business by the Directors, and the accountability of Directors to shareholders and other stakeholders for the performance of the Company and compliance by the Company with laws,

standards and agreed protocols as specified in the charter between Buller Holdings Limited and Buller District Council.

### **Role of the Board**

The Board is responsible for the proper direction and control of the Company on behalf of the shareholders. The principal objective of the Company is to operate a successful business.

The functions of the Board include:

- Ensuring that the Company goals are clearly established, updated annually and that strategies are in place for achieving the goals.
- Establishing policies for strengthening and enhancing the performance of the Company.
- Monitoring the performance of the Company, relative to the established goals and plans.
- Ensuring that the Company's financial position is fully protected so as to allow it to meet all debts and obligations as they fall due.
- Ensuring that the Company and group's financial statements are fairly presented and conform to law.
- Ensuring that the Company adheres to high standards of ethics and corporate behaviour.
- Ensuring that the Company has appropriate risk management and regulatory compliance policies in place.
- Approving and implementing the Business Plan and Statement of Intent of the company, and
- Reviewing and approving the Company's capital investments and distributions

### **Board operations and membership**

The composition of the Board is determined in accordance with the following principles:

- The Board comprises up to 6 directors.

- The Board meets regularly and schedules additional meetings as required.
- Directors receive formal Board papers for consideration and all necessary information to enable participation in an informed discussion of all agenda items.

The Company constitution sets out policies and procedures on the operation of the Board including the appointment and removal of Directors.

The Board supports the concept of separation of governance and management of the businesses. The role of the Chairman is to lead the Board to ensure that it carries out its governance role effectively, and to provide leadership and direction to the general manager of the business on behalf of the Board.

## **5. Distribution Policy**

It is the company's intention to maximise distributions to Buller Holdings Limited after meeting the financial needs of the company including future operations and capital expenditure.

## **6. Accounting Policies**

Westport Harbour Limited will adopt and adhere to accounting policies that are consistent with those of the Buller District Council and comply with appropriate accounting practices and in accordance with the Companies Act 1993, the Financial Reporting Act 2013, NZ Equivalents to International Financial Reporting Standards, and any other applicable laws and standards.

## **7. Information to be Reported**

The following information will be available to shareholders based on an annual balance date of 30<sup>th</sup> June.

## **Statement of Intent**

The Directors shall deliver to the shareholders a draft Statement of Intent by 1<sup>st</sup> March for comment by the shareholder. The Directors shall deliver to the shareholder a completed Statement of Intent by 31 May.

## **Consolidated Quarterly Reports**

The Directors shall deliver to the shareholders by 16 November, 16 February and 16 May an un-audited report containing the following information as a minimum in respect to the quarter under review for the Buller Holdings Group.

- a. A revenue statement disclosing actual and budgeted revenue and expenditure with comparative figures for the previous equivalent period.
- b. A statement of financial position at the end of the half year.
- c. A statement of cashflows at the end of the half year.
- d. Key performance indicators.
- e. A commentary on the results for the quarter together with a report on the outlook for the remainder of the year with reference to any significant factors that are likely to have an effect on the company's performance, including an estimate of the financial result for the full year.

## **Consolidated Annual Report**

The Directors shall deliver to the shareholders by 30 September a consolidated annual report and audited financial statements in respect the Buller Holdings Group to the financial year containing the following information as a minimum.

- a. A Directors report including a summary of the financial results, a review of operations, a comparison of performance in relation to objectives and any recommendation as to a dividend.
- b. A revenue statement disclosing revenue and expenditure with comparative figures for the previous year.
- c. A statement of financial position at the end of the year.
- d. A statement of cashflows.
- e. An auditor's report on the above statements and the measurement of performance in relation to key performance targets.

## 8. Performance Targets

The performance of Westport Harbour Limited will be measured against the following measures and targets;

Objective	Key Performance Measure	Budget Targets		
		2018	2019	2020
Health & Safety	Total recordable injury frequency rate (per 1,000,000 hr)	0.0	0.0	0.0
	Serious harm accidents	Nil	Nil	Nil
	MNZ Safety Management System	Approved by MNZ	Approved by MNZ	Approved by MNZ
Operational	Maintain bar depth greater than 2.0 metres at chart datum	2.0	2.0	2.0
	Maintain sufficient depths for vessel requirements at all wharves and jetties within the harbour	Achieve	Achieve	Achieve
Financial	Revenue	\$611k	\$626k	\$660k
	Expenditure	\$1.667m	\$1.281m	\$967k
	EBITDA	-\$896k	-\$497k	-\$157k
	Net Operating Surplus	-\$1,056m	-\$654k	-\$307k
	Provision for capex	Nil	Nil	Nil
Environmental	Number of Enforcement notices	Nil	Nil	Nil
	Incidents leading to pollution of Harbour	Nil	Nil	Nil
	Oil Spill response – Maintain MNZ Stock	Achieve	Achieve	Achieve
Community	Buller Fisherman's association, meetings per year	2.0	2.0	2.0

**IMPORTANT NOTE:** The financial budgets above are based on an assumption of gaining additional outport dredging works over and above the Nelson Contract.

## **9. Value of Shareholders Investment**

The Directors estimate of the company value is not less than shareholders' funds.

## **10. New Investments**

The Company's ability to subscribe for, purchase or otherwise acquire shares in any company or other organisation, or enter into a major transaction is governed by the provisions in the Company's constitution, standards and agreed protocols as specified in the Charter between BHL and BDC.

## **11. Role in the Buller District Council Group and Regional Economy**

### **(a) Commercial Relationship**

Westport Harbour Limited acknowledges, as a wholly owned subsidiary of BHL, that there may be commercial opportunities within, or in partnership with other group entities that can be developed to benefit the company, BHL and the Buller region.

### **(b) Growth of the Regional Economy**

Westport Harbour Limited acknowledges that it has a role to play in promoting the growth of the Buller region by contributing to regional initiatives as a good corporate citizen.

### **(c) Customer Service Principles**

As part of the Buller District Council Group, Westport Harbour Limited has adopted the Council's Customer Service Principles and Action policies.

# **BULLER RECREATION LIMITED**

## **STATEMENT OF INTENT FOR THE YEAR ENDED 30 JUNE 2018**

## **1. Preamble**

Buller Recreation Limited ("Company") is a fully owned subsidiary of Buller Holdings Limited (BHL) and was established to purchase the Solid Energy Centre from the Buller District Council (BDC), and to fulfil a service contract with BDC for the provision of recreation services to the Buller community.

Buller Recreation Limited continues to provide the community with high quality recreation facilities and services. The Company is committed to identifying, developing and implementing opportunities for increasing external revenue to minimise the relative burden on ratepayers.

Section 6 (1) of the Local Government Act 2002 ("Act"), provides that any company in which equity securities carrying 50% or more of the voting rights are held by one or more local authority is to be known as a council controlled organisation. In addition, any council controlled organisation that operates a trading undertaking for the purposes of making a profit is considered a council controlled trading organisation.

The Company is a council controlled trading organisation for the purposes of the Act and is therefore required to have a Statement of Intent (SOI) that complies with clause 9 of Schedule 8.

This SOI, prepared in terms of the Act and clause 22.1 of the Constitution of Buller Recreation Limited sets out the activities and intentions of the Company for the year ending 30 June 2017

The Company will update its SOI annually and deliver a draft to shareholders before 1 March each year and a completed SOI by 30 June each year.

## **2. Objective**

### **Introduction**

The strategic direction of the Company is guided by the vision, values and strategic objectives. These provide the framework for the Company to make plans and investment decisions. The following is an overview of these key planning components.

### **Vision**

To provide for the Buller community, sustainable and customer-focused sport and recreation facilities and services.

### **Objectives**

The principal objective of Buller Recreation Limited is to operate as a successful business. In pursuing this objective the company is guided by the following key principles.

#### **a) Financial Performance**

The company is committed to operating as a successful business in accordance with the Service Level Agreement with Buller District Council. The definition of a successful business is broader than financial returns, and also takes into account the social, economic and environmental needs of the community.

#### **(b) Service**

The company recognises that the needs of its major customers are paramount and is committed to meeting these needs. It also recognises the need to develop its customer base to ensure sustainability of the business in the future.

#### **(c) Employee Relations**

The company values its employees and will recruit and retain employees with the skills necessary to run the business and will provide opportunities for staff training and development.

It will ensure that employees are fairly treated and provided with good and safe working conditions.

The company, together with its employees, will create a culture that recognises the importance of being competitive, the value of delivering high quality customer service and the mutual benefit of continued employment. This will involve effective leadership and communication.

#### **(d) Safety and Environment**

The company has a zero tolerance to safety and environmental incidents. The company undertakes to meet all legislative Health and safety requirements.

### **3. Nature and Scope of Activities**

The nature and scope of the company's activities are to provide accessible sport, recreation and event services and facilities to residents and visitors to the Buller district of New Zealand.

Its activities will include provision of services for:

- Recreational swimming and learn to swim programmes
- Aquatic sports events
- Indoor court sports competitions and events
- Fitness centre programmes and classes
- Outdoor turf sports
- Corporate, trade and social events

The Directors will consider opportunities from time to time with regard to other types of activities or expanding the reach of Buller Recreation Limited for the provision of services outside of the centre's physical location.

### **4. Corporate Governance**

The Board of Directors of Buller Recreation Limited is responsible for the corporate governance of the Company. The term "corporate governance" encompasses the direction and control of the business by the Directors, and the accountability of Directors to shareholders and other stakeholders for the performance of the Company and compliance by the Company with laws,

standards and agreed protocols as specified in the charter between Buller Holdings Limited and Buller District Council.

### **Role of the Board**

The Board is responsible for the proper direction and control of the Company on behalf of the shareholders. The principal objective of the Company is to operate a successful business.

The functions of the Board include:

- Ensuring that the Company goals are clearly established, updated annually and that strategies are in place for achieving the goals.
- Establishing policies for strengthening and enhancing the performance of the Company.
- Monitoring the performance of the management relative to the established goals and plans, having delegated day-to-day management of the company to the manager.
- Annually receive a report on the assessment of the general manager's performance.
- Ensuring that the Company's financial position is fully protected so as to allow it to meet all debts and obligations as they fall due.
- Ensuring that the Company and group's financial statements are fairly presented and conform to law.
- Ensuring that the Company adheres to high standards of ethics and corporate behaviour.
- Ensuring that the Company has appropriate risk management and regulatory compliance policies in place.
- Approving and implementing the Business Plan and Statement of Intent of the company, and
- Reviewing and approving the Company's capital investments and distributions

## **Board operations and membership**

The composition of the Board is determined in accordance with the following principles:

- The Board comprises up to 6 directors.
- The Board meets regularly and schedules additional meetings as required.
- Directors receive formal Board papers for consideration and all necessary information to enable participation in an informed discussion of all agenda items.

The Company constitution sets out policies and procedures on the operation of the Board including the appointment and removal of Directors.

The Board supports the concept of separation of governance and management of the businesses. The role of the Chairman is to lead the Board to ensure that it carries out its governance role effectively, and to provide leadership and direction to the general manager of the business on behalf of the Board.

## **5. Ratio of Shareholders Funds to Total Assets**

The ratio will be maintained at a minimum of 60% (net of any proposed dividend). Total assets are defined as the sum of all current and non-current assets of the company including goodwill.

## **6. Distribution Policy**

It is the company's intention to maximise distributions to Buller Holdings Limited after meeting the financial needs of the company including future operations and capital expenditure.

## **7. Accounting Policies**

Buller Recreation Limited will adopt and adhere to accounting policies that are consistent with those of the Buller District Council and comply with appropriate accounting practices and in accordance with the Companies Act 1993, the Financial Reporting Act 2013, NZ Equivalents to International Financial Reporting Standards, and any other applicable laws and standards.

## **8. Information to be Reported**

The following information will be available to shareholders based on an annual balance date of 30<sup>th</sup> June.

### **Statement of Intent**

The Directors shall deliver to the shareholders a draft Statement of Intent by 1<sup>st</sup> March for comment by the shareholder. The Directors shall deliver to the shareholder a completed Statement of Intent by 31st May.

### **Consolidated Quarterly Reports**

The Directors shall deliver to the shareholders by 16 November, 16 February and 16 May an un-audited report containing the following information as a minimum in respect to the quarter under review for the Buller Holdings Group.

- a. A revenue statement disclosing actual and budgeted revenue and expenditure with comparative figures for the previous equivalent period.
- b. A statement of financial position at the end of the half year.
- c. A statement of cashflows at the end of the half year.
- d. Key performance indicators.
- e. A commentary on the results for the quarter together with a report on the outlook for the remainder of the year with reference to any significant factors that are likely to have an effect on the company's performance, including an estimate of the financial result for the full year.

### **Consolidated Annual Report**

The Directors shall deliver to the shareholders by 30 September a consolidated annual report and audited financial statements in respect the Buller Holdings Group to the financial year containing the following information as a minimum.

- a. A Directors report including a summary of the financial results, a review of operations, a comparison of performance in relation to objectives and any recommendation as to a dividend.
- b. A revenue statement disclosing revenue and expenditure with comparative figures for the previous year.
- c. A statement of financial position at the end of the year.
- d. A statement of cashflows.
- e. An auditor's report on the above statements and the measurement of performance in relation to key performance targets.

## 9. Performance Targets

Performance Measure	Key Performance Indicator	Targets		
		2018	2019	2020
Financial	Revenue (\$000's)	\$656	\$661	\$666
	Expenditure (\$000's)	\$2146	\$2152	\$2154
	Ratio of Shareholders Funds to Total Assets	60%	60%	60%
Fitness membership	Average membership over 12 month period.	455	460	470
	Average retention rate over 12 month period	>75%	>75%	>75%
Aquatic centre usage	Average visits per month over 12 months	4040	4080	4120
	Achieve number of students over 4 swimming terms	150	150	150
Safety	Employee TRIFR	0	0	0
	Serious Harm Accidents	Nil	Nil	Nil
	LTI	0	0	0
Work Environment	Maintain regular communication with all employees through weekly emailed updates and meetings with all staff every 4 months.	Complete	Complete	Complete
	Review the succession plan for key positions and identify training needs and actions for the next 12 months	Complete	Complete	Complete
	Complete annual review process with all staff	Complete	Complete	Complete
	Undertake staff satisfaction survey every second year	Nil	Survey	Nil
Asset Management	Complete review of the Asset Replacement Schedule annually	Complete	Complete	Complete
	Complete maintenance and replacement in accordance with AMP (monitor monthly)	Complete	Complete	Complete
Financial Forecasts \$000's	Revenue	\$656	\$661	\$666
	BDC Service level fee	\$896	\$896	\$890
	Expenditure	\$2146	\$2152	\$2154
	Net operating surplus (deficit)	\$(588)	\$(584)	\$(589)
	Provision for capex	\$43	\$42	\$177

## 10. Value of Shareholders Investment

The Directors estimate of the company value is not less than shareholders' funds.

## **11. New Investments**

The Company's ability to subscribe for, purchase or otherwise acquire shares in any company or other organisation, or enter into a major transaction is governed by the provisions in the Company's constitution, standards and agreed protocols as specified in the Charter between BHL and BDC.

The company will consult with the shareholders with regard to purchasing a business or subscribing for shares in any company or other organisation where that investment is more than 25% of shareholders' funds as at the previous balance date. Where the investment is more than 50% of shareholders' funds, shareholder and Council approval will be required.

## **12. Role in the Buller District Council Group and Regional Economy**

### **(a) Commercial Relationship**

Buller Recreation Limited acknowledges, as a wholly owned subsidiary of BHL, that there may be commercial opportunities within, or in partnership with other group entities that can be developed to benefit the company, BHL and the Buller region.

### **(b) Growth of the Regional Economy**

Buller Recreation Limited acknowledges that it has a role to play in promoting the growth of the Buller region by contributing to regional initiatives as a good corporate citizen.

### **(c) Customer Service Principles**

Buller Recreation Limited has adopted customer service principles that ensure all customers are given the service that they expect and are entitled to.



# **WESTREEF SERVICES LIMITED**

**STATEMENT OF INTENT  
FOR THE YEAR ENDED 30 JUNE 2018**

## **1. Preamble**

WestReef Services Limited ("Company") was established in 1996, and in 2007 became a fully owned subsidiary of Buller Holdings Limited. The Company is the largest civil and maintenance company in the Buller District and is the Buller District Council's most utilised contractor.

The Company continues to maintain its long and successful record of operation in providing services throughout the district and broader West Coast area. The company is entirely customer focussed with a financial objective of achieving a competitive rate of return on investment. The Company upholds the highest Health and Safety standards and strives to ensure the wellbeing and safety for all staff both at and away from work.

Section 6 (1) of the Local Government Act 2002 ("Act"), provides that any company in which equity securities carrying 50% or more of the voting rights are held by one or more local authority is to be known as a council controlled organisation. In addition, any council controlled organisation that operates a trading undertaking for the purposes of making a profit is considered a council controlled trading organisation.

WestReef Services Limited ("Company") is a council controlled trading organisation for the purposes of the Act and is therefore required to have a Statement of Intent (SOI) that complies with clause 9 of Schedule 8.

This SOI, prepared in terms of the Act and clause 22.1 of the Constitution of WestReef Services Limited sets out the activities and intentions of the Company for the year ending 30 June 2018.

The Company will update its SOI annually and deliver a draft to shareholders before 1 March each year and a completed SOI by 30 June each year.

## **2. Objective**

### **Introduction**

The strategic direction of the Company is guided by the vision, values and strategic objectives. These provide the framework for the Company to establish make plans and investment decisions. The following is an overview of these key planning components.

### **Vision**

The vision of the Company is to be a sustainable and profitable business being operated by an empowered team who take pride in meeting the needs of staff, owners, suppliers and the community.

### **Objectives**

The principal objective of WestReef Services Limited is to operate as a successful business while working for the benefit of the shareholders. In pursuing this objective the company is guided by the following key principles.

#### **a) Financial Performance**

The company is committed to operating as a successful business and achieving a competitive commercial rate of return on the investment in the businesses. It will be striving to minimise operating costs and manage the assets and liabilities in a prudent way. The definition of return on investment for the company is broader than financial returns. It also takes into account social, economic and environmental needs of the community.

#### **(b) Service**

The company recognises that the needs of its major customers are paramount and is committed to meeting those business needs. It also recognises the need to develop its customer base to ensure sustainability of the business in the future.

### **(c) Employee Relations**

The company values its employees and will recruit and retain employees with the skills necessary to run the business and will provide opportunities for staff training and development.

It will ensure that employees are fairly treated and provided with good and safe working conditions.

The company, together with its employees, will create a culture that recognises the importance of being competitive, the value of delivering a high quality of customer service and the mutual benefit of continued employment. This will involve effective leadership and communication.

### **(d) Safety and Environment**

The company has a zero tolerance to safety and environmental incidents. The company agrees to comply with all Health and safety legislation and Council Health and safety standards and policies as they relate to Contractors.

## **3. Nature and Scope of Activities**

The nature and scope of WestReef activities will be predominantly to provide contracting services for the construction and maintenance of infrastructure and amenity assets on the West Coast of the South Island of New Zealand.

Its activities will include maintenance and civil construction services for:

- Roads and bridges
- Response to Road and Civil Defence emergencies
- Parks and reserves (including associated facilities)
- Utility services (water and sewerage reticulation, waste water treatment, storm water collection)
- Solid and Liquid Waste Collection and Disposal
- Vehicle workshop repairs
- Transfer stations
- Recovery parks
- Roadside vegetation control

- Property maintenance
- Refuse collection

The Directors will consider opportunities from time to time with regard to other types of activities or expanding the geographic region of delivery to other regions of the South Island.

#### **4. Corporate Governance**

The Board of Directors of WestReef Services Limited is responsible for the corporate governance of the Company. The term “corporate governance” encompasses the direction and control of the business by the Directors, and the accountability of Directors to shareholders and other stakeholders for the performance of the Company and compliance by the Company with laws, standards and agreed protocols as specified in the charter between Buller Holdings Limited and Buller District Council.

##### **Role of the Board**

The Board is responsible for the proper direction and control of the Company on behalf of the shareholders. The principal objective of the Company is to operate a successful business.

The functions of the Board include:

- Ensuring that the Company goals are clearly established, updated annually and that strategies are in place for achieving the goals.
- Establishing policies for strengthening and enhancing the performance of the Company.
- Monitoring the performance of management relative to the established goals and plans, having delegated day-to-day management of the company to the Manager.
- Annually receive a report on the assessment of the general manager’s performance.
- Ensuring that the Company’s financial position is fully protected so as to allow it to meet all debts and obligations as they fall due.

- Ensuring that the Company and group's financial statements are fairly presented and conform to law.
- Ensuring that the Company adheres to high standards of ethics and corporate behaviour.
- Ensuring that the Company has appropriate risk management and regulatory compliance policies in place.
- Approving and implementing the Business Plan and Statement of Intent of the company, and
- Reviewing and approving the Company's capital investments and distributions

### **Board operations and membership**

The composition of the Board is determined in accordance with the following principles:

- The Board comprises up to 6 directors.
- The Board meets regularly and schedules additional meetings as required.
- Directors receive formal Board papers for consideration and all necessary information to enable participation in an informed discussion of all agenda items.

The Company constitution sets out policies and procedures on the operation of the Board including the appointment and removal of Directors.

The Board supports the concept of separation of governance and management of the businesses. The role of the Chairman is to lead the Board to ensure that it carries out its governance role effectively, and to provide leadership and direction to the general manager of the business on behalf of the Board.

## **5. Ratio of Shareholders Funds to Total Assets**

The ratio will be maintained at a minimum of 60% (net of any proposed dividend). Total assets are defined as the sum of all current and non-current assets of the company including goodwill.

## **6. Distribution Policy**

It is the company's intention to maximise distributions to Buller Holdings Limited after meeting the financial needs of the company including future operations and capital expenditure.

## **7. Accounting Policies**

WestReef Services Limited will adopt and adhere to accounting policies that are consistent with those of the Buller District Council and comply with appropriate accounting practices and in accordance with the Companies Act 1993, the Financial Reporting Act 2013, NZ Equivalents to International Financial Reporting Standards, and any other applicable laws and standards.

## **8. Information to be Reported**

The following information will be available to shareholders based on an annual balance date of 30<sup>th</sup> June.

### **Statement of Intent**

The Directors shall deliver to the shareholders a draft Statement of Intent by 1<sup>st</sup> March for comment by the shareholder. The Directors shall deliver to the shareholder a completed Statement of Intent by 31st May.

## **Consolidated Quarterly Reports**

The Directors shall deliver to the shareholders by 16 November, 16 February and 16 May an un-audited report containing the following information as a minimum in respect to the quarter under review for the Buller Holdings Group.

- a. A revenue statement disclosing actual and budgeted revenue and expenditure with comparative figures for the previous equivalent period.
- b. A statement of financial position at the end of the half year.
- c. A statement of cashflows at the end of the half year.
- d. Key performance indicators.
- e. A commentary on the results for the quarter together with a report on the outlook for the remainder of the year with reference to any significant factors that are likely to have an effect on the company's performance, including an estimate of the financial result for the full year.

## **Consolidated Annual Report**

The Directors shall deliver to the shareholders by 30 September a consolidated annual report and audited financial statements in respect the Buller Holdings Group to the financial year containing the following information as a minimum

- a. A Directors report including a summary of the financial results, a review of operations, a comparison of performance in relation to objectives and any recommendation as to a dividend.
- b. A revenue statement disclosing revenue and expenditure with comparative figures for the previous year.
- c. A statement of financial position at the end of the year.

d. A statement of cashflows.

e. An auditor's report on the above statements and the measurement of performance in relation to key performance targets.

## 9. Performance Targets

The performance of WestReef Services Limited will be measured against the following targets:

OBJECTIVE	KEY PERFORMANCE INDICATOR	TARGETS		
		2018	2019	2020
HEALTH & SAFETY	TRIFR - Total recordable injury frequency rate (per 1,000,000 hr)	TBC		
	Serious Harm Accidents	Nil	Nil	Nil
	LTI Target	Nil	Nil	Nil
OPERATIONAL	Employee Satisfaction – Employee turnover <15% per annum	<15%	<14%	<14%
	Client Satisfaction – Min 12 meetings per year	12	12	12
	Renewal of TQS1 certification	Achieve	Achieve	Achieve
EMPLOYEE DEVELOPMENT & SATISFACTION	Undertake staff satisfaction survey (2/yearly)	Nil	Survey	Nil
	Weekly department staff meetings	Achieve	Achieve	Achieve
FINANCIAL (000"s)	Revenue	\$9,771	\$10,015	\$10,285
	Expenditure	\$8,543	\$8,756	\$8,993
	EBITDA	\$1,733	\$1,738	\$1,772
	Net Operating Surplus	\$1,227	\$1,258	\$1,292
	Provision for Capex	\$496	\$375	\$365
	Return on Revenue	13%	13%	13%

	Competitively Procured Revenue	40%	45%	45%
	Ratio of Shareholders Funds to Total Assets	60%	60%	60%
<b>ENVIRONMENTAL</b>	Number of Enforcement notices	Nil	Nil	Nil
<b>COMMUNITY</b>	Support Minimum 15 community activities	15	15	15

## 10. Value of Shareholders Investment

The Directors estimate of the company value is not less than shareholders' funds.

## 11. New Investments

The Company's ability to subscribe for, purchase or otherwise acquire shares in any company or other organisation, or enter into a major transaction is governed by the provisions in the Company's constitution, standards and agreed protocols as specified in the Charter between BHL and BDC.

The company will consult with the shareholders with regard to purchasing a business or subscribing for shares in any company or other organisation where that investment is more than 25% of shareholders' funds as at the previous balance date. Where the investment is more than 50% of shareholders' funds, shareholder and Council approval will be required.

## 12. Role in the Buller District Council Group and Regional Economy

### (a) Commercial Relationship

WestReef Services Limited acknowledges, as a wholly owned subsidiary of BHL, that there may be commercial opportunities within, or in partnership with other group entities that can be developed to benefit the company, BHL and the Buller region.

(b) Growth of the Regional Economy

WestReef Services Limited acknowledges that it has a role to play in promoting the growth of the Buller region by contributing to regional initiatives as a good corporate citizen.

(c) Customer Service Principles

As part of the Buller District Council Group, WestReef Services Limited has adopted the Council's Customer Service Principles and Action policies.

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 8**

**Prepared by - Andy Gowland-Douglas**  
**- Chief Executive**

**Reviewed by - Garry Howard**  
**- Mayor**

**Punakaiki Camp Lease**

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**Report Summary**

This report presents the two options in regards to funding the Camp's share of the Punakaiki seawall.

**Draft Recommendation**

That Council decides between the options of:

- c) Renegotiating the lease terms in lieu of the camp leasee paying 75% of the camps share; or
- d) Council paying the full 75% share of the camp wall.

**Issues and Discussion**

As presented at the May Council meeting, and in follow-up to the previous report presented in September 2016 the West Coast Regional Council (WCRC) now have a clearer understanding of the costs of the seawall and have put this out to tender. They will soon begin the last round of public consultation on this, and it is expected that the vote threshold will be met and the project will go ahead.

As the primary beneficiary, it has been proposed that the Punakaiki Camp pay 75% of the cost. The option put forward at the May Council meeting was that Council fund \$70,000 of the camps contribution to the wall and agree to increase the term of the lease to the leasee Craig Findlay, to allow him to recover the approximately \$190,000 he would have to pay in the form of a loan over 10 years. Because the camp is on Crown land that has been vested in Council the maximum lease renewal we could offer without triggering the Ngai Tahu Settlement Act is 25+20 years. Any renewal or extension of the lease terms would be subject to public notification as per the Reserves Act.

The issue raised by Craig Findlay is that of affordability under his current lease arrangements. The other option we have is for Council to fund the camp's share of the loan in total and negate any need to re-negotiate the lease terms. This would mean providing the WCRC with \$260,000 to directly fund the wall via a 10 year loan or simply picking up the targeted rate from the WCRC and have them take out the loan. The second of these is the preferred option. If we do decide to pick up the capital rate it will still be the responsibility of the leasee to pay the ongoing maintenance costs (maintenance rate) as part of their outgoings.

## **Considerations**

### **10. Strategic Impact**

Punakaiki has been identified as a key area for tourism growth in the regional growth study, which is the current basis for economic development strategy in the region. Making a decision on this issue is aligned with this strategy.

### **11. Significance Assessment**

The Buller District Council Significance and Engagement Policy sets out the criteria and framework for a matter or transaction to be deemed significant. This would not be deemed as significant under this policy.

### **12. Values Assessment**

The Buller District Council values are; One Team, Community Driven, We Care, Integrity and Future Focussed. This decision aligns with these values.

Community Driven: It is in the best interest of the community that the camp remains cash positive. The current community access arrangements will not be affected by any change in terms or Council's decision to fund in full.

We Care: Either of the proposed actions demonstrate that we have considered the impact of the seawall costs on the lessees business and have explored options to address it.

Future Focussed: Either of the proposed actions will ensure that the camp remains viable and can continue to contribute to the local economy and the medium to long term plans for Punakaiki.

### **13. Risk Analysis**

If we don't fully fund wall costs or offer an extended term we will be liable for the debt to the WCRC should the camp default. If the wall does not go ahead there is considerable risk to the future of the camp and Punakaiki itself due to increased and uncontrolled coastal erosion. We do have the risk of setting a precedent to consider as well if we pick up the targeted rate.

**14. Policy/Legal Considerations**

Under the Reserves Act the maximum lease term is 30 years + rights of renewal. However as this land falls under the Ngai Tahu Settlement Act the lease must not exceed 49 years (including the time the lease has already been in place) Under the Reserves Act any extension to the lease terms would require public notification/consultation.

**15. Tangata Whenua**

First right of refusal would need to be given to Nga Tahu if the lease was to exceed 49 years.

**16. Views of Those Affected**

The public would get to express their views on any proposed extension prior to it being agreed by Council if we chose this option.

**17. Costs**

The cost of option a) negotiating an extension to the lease; would be:

- \$70,000 capital contribution already budgeted for which has minimal impact on rates;
- legal costs associated with redrafting the lease; and
- the cost of public notification and holding a hearing to consider submissions from those affected

The cost of option b) Council paying the camps share of the capital rate in full would be approximately \$32,000 per annum. This may fluctuate depending on final costs. This would have a nil impact on rates as it would be funded by the camp lease. It just means we are paying down the camp debt at a slower rate.

**18. Benefits**

As well as benefitting ratepayers by the provision of an income and a well maintained camp, Punakaiki will benefit from the seawall which will prevent the area being lost to the sea. The local economy, particularly the tourism sector will benefit from the success of the camp. Either option will provide this benefit.

**19. Media/Publicity**

Either option is not expected to be a publically controversial move, and is likely to receive little media attention.

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 9**

**Prepared by - Dean Phibbs**  
**- Manager Corporate Services**

**2017/2018 Annual Plan Adoption**

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**Report Summary**

To adopt the 2017/2018 Annual Plan.

**Draft Recommendation**

That Council adopt the Annual Plan for 2017/2018.

**Issues and Discussion**

Under section 95 and section 95A of the Local Government Act 2002 (amended 2014), Council is required to adopt an Annual Plan using the special consultative procedure.

The purpose of the Annual Plan is to:

- (a) contain the proposed annual budget and funding impact statement for the year to which the annual plan relates; and
- (b) identify any variation from the financial statements and funding impact statement included in the local authority's long-term plan in respect of the year; and
- (c) provide integrated decision making and co-ordination of the resources of the local authority; and
- (d) contribute to the accountability of the local authority to the community.

## **Considerations**

### **1. Strategic Impact**

The Annual Plan document is an integral part of the planning and delivery of Council's strategic vision and obligations.

### **2. Significance Assessment**

The Significance and Engagement Policy sets out the criteria and framework for a matter or transaction to be deemed significant. The content included in this report is not considered significant by nature.

### **4.3. Risk Analysis**

Risk is assessed by taking into account the likelihood of an event occurring and the result of that event.

The Annual Plan process and adoption of the relevant documents is a statutory requirement of local authorities. Adoption of the final Annual Plan enables the legal process for setting rates and consequently operation of local authorities.

### **4. Policy/Legal Considerations**

The Local Government Act 2002 governs the activities of Council and sets out the requirement for consulting and adoption on the Annual Plan.

This report assists with two key purposes of that Act (located at section 3) stating the purpose of the act is to promote the accountability of local authorities to their communities, and provide for local authorities to play a broad role in meeting the current and future needs of their communities for good-quality local infrastructure, local public services, and performance of regulatory functions.

### **5. Tangata Whenua Consultation Considerations**

The Annual Plan and Consultation Document explicitly provide for consultation with Tangata whenua.

### **6. Views of Those Affected**

Council's expenditure, issues and projects were consulted on with the community during the Annual Plan processes.

### **7. Costs**

There are no extraordinary costs other than already budgeted for in production and consultation with respect to the Annual Plan process.

### **8. Benefits**

The benefits of a robust Annual Plan process are better, more efficient outcomes for Council.

### **9. Media/Publicity**

There are no media or publicity opportunities with this report.

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 10**

**Prepared by - Wendy Thompson**  
**- Financial Accountant**

**Reviewed by - Dean Phibbs**  
**- Manager Corporate Services**

**Financial Performance - April 2017**

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**Report Summary**

To provide the Council with a financial performance update on the operational results to 30 April 2017.

**Draft Recommendation**











That the report be received for information.













**Operational Financial Performance**

**Operational Performance Report - Summary of Results April 2017**

	<b>Actual YTD</b>	<b>Budget YTD</b>	<b>Projected Full Year</b>	<b>Budget Full year</b>	<b>Projected variance full year</b>
Income	\$16,089,700	\$15,147,000	\$21,061,200	\$20,997,800	63,300 F
Expenditure	\$17,624,900	\$18,221,500	\$22,076,500	\$22,196,500	120,000 F
					\$ 183,300 F

**Dashboard - Operational Financial Performance Indicators**

<b>ACTIVITY</b>	<b>REVENUE</b>	<b>EXPENDITURE</b>	<b>Comment</b>
Democracy			
Property Amenities & Reserves			Timing variance - R&M offset by public toilets
Economic Development, Tourism & Museum Support			
Community Services			Additional grant and lease income \$84,000
Regulatory			Building and planning income under budgeted offset by cost savings

ACTIVITY	REVENUE	EXPENDITURE	Comment
Roading			Additional roading subsidy \$123,000
Solid Waste			
Support			Salary and consultant savings offset by unbudgeted recruitment
Wastewater			
Water			Reactive R&M & electricity overbudget offset by interest savings
Airport			

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 11**

**Prepared by - Lynn Brooks**  
**- Management Accountant**

**Reviewed by - Dean Phibbs**  
**- Manager Corporate Services**

**Significant Projects Report**

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**Report Summary**

This report summarises significant projects and priorities of Council at 30 April 2017. It records both current and future work streams, and is for discussion and monitoring purposes. It should be read in conjunction with the attached detailed Appendix A.

**Draft Recommendation**

That the report be received for information.

**Issues and Discussion**

The report provides a high summary of some projects and priorities of Council by each of the following sectors:

- 1 Mayor, Councillors and Chief Executive
- 2 Community and Environment
- 3 Corporate Services
- 4 Operations
- 5 Significant Projects

This report does not include every task undertaken, such as low value routine roading contract work or other regular services provided by Council. Instead it highlights the high value projects at an aggregated level, and/or the non-routine projects.

The Chief Executive and Council are to advise if there are other projects or priorities to be included in the next monthly report to Council.

The following table shows each section of the report as a high level overview. This is similar to other “traffic light” indicators used in Council documents such as the Annual Plan, Long Term Plan and other reports and is included for consistency with those formats.

Activity	Indicator	Comment
<b>Mayor, Councillors and Chief Executive</b>	●	Progress continues with the Little Wanganui/Tapawera/Wangapeka Road and a business case began in April 2017. Advocacy for the West Coast Regional Council projects (Westport Flood Protection, Carters Beach and Granity/Ngakawau sea erosion) continues.
<b>Community and Environment</b>	●	The current tasks are on plan and budget. Attention must be paid to the resources required to complete all bylaw reviews which are required in 2017/2018. Freedom Camping is a topical issue and all West Coast Councils are working on a joint solution toward this subject.
<b>Corporate Services</b>	●	The 2017/2018 Annual Plan work stream is on target. The Long Term Plan is in the planning phase. The Free Wifi project has progressed well.
		<b>Assets and Infrastructure</b>
Roading and Urban Development	●	District Signage has progressed so the billboards can be installed however there will be a delay on the wayfinding signs. The riverside development has been reset for the next financial year as it will not be completed by the end of this year. Roding contracts are being completed as planned, taking into account the weather conditions and that the work is typically scheduled in the later part of the financial year. Poor weather has delayed some planned projects and it is estimated the work will be 95% complete by end of year.
Water Supplies	●	Inangahua bore water scheme is operational, with final costs incurred. The Westport water project is progressing with external advice being prepared for presentation to Council.
Wastewater	●	Projects progressing as planned.
Stormwater	●	Projects progressing as planned.
Solid Waste	●	New litter bins purchased but cost is greater than budget.
Properties & Amenities	●	Peel Street Yard, site testing, analysis and risk assessment in progress.
<b>Significant Projects</b>	●	The District Plan Review continues to progress well along with the in-house Information Technology projects. The Rates Overhaul project is progressing after workshops continue.

Project on time and budget	●
Project delays or budget overruns	●



## **Considerations**

### **1. Strategic Impact**

The report helps to monitor the outcomes provided for the community against the strategic direction of Council. In particular, it reports on the effectiveness of the “consolidate and hold” position taken in the last Long Term Plan where it was agreed to minimise rates increases and limit new services or capital spending to those things that could be used as a springboard for district economic growth.

### **2. Significance Assessment**

The Significance and Engagement Policy sets out the criteria and framework for a matter or a transaction to be deemed significant. The Significance and Engagement Policy is written in accordance with The Local Government Act 2002 (LGA 2002) section 76AA. This part of the Act sets the general approach to determine if a proposal or decision is significant requiring the Council to make judgements about the likely impact of that proposal or decision on:

The district -

- a) The persons who are likely to be particularly affected by, or interested in, the proposal or decision;
- b) The financial impact of the proposal or decision on the Council’s overall resources; and
- c) The capacity of the Council to perform its role and carry out its activities, now and in the future.

The content included in this report has been consulted on with the community through the Long Term Plan and Annual Plan process.

### **3. Values Assessment**

The Buller District Council values are: One Team; Community Driven; We Care; Integrity; and Future Focussed. This report presents the significant projects which are important for the community and the future of the district. Reporting on the significant projects provides an opportunity to review if the areas of focus align with our values.

### **4. Risk Analysis**

Risk is assessed by taking into account the likelihood of an event occurring and the result of that event.

Significant projects are perceived to have some greater than usual potential to place Council at risk as the costs involved can be significant, or the project may have greater technical and legal issues. This risk is mitigated by engaging suitably qualified staff to monitor and regularly report on the projects therefore acting on any issues that arise early on, and to ensure the project progress is well understood by staff and governance.

**5. Policy/Legal Considerations**

The Local Government Act 2002 governs the activities of Council and sets out the requirement for consultation on the Annual Plan and Long Term Plan to agree the budgets and activities to be funded.

This report assists with two key purposes of that Act (refer to section 3) stating the purpose of the Act is to promote the accountability of local authorities to their communities; and provide for local authorities to play a broad role in meeting the current and future needs of their communities for good-quality local infrastructure, local public services, and performance of regulatory functions.

**6. Tangata Whenua Consultation Considerations**

The contents of the report are not a matter requiring consultation with tangata whenua or community groups.

**7. Views of Those Affected**

There is no need to consult with the public or affected parties due to the information being previously consulted upon through Annual Plan processes.

The community will have interest in the progress of the projects and priorities included in the report because new spending affects annual rates charges, and the effectiveness of advocacy has the potential to improve community wellbeing.

**8. Costs**

There are no extraordinary costs for the items included in this report, as these projects have been budgeted for in the annual plan. Some of the significant projects have no monetary cost to council as they are for advocacy.

**9. Benefits**

The benefits of reporting on reviewing the significant projects and priorities are understanding the timelines, budgets, resourcing and opportunities that exist for Council.

Reporting on the significant projects and priorities allows Council to compare the activities of Council against the core strategy of Council.

**10. Media/Publicity**

There are many media or publicity opportunities with the content of this report.

## Significant Projects Report

Indicator	Project Description	Project Manager	Carry Over (over/under)	2016/17 Budget	Total Budget	Actual Cost to April 2017	Project status	Scops, Design, etc	Quote, Tender, etc	Planned Start Date	Planned Completion	Date of completion	Comments / Issues
	<b>MAYOR, COUNCILLORS &amp; CEO</b>												
●	Little Wanganui/ Tapawera/ Wangapeka Road Advocacy	GH + CEO	0.00	0.00			In progress			Nov-15			Better Business Case underway in April 2017. Ongoing.
●	Integrated Family Health Unit Advocacy	GH + CEO	0.00	0.00						Nov-16	Nov-17		Site selection confirmed. Continuing Advocacy.
●	Future of Westport Port	CCTO Committee	0.00	0.00			under continual review			Dec-15	Jun-18		AP, LTP Strategy, CCTO Committee and BHL. Updates to be provided.
●	Reefton Historic Power Generation Project	GH	0.00	0.00						Dec-17			Advocacy with Greg Topp.Active discussions continuing.
●	Ultra Fast Broadband Advocacy	GH + CEO + IT	0.00	0.00			In progress			Nov-15			Government Announcement with WC Projects 2019. Now with Chorus. Progressing with MDC, Creative Developments and BEL.
●	Shared Services Projects with Other Coast Councils	CEO	0.00	0.00			ongoing						Ongoing - Roading, IT, Internal Audits, Civil Defence & Local Govt Commission, Economic Development, Policy Development.
●	Housing for Elderly - Advocacy	GH	0.00	0.00						Jun-16	Jun-17		Housing stock & ownership structure i.e. Trust
●	Westport Gateway Sign	GH	-21,314.00	25,000.00	3,686.00	1,769.00	in progress			Nov-15	May-17		Lighting to be completed by end of financial year.
●	Carters Beach Sea Erosion Advocacy	GH + CEO	0.00	0.00						Aug-17			Community Meetings Held. Advocacy role only. Project sits with WCRC.
●	Ngakawau/Granity Sea Erosion Advocacy - Facilitation	GH + LB	0.00	0.00						Aug-17			Community Meetings Held. Advocacy role only. Project sits with WCRC.
●	Charleston/Cape Foulwind Cycleway	GH	0.00	0.00									MOU completed. Continue advocacy.
●	Kawatiri Sculpture Symposium	GH + PH	0.00	0.00			near complete			May-16	Dec-17		Sculptures Installed and near completed, awaiting plaques.
●	Westport Flood Mitigation	GH	0.00	0.00			ongoing						WCRC project, BDC role is advocacy. Submissions close 17 February.
●	Holcim Exit	GH	0.00	0.00									Exit Plan.
●	17A Review - Local Government Act 2002	CEO	0.00	0.00			underway						Required to review cost effectiveness of current arrangements for meeting community needs. Refer to February Council meeting agenda for more information.
	Other Mayor, Councillors and CEO Projects	GH	0.00	0.00									
			<b>-\$21,314.00</b>	<b>\$25,000.00</b>	<b>\$3,686.00</b>	<b>\$1,769.00</b>							
	<b>COMMUNITY &amp; ENVIRONMENT</b>												
●	Alcohol Policy	CS + RT	0.00	0.00			in progress						Awaiting evidence from stakeholder groups to feed into policy development & legal outcomes
●	By-Law Reveils (all require review)	RT	0.00	0.00									To do: two in 2017, all the rest by 2018, NOTE this will be a large workload
●	Freedom Camping	CEO	0.00	0.00			in progress			Feb-17	Oct-17		Joint compliance and monitoring between all West Coast Councils.
●	Other Community & Environment	CS	0.00	0.00									
			<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>							

## Significant Projects Report

Indicator	Project Description	Project Manager	Carry Over (over)/under	2016/17 Budget	Total Budget	Actual Cost to April 2017	Project status	Scope, Design, etc	Quote, Tender, etc	Planned Start Date	Planned Completion	Date of completion	Comments / Issues
<b>CORPORATE SERVICES</b>													
●	2017/18 Annual Plan	DP	0.00				In progress			Nov-16	Jun-17		Progressing on time, roadshows advertised at Punakaiki, Reefton, Westport, Ngakawau and Karamaea.
●	Free Wifi Proposal for Palmerston Street in 4 Locations + Airport	GH + RW	4,000.00	0.00	4,000.00	3,611.00	In progress						Sites installed. Seeking sponsors who will have advertising on the splash page for an annual fee to offset running costs.
●	Review of Costings for Water Schemes	CEO + Finance Team	0.00	0.00	0.00	0.00							To be completed as further information provided from Assets & Infrastructure Team
●	Fire & Emergency NZ Transition	DP	0.00	0.00	0.00	0.00	In progress			Apr-16	Jun-17		Information sharing with NZ Fire Service underway
●	Long Term Plan 2018-2028	DP	0.00	0.00	0.00	0.00	Planning Stage			May-17	Jun-18		Strategic Workshops to be held commencing May/June
●	Other Corporate Services Projects	DP	0.00	0.00	0.00	0.00							
			<b>\$4,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$3,611.00</b>							
<b>SIGNIFICANT PROJECTS</b>													
●	District Plan Review	RT	-7,712.00	20,000.00	12,288.00	1,545.00	In progress			Nov-14	TBA		Hearings Committee has heard submissions. Are deliberating on those and will report to Council, who may accept or reject the proposed plan changes.
●	Rates Review Project Phase II	DP	67,617.00	0.00	67,617.00	15,560.00	In progress			Apr-16	Jun-18		Committee workshops continue to be held and a workplan is agreed.
●	IT/Information Technology Projects (inhouse)	HS	237,330.00	163,833.00	401,163.00	203,961.00	In progress				Jun-17		IM Project at selection stage. Major System update occurred in Feb 2017. Telephony upgrade will be completed by end of year. Hardware updates continuing.
●	Other Significant Projects												
			<b>\$297,235.00</b>	<b>\$183,833.00</b>	<b>\$481,068.00</b>	<b>\$221,066.00</b>							

## Significant Projects Report

Indicator	Project Description	Project Manager	Carry Over (over)/under	2016/17 Budget	Total Budget	Actual Cost to April 2017	Project status	Scope, Design, etc	Quote, Tender, etc	Planned Start Date	Planned Completion	Date of completion	Comments / Issues
<b>ASSETS &amp; INFRASTRUCTURE</b>													
●	Punakaiki Water Intake Easement	MD	6,018.00	0.00	6,018.00	10,313.00	In Progress						Situation under further review.
●	South Granity Water Admin (Tank Supply)	CEO	0.00				In Progress						Situation under further review.
●	Little Wanganui Water and Sewerage Easements	MD	0.00				In Progress			Jun-17			Work underway to resolve this
●	Karamea Highway Special Purpose Road Advocacy	MD, GH	0.00				In Progress						Business case being prepared in conjunction with NZTA
●	Punakaiki Camp Lease & Erosion Protection	TR/MD	0.00				Advocacy Role Only						This is a WCRC project and BDC's role is advocacy only.
●	Punakaiki Dickson Parade Status and Freedom Camping Issues	MDG + RT	0.00				In Progress						Temporary Road Closure following WCRC completion of new seawall. Detailed risk assessment before reopening.
●	Westport Tunnel Piping/Bracing	MD	65,960.00	650,000.00	715,960.00	74,258.00	In Progress						Feasibility Study in progress to determine methodology, cost, and schedule. Study due in time for June Council meeting.
●	Inangahua Water Treatment System	MD	222,740.00	0.00	222,740.00	219,692.00	In Progress						Water system completed. Fencing to be completed. Claim for DWS Funding to be received.
●	Waimangaroa Water Treatment System	MD	567,200.00	0.00	567,200.00	8,661.00	In Progress						Bore site has been identified, preparations for test drilling underway.
●	Ngakawau Hector Water Treatment System	MD	552,725.00	0.00	552,725.00	4,680.00	In Progress						Situation under further review.
●	District Signage (Seal Loop)	MD + GH	75,000.00	50,000.00	125,000.00	20,740.00	In Progress						Resource Consent application approved. Installation in progress, target completion July. Wayfinding signs on hold.
●	Riverside Development \$150k and Waterfront \$100k		250,000.00	250,000.00	500,000.00	980.00							Rebudgeted after 2017/2018 Annual Plan workshop discussions.
●	Punakaiki Building Project		0.00	100,000.00	100,000.00	4,777.00	On Hold						Draft Community Needs Assessment report received by BDC. Copy referred to DOC for consideration in the Dolomite Point spatial planning. On hold until DOC whether Community Facility will be incorporated in their planning work.
●	Reefton Community Centre	RB	253,207.00	537,400.00	790,607.00	783,653.00	Near Completed						Project completed, expect final costs to come in within \$28k of budget. Final costs are still to be paid (after 90 days practical completion as per contract).
●	Roading - Local Roads Sealed Road Resurfacing	TM	0.00	470,000.00	470,000.00	480,610.00	In Progress			Mar-17	May-17		Works program is weather dependent. Work materially completed. Costs incurred in March 2017.
●	Derby Street Pavement, Footpath, Water, Sewerage	TR/SM	0.00	676,643.00	676,643.00	558,294.00	In Progress				Jun-17		All works underway. Some works will fall into next financial year.
●	Roading - Local & Special Purpose Roads Other Projects	TR/SM	0.00	818,744.00	818,744.00	364,877.00	In Progress				Throughout the year		Dependent on weather conditions, therefore starts March of each year.
●	Earthquake Strengthening of Buildings	RB	110,000.00	50,000.00	160,000.00	68,790.00	Completed 3 of 4						Includes WestReef Depot, Victoria Square Building, Reefton Service Centre and Carnegie Library. Carnegie deferred until next year.
●	Costing Water Schemes - (Depreciation Funding)	MD	0.00	0.00	0.00	0.00							
●	Replacement of Westport Water Mains from Treatment Plant to Town	MD	0.00	0.00	0.00	0.00	In Progress						The mains replacement continues in line with annual budget and work plan to replace a certain number of lengths per annum.
●	Footpaths- Urban Development	TR	63,296.00	197,730.00	261,026.00	80,738.00	In Progress				April- June		Footpath work plan for 2017/18 FY currently under development.
●	Peel Street Yard	MD	0.00	0.00	0.00	0.00	In Progress						Site testing analysis and risk assessment currently in progress. Concept study for options to follow in 2017/18 FY.
●	Springs Junction Toilet Facility	MD	0.00	0.00	0.00	240,317.00	Completed						Project completed, MFF funding and claim approved. District Promotion Signage included in the project.
			<b>\$2,166,146.00</b>	<b>\$3,800,517.00</b>	<b>\$5,966,663.00</b>	<b>\$2,921,380.00</b>							

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 12**

**Prepared by - Mike Duff**  
- Group Manager Assets and Infrastructure

**Reviewed by - Tony Robertson**  
- Manager Utilities and Services

**Assets and Infrastructure Major Projects - Quarterly Status Report June 2017**

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**Report Summary**

The purpose of this report is to provide Council with a quarterly status update on major Assets and Infrastructure projects which are currently work in hand or work in view.

Status updates of progress and performance is critical for effective governance and keeping the community informed.

Forecasts identifying deviations (trends and changes) from the approved baseline enables intervention for recovery as well as the opportunity to share success stories when outcomes are better than planned.

**Draft Recommendation**

That the report be received for information.

**Issues and Discussion**

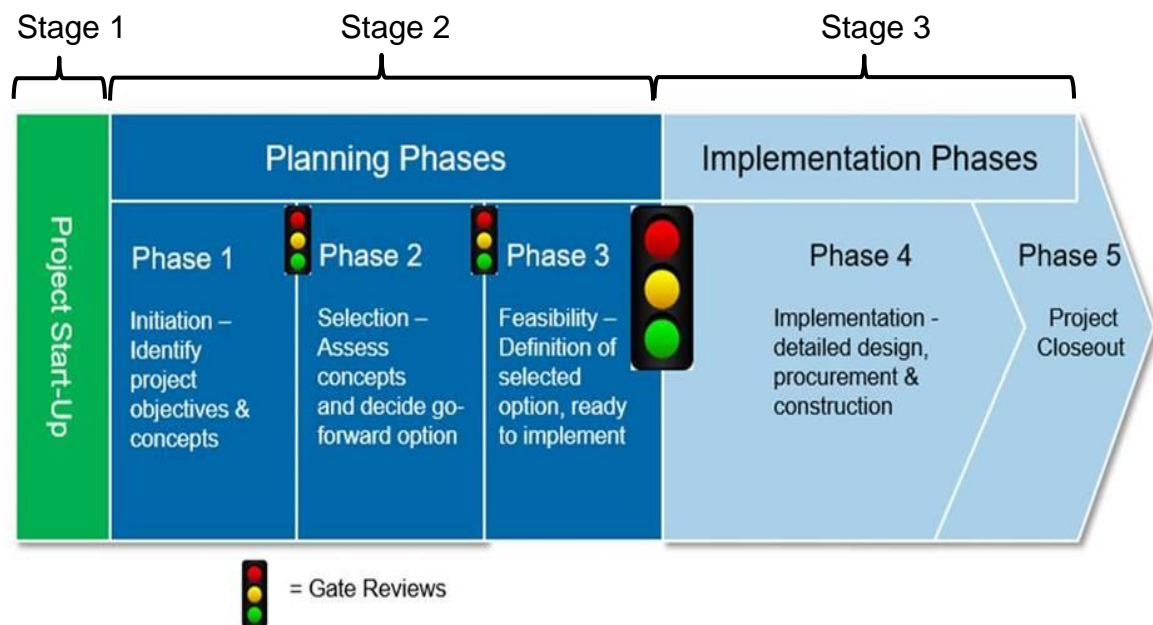
Projects are identified as major in terms of their significance, complexity, expenditure and community interest. These major projects require defined processes to help ensure predictable and consistent outcomes.

A project lifecycle process in accordance with best practice is shown below, with three distinct stages and intermediate gate approvals to ensure readiness to proceed to the next phase:

Stage 1 - Project Start-Up (Business Case)

Stage 2 - Planning Studies (Concept, Selection, Feasibility)

Stage 3 - Implementation (Design, Procurement, Construction and Closeout)



A quarterly status update for major Assets and Infrastructure projects is provided as follows with reference to the report-card key code shown below:

Key Code for Status		
★	Blue	Excellent, ahead of target, objective or expectation
☑	Green	Good, on target, in place or performing well
⚠	Amber	Monitor, behind target, unsustainable or at risk
☒	Red	Poor, requires urgent action or intervention

## 1. Buller District Signage (Roading Portfolio):

- Summary:
  - Overall Performance: ⚠️ Project nearing completion
  - Critical Issues: ⚠️ Wayfinding not approved, forecast overspend
  - Safety & Risk: ✅ Zero H&S incidents, risks managed
- Progress:
  - Current Status:
    - ✅ Implementation Stage - Phase 4: Construction
    - ✅ Billboard and Information signage in progress
    - ⚠️ Wayfinding signage not approved by NZTA
  - Achieved This Period:
    - ✅ NZTA and resource consent approved, designs finalised
    - ✅ Contractors and suppliers engaged, materials ordered
    - ✅ Construction and installation in progress
  - Planned Next Period:
    - ✅ Finish installation of Billboard and Information signs
  - Key Milestones:
    - ✅ NZTA and resource consent approved May 2017
    - ✅ Complete Billboard and Information signs by July 2017
  - Budget This Stage:
    - ✅ Approved = \$75,000
    - ✅ Earned Value (Actuals + Accruals) = \$75,000
    - ✅ To Finish (Estimate to Complete) = \$23,000
    - ⚠️ Forecast (Estimate at Completion) = \$98,000
    - ⚠️ Variance (Forecast - Approved Budget) = +\$23,000




















## 2. Peel St Depot (Property Assets Portfolio):

- Summary:
  - Overall Performance: ⚠ Project recovering from delays
  - Critical Issues: ⚠ Contaminated ground, asbestos, aesthetics
  - Safety & Risk: ⚠ Potential health and environmental risks
- Progress:
  - Current Status:
    - ☒ Start-Up Stage - Phase 0: Business Case
    - ⚠ Ground water monitoring to assess contaminant plume
    - ⚠ Licence to Occupy currently for Westport Hire and MENZ Shed
    - ⚠ Dilapidated buildings, loose cladding, abandoned equipment
    - ⚠ Sulphate soil, hotspots (tar/ash), asbestos, subterranean risks
  - Achieved This Period:
    - ☒ Site remediation specialist engaged (MWH Stantec)
    - ☒ Existing groundwater monitoring wells re-established on site
    - ☒ Three new monitoring wells established (Eco Drilling)
  - Planned Next Period:
    - ☒ Commence groundwater sampling and analysis
    - ☒ Prepare Contamination Report to characterise urgency
    - ☒ Commence Business Case and Risk Assessment
  - Key Milestones:
    - ☒ Complete groundwater Contamination Report by July 2017
    - ☒ Complete Business Case and Risk Assessment by October 2017
    - ☒ Complete Concept Study by December 2017
    - ☒ Complete Selection Study by March 2018
    - ☒ Complete Feasibility Study by June 2018
    - ☒ Contaminated Site Remediation Fund (CSRF) by June 2018
    - ☐ Commence and complete site works during 2018/19 Annual Plan
  - Budget This Stage:
    - ☒ Approved Budget (Council Authorised) = \$1,500
    - ☒ Earned Value (Actuals + Accruals) = \$1,500
    - ☒ To Finish (Estimate to Complete) = \$5,000
    - ⚠ Forecast (Estimate at Completion) = \$6,500
    - ⚠ Variance (Forecast – Approved Budget) = +\$5,000


### 3. Derby St Upgrade - Mill to Disraeli (Three Waters Portfolio):

- Summary:
  - Overall Performance: ☒ Project on track
  - Critical Issues: ☒ Nil
  - Safety & Risk: ☒ Zero H&S incidents, all risks managed
- Progress:
  - Current Status:
    - ☒ Implementation Stage - Phase 5: Project Closeout
    - ☒ Practical completion achieved
  - Achieved This Period:
    - ☒ Practical completion for water, sewer, stormwater and roading
  - Planned Next Period:
    - ☒ Pavement marking, footpath extensions, quality inspections
    - ☒ Hand-over and lessons learned
    - ☒ Footpath remediation (under separate works program)
  - Key Milestones:
    - ☒ Completed water network February 2017
    - ☒ Completed sewer and stormwater network April 2017
    - ☒ Completed road reconstruction May 2017
    - ☒ Practical completion June 2017
    - ☒ Finalise closeout by July 2017
  - Budget This Stage:
    - ☒ Approved Budget = \$647,000
    - ☒ Earned Value (Actuals + Accruals) = \$571,000
    - ☒ To Finish (Estimate to Complete) = \$16,000
    - ☆ Forecast (Estimate at Completion) = \$587,000
    - ☆ Variance (Forecast - Approved Budget) = -\$60,000


#### 4. Westport No.1 Water Tunnel (Three Waters Portfolio):

- Summary:
  - Overall Performance:  Council direction required
  - Critical Issues:  Selected Option 3a not recommended to proceed
  - Safety & Risk:  Zero H&S incidents, risks managed
- Progress:
  - Current Status:
    -  Planning Stage - Phase 3: Feasibility Study
    -  Feasibility Study completed
  - Achieved This Period:
    -  Council resolution eliminated Option 2a (Tunnel Stabilisation)
    -  Options Workshop selected Option 3a (Pipe-Jacking)
    -  Feasibility Study for Option 3a completed (refer separate report)
    -  Monthly Project Status Report completed (refer Appendix A)
  - Planned Next Period:
    -  Assess alternative tunnel blockage and raw water supply options
    -  Reconsider feasibility of tunnel stabilisation (repairs)
    -  Reconsider long-term “non-tunnel” options for Westport supply
  - Key Milestones:
    -  Option 3a Feasibility Study completed June 2017
    -  Recommendations to Council June 2017 (refer separate report)
  - Budget This Stage:
    -  Approved Budget = \$54,000
    -  Earned Value (Actuals + Accruals) = \$40,400
    -  To Finish (Estimate to Complete) = \$13,600
    -  Forecast (Estimate at Completion) = \$54,000
    -  Variance (Forecast – Approved Budget) = \$0

## 5. Northern Link Road (Roading Portfolio):

- Summary:
  - Overall Performance: ☒ Project on track
  - Critical Issues:  RED governance group endorsement, MBIE/NZTA support
  - Safety & Risk: ☒ Zero H&S incidents, risks managed
- Progress:
  - Current Status:
    - ☒ Start-Up Stage - Phase 0: Business Case
    - ☒ Internal review completed
    - ☒ Co-funded with MBIE and NZTA - BDC capped to \$20,000
  - Achieved This Period:
    - ☒ Stakeholder Management Plan completed
    - ☒ ILM and Benefit Mapping workshops completed
    - ☒ Strategic Business Case report internal review completed
    - ☒ Project advocacy to NZTA stakeholder meeting
  - Planned Next Period:
    - ☒ Complete Strategic Business Case report
    - ☒ Submit for MBIE and NZTA review
  - Key Milestones:
    - ☒ Complete draft report by June 2017
    - ☒ Final version completed by July 2017
    - ☒ Submit to RED governance group post-July 2017
    - ☒ If endorsed, submit to NZTA board late 2017/early 2018
  - Budget This Stage:
    - ☒ Approved Budget = \$20,000
    - ☒ Earned Value (Actuals + Accruals) = \$12,000
    - ☒ To Finish (Estimate to Complete) = \$8,000
    - ☒ Forecast (Estimate at Completion) = \$20,000
    - ☒ Variance (Forecast – Approved Budget) = \$0
    - ☒ NB: Total BDC/MBIE/NZTA co-funded commitment = \$60,000

## 6. Karamea Highway SPR (Roading Portfolio):

- Summary:
  - Overall Performance: ☒ Project on track
  - Critical Issues:  NZTA assessment of state highway status
  - Safety & Risk: ☒ Zero H&S incidents, risks managed
- Progress:
  - Current Status:
    - ☒ Start-Up Stage - Phase 0: Business Case
    - ☒ Consultant selected
  - Achieved This Period:
    - ☒ Scope separated into two stages (SBC & IBC)
    - ☒ Consultant proposals received and assessed
    - ☒ NZTA TIO funding application submitted
    - ☒ Project advocacy to NZTA stakeholder meeting
  - Planned Next Period:
    - ☒ Engage consultant once NZTA TIO funding approved
    - ☒ ILM and Benefit Mapping desktop review
    - ☒ Complete Strategic Business Case
  - Key Milestones:
    - ☒ Complete Strategic Business Case by August 2017
    - ☒ Complete Indicative Business Case by December 2017
    - ☒ Submit to NZTA board early 2018
  - Budget This Stage:
    - ☒ Approved Budget = NZTA
    - ☒ Earned Value (Actuals + Accruals) = NZTA
    - ☒ To Finish (Estimate to Complete) = NZTA
    - ☒ Forecast (Estimate at Completion) = NZTA
    - ☒ Variance (Forecast - Approved Budget) = NZTA

## 7. Waterfront Development (Property Assets Portfolio):

- Summary:
  - Overall Performance: ☒ Project on track
  - Critical Issues: ☐ Flood protection, community engagement, public support
  - Safety & Risk: ☒ Zero H&S incidents, risks managed
- Progress:
  - Current Status:
    - ☒ Start-Up Stage – Phase 0: Business Case
    - ☒ Initiation phase
    - ☒ Waterfront and Cultural Hub precincts combined
  - Achieved This Period:
    - ☒ Land ownership maps completed (refer Attachment B)
    - ☒ Waitaki District Council, lessons learned meeting
    - ☒ Site inspection Oamaru Harbour development
    - ☒ Master plan and development strategy process commenced
    - ☒ EOI for placemaker specialist completed (community vision)
    - ☒ EOI for principal consultant completed (concept study)
  - Planned Next Period:
    - ☒ Community group consultation e.g. Buller Cycling, Love Kawatiri
    - ☒ Engage placemaker specialist to facilitate community workshops
    - ☒ Develop vision and concepts for staged development
  - Key Milestones:
    - ☒ Complete community workshops by September 2017
    - ☒ Complete Strategic Business Case by November 2017
    - ☒ Complete Concept Study by March 2018
    - ☒ LTP inclusion by June 2018
  - Budget This Stage:
    - ☒ Approved Budget = \$140,000
    - ☒ Earned Value (Actuals + Accruals) = \$0
    - ☒ To Finish (Estimate to Complete) = \$140,000
    - ☒ Forecast (Estimate at Completion) = \$140,000
    - ☒ Variance (Forecast - Approved Budget) = \$0
    - ☒ NB: Budget combines Waterfront & Cultural Hub 2017/18 AP

## **Considerations**

### **1. Strategic Impact**

The successful delivery of major assets and infrastructure projects in accordance with our LTP is critical to the success of our district.

### **2. Significance Assessment**

Major projects are considered highly significant in terms of capital and operating expenditure, complexity, impact to levels of service and community interest.

### **3. Risk Analysis**

Major project risks are managed in accordance with Council's risk management processes including a "what could go wrong?" approach to ensure all practicable steps are being taken to assess, control and monitor identified risks.

### **4. Policy/Legal Considerations**

Council must comply with the relevant policy and legal requirements including the Public Works Act 1981, the Health and Safety at Work Act 2015, the Resource Management Act 1991 and the Local Government Act 2002.

### **5. Tangata Whenua Considerations**

Nil noted.

### **6. Views of Those Affected**

Affected parties and stakeholders including community members, private sector, government ministries, agencies and authorities are consulted throughout the project delivery process.

### **7. Costs**

Costs for major projects are expended against cost codes in our Annual Plan. Deviations (trends and changes) from approved control baselines will be indicated as budget variances and reported to Council accordingly.

### **8. Benefits**

The benefits of major projects are in accordance with our LTP and aligned with community outcomes including well-being, learning, who we are, sustainable environment and prosperity.

### **9. Media/Publicity**

Publicity is expected with major projects, not all of which will be positive. However, this should not deter from the reasons for delivering important assets and infrastructure for the community.

## Monthly Project Status Report Westport No.1 Water Tunnel Feasibility Study

### ASSETS & INFRASTRUCTURE PROJECT STATUS REPORT



<b>PROJECT:</b>	Westport No.1 Water Tunnel		
<b>PORTFOLIO:</b>	Three Waters	<b>PROGRAM MANAGER:</b>	S.Murphy
<b>FUNCTION:</b>	Utilities & Services	<b>DATE:</b>	16/06/17
<b>PROJECT MANAGER:</b>	C.Bergin (Opus)	<b>PREPARED BY:</b>	M.Duff
<b>PROJECT SPONSOR:</b>	M.Duff	<b>REVISION/VERSION:</b>	0/A
<b>ASSET OWNER:</b>	S.Murphy	<b>PERIOD ENDING:</b>	May 2017
<b>CIRCULATION:</b>	Project Control Group; Management; Councillors		

### Executive Summary

<b>Project Lifecycle</b>	Stage 2 Planning; Phase 3 Feasibility
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Report Card	Status	Comment/Action Required
<b>Overall:</b>	✓	Performing well
<b>Safety:</b>	✓	Tunnel entry prohibited
<b>Risk:</b>	⚠	Council direction required
<b>Scope:</b>	⚠	Council direction required
<b>Budget:</b>	⚠	Council direction required
<b>Schedule:</b>	✓	On target
<b>Resources:</b>	✓	In place
<b>Quality:</b>	✓	Good

Key Code for Status		
★	Blue	Excellent, ahead of target, objective or expectation
✓	Green	Good, on target, in place or performing well
⚠	Amber	Monitor, behind target, unsustainable or at risk
✗	Red	Poor, requires urgent action or intervention

## **Narrative**

The Westport No.1 Water Tunnel Feasibility Study scope is to define the risks, methodology, costs and schedule in sufficient detail to confirm the selected option should proceed to implementation phase.

The work uses previous condition assessment reports and site visits undertaken by Opus and other consultants since the circa 2014 tunnel collapse.

At an extraordinary meeting held 10 May 2017, Council resolved to eliminate all tunnel repair solutions from consideration (including Option 2a), on the basis that a longer term solution with lower risk may be more economically comparable.

With tunnel repairs eliminated, the focus of the Feasibility Study changed to selecting a new go-forward option from those remaining in Table 4 of the Opus Supplementary Report March 2016.

The selection process was managed through an Options Workshop held 16 May 2017. After clarifying the desired outcome of affordable, adequate and reliable water supply for Westport, the workshop process identified key objectives and corresponding criteria from which to assess the options.

Following a bottom-up evaluation and top-down review, Option 3a (Extended) was unanimously selected as the go-forward option on which to complete the current feasibility study.

Option 3a is a Pipe-Jacking solution through the existing tunnel. The (Extended) suffix denotes an increase in length from the originally scoped 450m for Option 3a, up to 700m in order to clear the worst tunnel sections. This improves the reliability of the option significantly, as the remaining 500m of tunnel is in relatively sound condition.

## **Current Status**

- Draft Feasibility Study report on track for completion 9<sup>th</sup> June

## **Achieved this Period**

- Options workshop completed
- Option 3a (Pipe-Jacking) selected as the go-forward option
- Risks, scope, methodology, cost estimate and schedule development progressed
- Pipe-Jacking practitioner engaged as subject matter expert
- Feasibility Study scope extended for further definition of issues, risks and growth
- Progress meeting with Project Control Group 22<sup>nd</sup> May 2017

### Planned next Period

- Complete Feasibility Study
- Report to June Council meeting
- Decisions/actions from Council resolutions
- Progress meeting with Project Control Group

### Key Milestones/Deliverables

ID #	Description	Target Date	Actual Date
1	Regulatory compliance review	April 2017	April 2017
2	Risk workshop/Options workshop	May 2017	May 2017
3	May progress meeting	May 2017	May 2017
4	Feasibility study	June 2017	

### Schedule Recovery

ID #	Description	Explanation/Action
1	N/A	N/A

### Budget

ID #	Description	Last Period	This Period
A	Baseline	\$ 26,400	\$ 26,400
B	Current Approved	\$ 26,400	\$ 54,000
C	Actuals + Accruals	\$ 9,400	\$ 40,400
D	Estimate to Complete	\$ 17,000	\$ 13,600
E	Forecast (C + D)	\$ 26,400	\$ 54,000
F	Variance (E – B)	\$ 0	\$ 0

### Critical Issues & Risks

Critical Issues				
ID #	Date Raised	Description	Respons.	Action/Timing
1	18/04/17	Tunnel deterioration	BDC	Unknown condition
2	01/05/17	Tunnel entry prohibited	BDC	Under review
3	29/05/17	Increased pipe-sizing	BDC	Expert practitioner

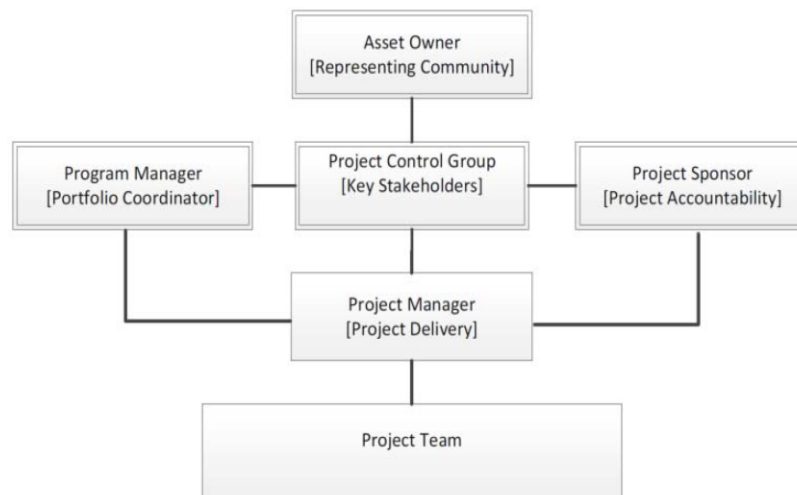
Critical Risks				
ID #	Date Raised	Description	Risk Rating	Controls
1	05/05/17	Feasibility of Option 2a	High	Options workshop
2	16/06/17	Feasibility of Option 3a	High	Council direction

## Change Management

Trend/Change Notices				
ID #	Date Raised	Description	Status	Action/Timing
1	05/05/17	Alternative option study	Approved	Complete
2	16/05/17	Options workshop	Approved	Complete
3	18/05/17	Extended scope of study	Approved	Complete
4	22/05/17	Expert practitioner (Harkers)	Approved	Complete

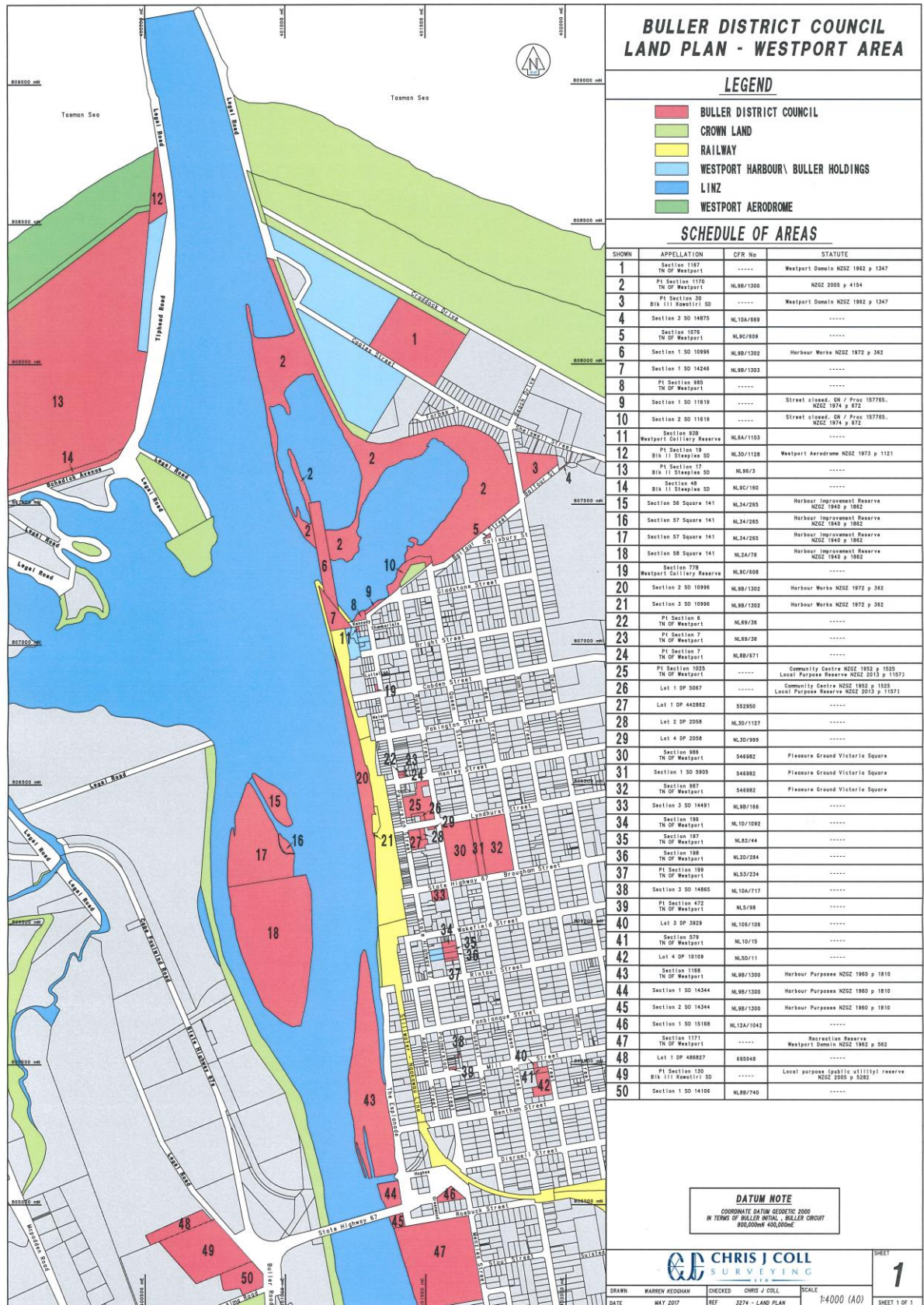
Contract Variations				
ID #	Date Raised	Description	Status	Value
1	05/05/17	Alternative option study	Approved	\$N/A
2	16/05/17	Options workshop	Approved	\$11,500
3	18/05/17	Extended scope of study	Approved	\$15,200
4	22/05/17	Expert practitioner (Harkers)	Approved	\$900

## Project Governance Model



# Attachment B

## Waterfront Development - Land Ownership Maps



**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 13**

**Prepared by - Mike Duff**  
- Group Manager Assets and Infrastructure

**Reviewed by - Sam Murphy**  
- Co-ordinator Three Waters

**Buller District Water Supplies - Quarterly Status Report June 2017**

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**Report Summary**

The purpose of this report is to provide a quarterly status update on Council water supplies in the Buller District in terms of overall performance, critical issues and compliance with:

- Health (Drinking Water) Amendment Act 2007
- Drinking Water Standards of New Zealand 2005 (rev 2008)

As we are ultimately responsible under legislation, it is incumbent on Council to ensure these water supplies provide safe, reliable and adequate drinking water for the communities.

**Draft Recommendation**

That the report be received for information.

**Issues and Discussion**

As the registered drinking water supplier under section 69J of the Health Act 1956, Council accepts its responsibilities and will take all practicable steps to ensure the health and well-being of all consumers.

This will be achieved through the strategic direction outlined by our 5-point plan:

1. Responsibility - Waterworks owned or under the control of the Water Supplier
2. Authority - Relevant consents and access permissions held by the Water Supplier
3. Application - Protection of waterworks, environment and public safety
4. Coordination - Organised management of water supply programs of work
5. Implementation - Best-practice processes for delivering water supply projects

Aligned to our 5-point plan, Council is targeting the following direct action initiatives:

- Water Safety Plans and Catchment Risk Assessments
- Resource Consents, Easements and Land Acquisitions
- Water Supply Bylaw
- Accountability for delivering the water supply work program
- Best practice project delivery model to ensure successful outcomes





The Ministry of Health has provided the following statement in regard to Council's role as a registered drinking water supplier:

*"The MoH acknowledges the Buller District Council's strategic direction in managing drinking water infrastructure within its District. Councils are ideally placed to provide these services to fulfil their obligations under the Local Government Act, Resource Management Act and Health Act as they relate to the provision of safe drinking water. The safe operation of drinking water supplies requires specific expertise and co-ordination between agencies to ensure management is holistic and sustainable. Failure in these key areas were identified as contributing factors to the Havelock North water supply contamination incident."*

The following summary report provides an update on each of Council's eight drinking water supplies:

- Hector-Ngakawau
- Inangahua Junction
- Little Wanganui
- Mokihinui
- Punakaiki
- Reefton
- Waimangaroa
- Westport

The report-card status refers to the key code shown below:

Key Code for Status		
	Blue	Excellent, ahead of target, objective or expectation
	Green	Good, on target, in place or performing well
	Amber	Monitor, behind target, unsustainable or at risk
	Red	Poor, requires urgent action or intervention

















## 1. Hector-Ngakawau:

- Summary:
  - Overall Performance: ✗ Non-compliant to DWSNZ
  - Critical Issues: ⚠ Untreated supply, easement, community support
  - Compliance: ⚠ Permanent boil water notice
- Responsibility & Authority:
  - Water Supplier: ✔ Council
  - Resource Consents: ✔ RC 01284/1/2/3, expires 26 June 2037
  - Land Acquisitions & Easements: ⚠ Easement required across private land
- Progress:
  - Current Status:
    - ⚠ Community representatives dispute registered water supplier
  - Achieved This Period:
    - ✔ Council confirmed as registered supplier (refer Attachment C)
    - ✔ Easement survey completed
    - ✔ Water Safety Plan/Catchment Risk Assessment commenced
  - Planned Next Period:
    - ✔ Renew Ministry of Health contract for CAP subsidy
    - ✔ Progress easement approval process
    - ✔ Progress location and design of treatment plant
  - Key Milestones:
    - ✔ Renew CAP subsidy contract by September 2017
    - ⚠ Secure land access by December 2017
    - ⚠ Complete new treatment plant by June 2018
    - ⚠ Approved Water Safety Plan by June 2018
  - Budgets:
    - ✔ Current Account Balance = +\$274,000
    - ✔ Available CAP Subsidy = +\$220,000

















## 2. Inangahua Junction:

- Summary:
  - Overall Performance: ☒ Good
  - Critical Issues: ☐ No resource consent, easement
  - Compliance: ☒ Good
- Responsibility & Authority:
  - Water Supplier: ☒ Council
  - Resource Consents: ☐ Consent required to ensure security of supply
  - Land Acquisitions & Easements: ☐ Easement required across private land
- Progress:
  - Current Status:
    - ☒ Compliant to DWSNZ 2005
  - Achieved This Period:
    - ☒ Surveyor engaged to define easement
    - ☒ Water Safety Plan/Catchment Risk Assessment commenced
  - Planned Next Period:
    - ☒ Complete resource consent process
    - ☒ Complete easement approval process
    - ☒ Water Safety Plan/Catchment Risk Assessment to CDHB
  - Key Milestones:
    - ☐ Secure land access by September 2017
    - ☒ Approved resource consent by September 2017
    - ☒ Approved Water Safety Plan by September 2017
  - Budgets:
    - ☒ Current Account Balance = +\$11,000
    - ☒ Available CAP Subsidy = \$0

### 3. Little Wanganui:

- Summary:
  - Overall Performance:  Non-compliant to DWSNZ
  - Critical Issues:  Untreated supply
  - Compliance:  Permanent boil water notice
- Responsibility & Authority:
  - Water Supplier:  Council
  - Resource Consents:  RC 96064V, expires 5 January 2039
  - Land Acquisitions & Easements:  Easement required across private land
- Progress:
  - Current Status:
    -  Quality of existing supply
  - Achieved This Period:
    -  Easement survey completed
    -  Water Safety Plan/Catchment Risk Assessment commenced
  - Planned Next Period:
    -  Complete easement approval process
    -  Reassess point of supply treatment options
    -  Water Safety Plan/Catchment Risk Assessment to CDHB
  - Key Milestones:
    -  Secure land access by September 2017
    -  Approved Water Safety Plan by September 2017
  - Budgets:
    -  Current Account Balance = +\$50,000
    -  Available CAP Subsidy = \$0

#### 4. Mokihinui:

- Summary:
  - Overall Performance:  Non-compliant to DWSNZ
  - Critical Issues:  Untreated supply, easement
  - Compliance:  Permanent boil water notice
- Responsibility & Authority:
  - Water Supplier:  Council
  - Resource Consents:  RC 01283/1/2/3/4/5, expires 26 June 2037
  - Land Acquisitions & Easements:  Easement required across private land
- Progress:
  - Current Status:
    -  Quality of existing supply
  - Achieved This Period:
    -  Delay in GIS mapping of existing water assets, easement delayed
    -  Draft Water Safety Plan/Catchment Risk Assessment completed
  - Planned Next Period:
    -  Survey for required easement
    -  Reassess point of supply treatment options
    -  Water Safety Plan/Catchment Risk Assessment to CDHB
  - Key Milestones:
    -  Secure land access by December 2017
    -  Approved Water Safety Plan by September 2017
  - Budgets:
    -  Current Account Balance = +\$45,000
    -  Available CAP Subsidy = \$0

## 5. Punakaiki:

- Summary:
  - Overall Performance: ☒ Good
  - Critical Issues: ☐ Easement, safety risks of access track
  - Compliance: ☒ Good
- Responsibility & Authority:
  - Water Supplier: ☒ Council
  - Resource Consents: ☒ RC 06183, expires 1 July 2045
  - Land Acquisitions & Easements: ☐ Land acquisition under legal review
- Progress:
  - Current Status:
    - ☒ Compliant to DWSNZ 2005
  - Achieved This Period:
    - ☒ Installed and commissioned new filter media
    - ☒ Removed boil water notice
    - ☒ Draft Water Safety Plan/Catchment Risk Assessment completed
  - Planned Next Period:
    - ☒ Resolve land acquisition/easement issue
    - ☒ Resolve safety risks of access track
    - ☒ Water Safety Plan/Catchment Risk Assessment to CDHB
  - Key Milestones:
    - ☐ Secure land access by December 2017
    - ☒ Approved Water Safety Plan by September 2017
  - Budgets:
    - ☒ Current Account Balance = -\$59,000
    - ☒ Available CAP Subsidy = \$0

## 6. Reefton:

- Summary:
  - Overall Performance: ☒ Good
  - Critical Issues: ☒ High water usage
  - Compliance: ☒ Good
- Responsibility & Authority:
  - Water Supplier: ☒ Council
  - Resource Consents: ☒ RC 12082, expires 6 December 2036
  - Land Acquisitions & Easements: ☒ Secured
- Progress:
  - Current Status:
    - ☒ Compliant to DWSNZ 2005
  - Achieved This Period:
    - ☒ 2017/18 AP funding approved for high-usage investigations
    - ☒ Draft Water Safety Plan/Catchment Risk Assessment completed
  - Planned Next Period:
    - ☒ Commence high-usage investigations
    - ☒ Water Safety Plan/Catchment Risk Assessment to CDHB
  - Key Milestones:
    - ☒ Complete high water usage investigation by September 2017
    - ☒ Approved Water Safety Plan by September 2017
  - Budgets:
    - ☒ Current Account Balance = -\$33,000
    - ☒ Available CAP Subsidy = \$0

## 7. Waimangaroa:

- Summary:
  - Overall Performance: ☒ Creek source quality and resilience
  - Critical Issues: ☐ Untreated supply
  - Compliance: ☐ Permanent boil water notice
- Responsibility & Authority:
  - Water Supplier: ☒ Council
  - Resource Consents: ☐ Consent required for new bore
  - Land Acquisitions & Easements: ☒ Council land
- Progress:
  - Current Status:
    - ☒ Quality and resilience of existing supply
  - Achieved This Period:
    - ☒ Bore site located on Council land, no easement required
    - ☒ Test drilling ready to commence
    - ☒ Request for Tender documents commenced
    - ☒ Draft Water Safety Plan/Catchment Risk Assessment completed
  - Planned Next Period:
    - ☒ Test water samples for quality and characteristics
    - ☒ Finalise bore, trunk main and WTP design
    - ☒ Complete procurement process to award contract
  - Key Milestones:
    - ☒ Approved resource consent by July 2017
    - ☒ Complete treatment plant design by July 2017
    - ☒ Complete new water supply by December 2017
    - ☒ Approved Water Safety Plan by December 2017
  - Budgets:
    - ☒ Current Account Balance = +\$10,000
    - ☒ Available CAP Subsidy = +\$400,000

## 8. Westport:

- Summary:
  - Overall Performance: ⚠ Monitor, levels stable since restriction measures
  - Critical Issues: ⚠ Reservoir levels, No.1 Water Tunnel repair
  - Compliance: ✅ Good
- Responsibility & Authority:
  - Water Supplier: ✅ Council
  - Resource Consents: ✅ RC 03081/1/2/3/4/5, expires 30 June 2040
  - Land Acquisitions & Easements: ✅ Secured
- Progress:
  - Current Status:
    - ⚠ Water sourced from Keoghan pump station
  - Achieved This Period:
    - ✅ Draft Water Safety Plan/Catchment Risk Assessment completed
    - ✅ Monitoring current status (refer Attachment A)
    - ✅ Contingency options risk assessed (refer Attachment B)
    - ✅ Feasibility Study for Option 3a completed (refer separate report)
  - Planned Next Period:
    - ✅ Water Safety Plan/Catchment Risk Assessment to CDHB
    - ✅ Implement Ballarat Creek supply (20 L/s, 13% increase)
    - ⚠ Explore other tunnel blockage and raw water supply options
    - ⚠ Reconsider feasibility of tunnel stabilisation (repairs)
    - ⚠ Reconsider long-term “non-tunnel” options for Westport
  - Key Milestones:
    - ✅ Option 3a Feasibility Study completed June 2017
    - ✅ Council recommendations June 2017 (refer separate report)
    - ✅ Approved Water Safety Plan by September 2017
  - Budgets:
    - ✅ Current Account Balance = -\$887,000
    - ✅ Available CAP Subsidy = \$0

## **Considerations**

### **1. Strategic impact**

Reliable delivery of safe drinking water and upgrade of assets for Council water supplies are priority projects in our LTP and critical to the success of our district.

### **2. Significance Assessment**

This is of high significance, given the need for safe drinking water and the critical risk to our health and welfare if we fail to address appropriately.

### **3. Risk Analysis**

Under legislation, Council must apply a risk-based approach, (ie what could go wrong?) and ensure all practicable steps are being taken to manage risk. This requires knowledge of the legal framework, capacity to perform required duties, and capability to prepare and maintain key instruments including catchment risk assessments and water safety plans.

### **4. Policy/Legal Considerations**

Council must comply with the relevant policy and legal requirements including Health (Drinking Water) Amendment Act 2007 and Drinking Water Standards of New Zealand. 2005 (rev 2008).

### **5. Tangata Whenua Considerations**

Nil noted.

### **6. Views of Those Affected**

Public consultation has been held previously in district communities regarding water supplies. The strategic direction for water supplies has been communicated to those affected.

### **7. Costs**

In most instances, costs for water supply upgrades in our district have been budgeted in our Annual Plan. This is supplemented by subsidies received from Central Government via the Drinking Water Subsidy Scheme and Capital Assistance Funding (CAP).

Compliance costs associated with more stringent legislation which may occur in the future will be considered as part of future Long Term Planning.

### **8. Benefits**

Provision of reliable and adequate safe drinking water for our water supplies is a core function of Council and benefits the health of our residents and visitors.

### **9. Media/Publicity**

Publicity in some communities is expected, not all of which will be positive. However, this should not deter from the valid reasons of providing safe drinking water.

## Attachment A

### Westport Water Supply - Current Status - June 2017

#### Summary

- Westport raw water supply from Keoghan pump station January 2017
- Conservation Notice 21 April 2017, Restriction Notice 5 May 2017
- Historical daily usage = 65 L/s = 5.6 ML/day (4%)

#### Levels & Capacity

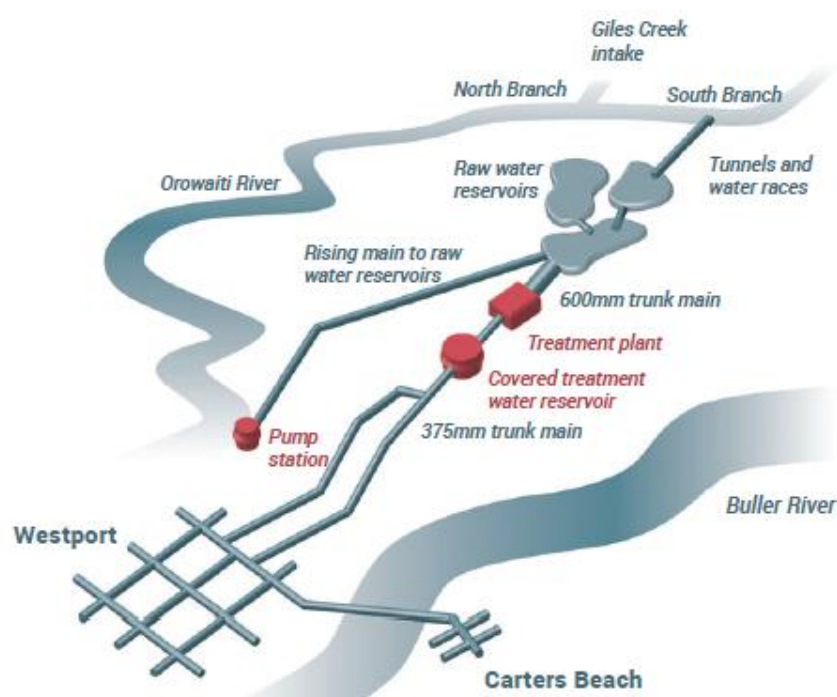
- Raw water reservoir, combined 3 ponds, RL 130.80 = 129.8 ML (100%)
- Thresholds:
  - Conservation Notice, RL 130.02 = 97.4 ML (75%)
  - Restriction Notice, RL 129.59 = 77.9 ML (60%)
  - Low Level, RL 127.91 = 26.0 ML (20%) \* To avoid WTP issues
- Current: RL 129.94 = 93.9 ML (72.3%)

#### Supply & Demand

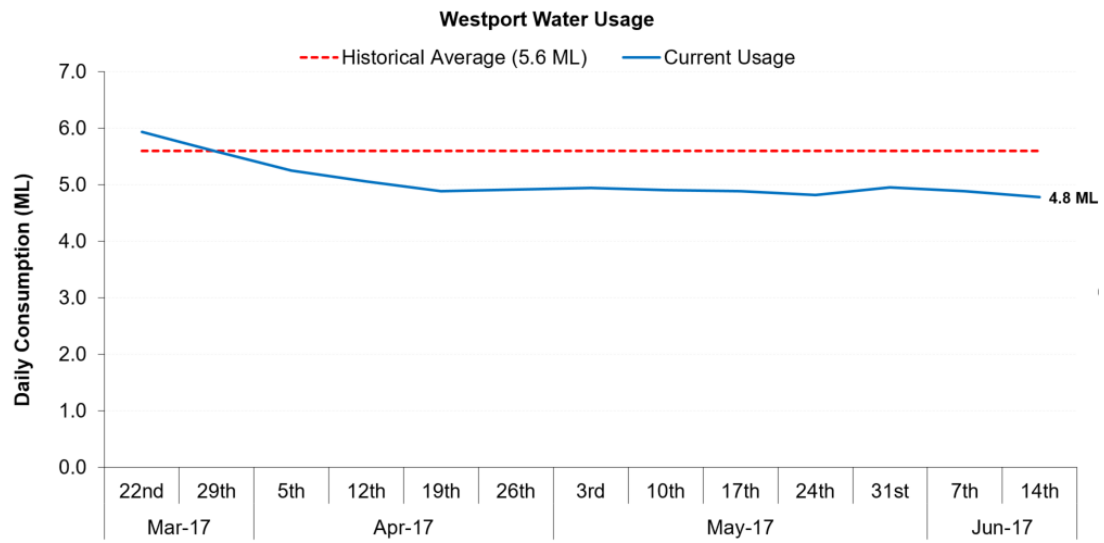
- Keoghan pump station, continuous operation = 85 L/s = 7.3 ML/day (6%)
- Average usage this period = 57 L/s = 4.9 ML/day (4%)
- Maximum recovery rate, pumped system = 28 L/s = 2.4 ML/day (2%)

#### Reserves (assuming no pumping and average usage)

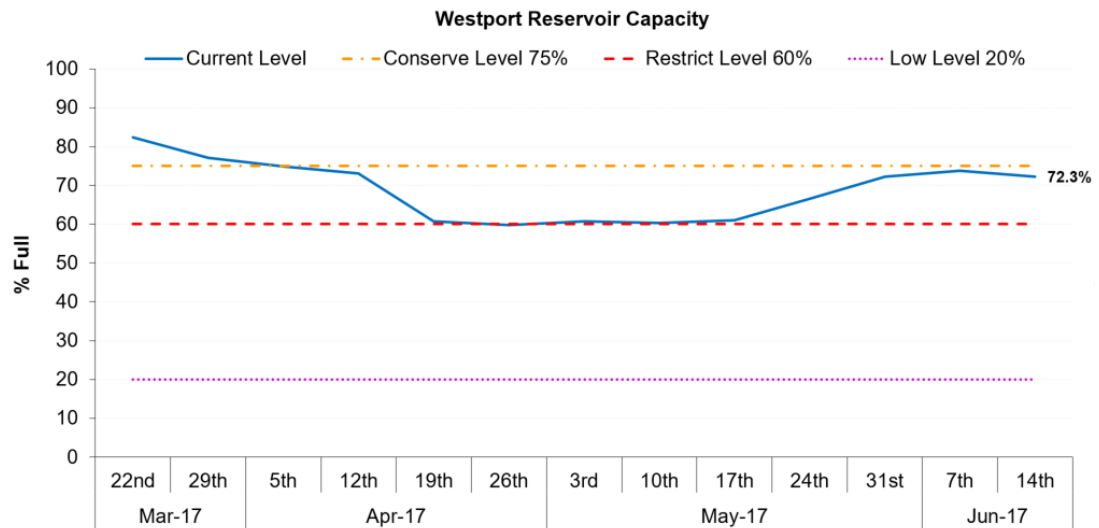
- Reservoir loss per day = 4.9 ML/day (4%)
- Estimated reserves:
  - Full 100% to Low Level 20% (129.8-26.0 = 103.8 ML) = 21 days
  - Current 72.3% to Low Level 20% (93.9-26.0 = 67.9 ML) = 14 days



## Daily Consumption – Rolling Quarterly



## Reservoir Status – Rolling Quarterly



## Attachment B

### Westport Water Supply - Pumped System Risk Assessment - June 2017



#### WESTPORT WATER SUPPLY – PUMPED SYSTEM RISK ASSESSMENT – JUNE 2017

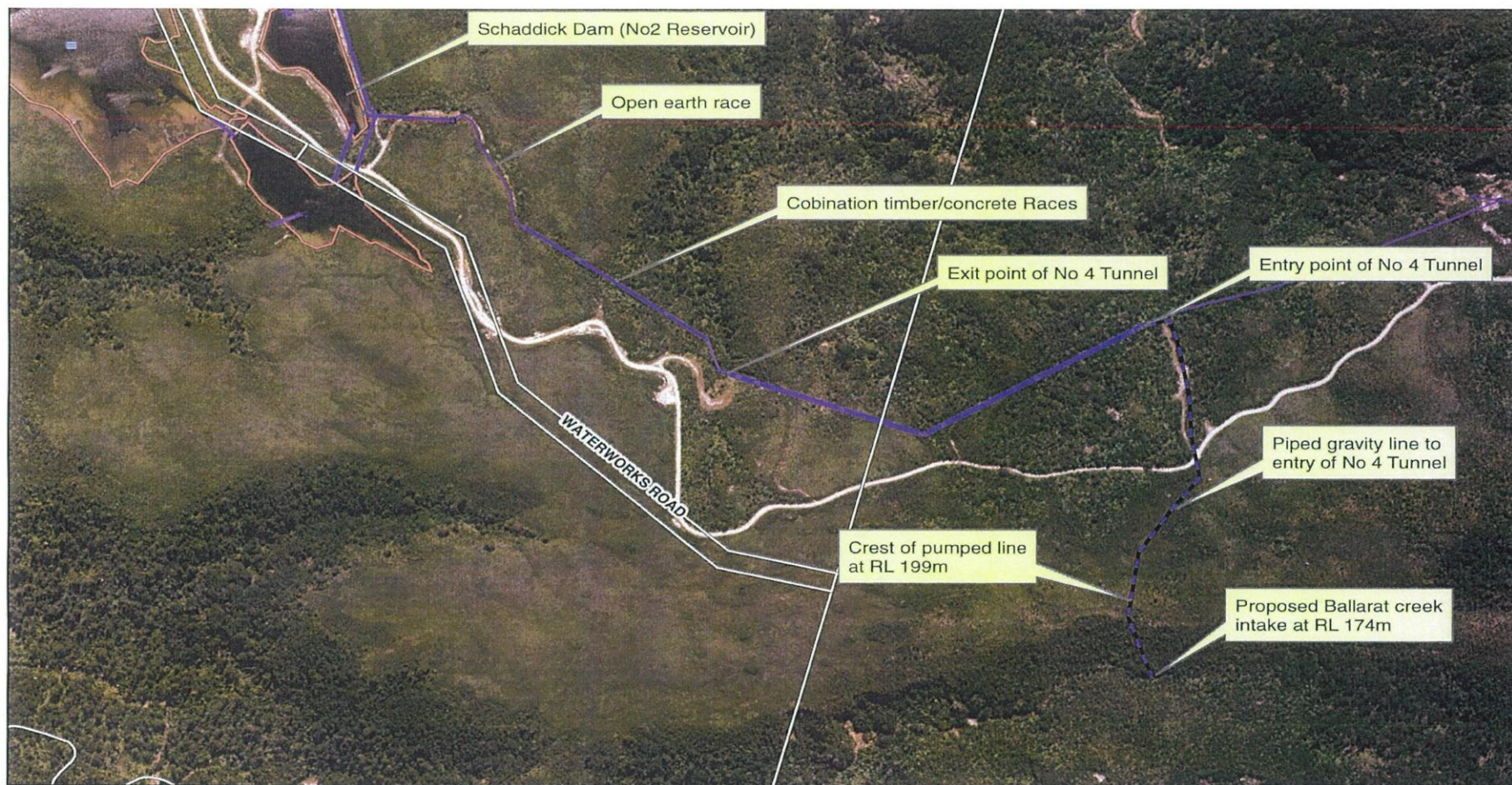
Event	No	Cause	Risk Without Preventative Measures Likelihood x Consequence	Indicators	Preventative Measures in Place	Controlled	Residual Risk Likelihood x Consequence	Resp.	Timing	Current Status
Pump Failure	1	Pump Motor Failure	High Possible x Moderate	Loss of water supply Alarm	Spare pump and motor purchased. Installation to be arranged to enable a third pump available	Yes	Moderate Possible x Minor	WestReef / BDC	Third pump to be installed and wired ready to use before end of May	Third pump installed and commissioned
Pump Failure	2	Pump Housing Failure	High Possible x Moderate	Leak evident	Spare pump and motor purchased. Installation to be arranged to enable a third pump available.	Yes	Moderate Possible x Minor	WestReef / BDC	Third pump to be installed and wired ready to use before end of May	Third pump installed and commissioned
Pump Failure	3	Pump Impeller Failure	High Possible x Moderate	Loss of pump efficiency Low flow rate	Spare pump and motor purchased. Installation to be arranged to enable a third pump available	Yes	Moderate Possible x Minor	WestReef / BDC	Third pump to be installed and wired ready to use before end of May	Third pump installed and commissioned
Electrical	4	Mains Power Failure	High Possible x Major	No power to pump building Alarm	Standby generator available ESL electricians available on short notice to wire generator to shed if required.	Yes	Moderate Possible x Minor	WestReef / BDC / Electrician	Confirmation from ESL received confirming availability to wire generator if required	Measure in place
Electrical	5	Pump Motor – Loss of electricity	High Possible x Major	No power to pump building Alarm	Standby generator available ESL electricians available on short notice to wire generator to shed if required.	Yes	High Possible x Moderate	WestReef / BDC / Electrician	Confirmation from ESL received confirming availability to wire generator if required	Measures in place
Electrical	6	Switchboard Failure	High Possible x Major	No power to pump building General failure Alarm	ESL Electricians are undertaking an analysis of the switchboard to determine what parts would need to be stocked as critical spares.	Yes	High Possible x Major	WestReef / BDC / Electrician	Surge protection has been recommended by the Electrician. To be completed by 12 <sup>th</sup> May 2017	Measures in place
Electrical	7	Alarm generation		SCADA alert Operator notified	Text alerts currently in place. Additional alerts to be set up as part of analysis by ESL.				Additional alarm support in place with 24/7 monitored cell phone	Measures in place
Electrical	8	Level Control	Moderate Possible x Minor	Alarm generation Pump runs out of water	Spare level controller available ESL electricians available on short notice to replace if required.	TBC	Low Possible x Insignificant	WestReef / BDC / Electrician	Completed. Spare onsite	Spare onsite
Electrical	9	Flow Control	Moderate Possible x Minor	Alarm generation	Spare level controller available ESL electricians available on short notice to replace if required.	TBC	Low Possible x Insignificant	WestReef / BDC / Electrician	Completed. Spare onsite	Spare onsite

Event	No	Cause	Risk Without Preventative Measures Likelihood x Consequence	Indicators	Preventative Measures in Place	Controlled	Residual Risk Likelihood x Consequence	Resp.	Timing	Current Status
Fittings	10	Valve failure	High Possible x Major	Loss of water Leakage High pressure alarm	Series of spare butterfly and sluice valves onsite	Yes	Moderate Possible x Minor	WestReef / BDC	Completed. Spare onsite	Spare onsite
Fittings	11	Cast Bends	High Rare x Major	Loss of water Leakage	Very unlikely to fail but no spares kept in Westport. BDC to seek pricing on spares	Yes	Moderate Possible x Minor	WestReef / BDC	3 <sup>rd</sup> pump availability. Any new bands can be manufactured by Rea Engineering	Third pump installed and commissioned
Pipeline	12	Slip – Pipeline breakage	High Possible x Major	Loss of water Leakage evident	No pipe held in stock at WSL. Hynds pipes have committed to holding several lengths of this pipe including couplers and EF welder. These would then be available on standby from Greymouth if required	Partially	Moderate Possible x Minor	WestReef / BDC	Pipe held in stock	Pipe held in stock
Pipeline	13	General pipe failure – burst, shear etc	High Possible x Major	Loss of water Leakage evident	No pipe held in stock at WSL. Hynds pipes have committed to holding several lengths of this pipe including couplers and EF welder. These would then be available on standby from Greymouth if required.	Partially	Moderate Possible x Minor	WestReef / BDC	Pipe held in stock	Pipe held in stock
Environmental	14	Algae – Blinding of screen – restricted abstraction of water	Moderate Likely x Minor	Algae visible on screen Lower water volume in wet well	Water blaster available Sun shade over weir Dig out pool upstream of weir to increase depth and prevent sunlight from increasing algal growth.	Yes	Low Unlikely x Insignificant	WestReef	A seasonal issue. Not present at the moment. Screen is monitored daily however	Screens cleaned as required
Environmental	15	Blinding of screen due to silt and clays etc in creek	High Likely x Moderate	Reduced flow to pump well	Depending on how poor the water quality is, a wedge can be used to partially open the screen and allow increased water flow	Partially	Moderate Likely x Minor	WestReef	Wedge is put in place by WestReef when required.	Screens cleaned and wedge in place as required
Environmental	16	Sand / Grit Water Quality	Moderate Likely x Minor	Sand evident in wet well and screen bottom Wear on fittings and pump	Pump sand out of chamber Pre-empt storm events that are likely to increase sand and close inlet valve to pump chamber to isolate sand	Yes	Moderate Likely x Insignificant	WestReef	Spare pump set is available on-site if wear on pump causes damage or failure	Spare pump kit onsite
Environmental	17	Sand /Grit Water Quality	High Likely x Moderate	Screen blinding Reduced flow to pumps resulting in pump shut off	Screen can be partially wedged open to accept lower quality water; this does cause additional wear on the pump.  A hole is to be dug adjacent the current pump station to see whether cleaner water is available to enable longer pump times. If cleaner water is found, bore or casing called be installed to enable pumping from this location into the existing pump wet well.	Partially	High Possible x Moderate	WestReef	Wedge is put in place by WestReef when required.  Hole to be dug adjacent PS by 12 May 2017 to confirm feasibility.	Wedge used as required  Papa layer was struck at 1.5m deep, no water present (papa layer could be very deep)
Environmental	18	Major Flooding	Extreme Likely x Major	Major scouring Water through pump building	Concrete ford being priced up to ensure access to plant and reduce likelihood of scouring.	No	Extreme Likely x Major	WestReef / BDC	Meeting organised with Adams Construction to go over design. To be scheduled for 12 May 2017	Meeting complete, quote for ford being prepared

Event	No	Cause	Risk Without Preventative Measures Likelihood x Consequence	Indicators	Preventative Measures in Place	Controlled	Residual Risk Likelihood x Consequence	Resp.	Timing	Current Status
Water Quality	19	Algal bloom in reservoirs	Moderate Possible x Minor	Extra backwashes on sand filters Reduced filter run times Evident in flocc tank	Extra plant operation by Operator Floc tank has been installed as part of upgrade.	Partially	Moderate Possible x Minor	WestReef	No algal issue at present	No issue at present
Water Quality	20	Lower water quality delivered to reservoirs	High Likely x Moderate	Plant is designed to treat poorer water quality	Upgraded water treatment plant is designed to treat varying water quality	Yes	Moderate Possible x Minor	WestReef	Plant is currently able to treat water. Increased backwashing may occur if poor water conditions occur which lowers reservoir volume	No issue at present
Water Quality	21	Lower water quality delivered to reservoirs	High Likely x Moderate	Low quality water entering No.1 reservoir can short circuit to WTP causing plant performance issues	Water can be rerouted and feed WTP from No.3 reservoir to enable a longer time for solids to settle out of the water	Partially	Moderate Possible x Minor	WestReef	Water is currently being fed from either No.1 or No.3 dam depending on the water quality	Water is being fed from either dam as required.
Water Quality	22	Lower water quality delivered to reservoirs	High Likely x Moderate	Due to pumps shutting off from poor water quality, reservoir levels are not replenished	An alternative raw water source can be found to supplement supply from Keoghan pump station	Partially	Moderate Possible x Minor	WestReef / BDC	Options from adjacent water sources are being investigated	Ballarat Creek currently being assessed, which could deliver ~ 20 L/s and online early July
Water Quality	23	Lower water quality delivered to reservoirs	High Likely x Moderate	Due to pumps shutting off from poor water quality, reservoir levels are not replenished	If water flow through the tunnel could be reinstated, the pumped system would no longer be needed as the primary supply	Yes	Low Possible x Insignificant	WestReef / BDC	Options to unblock the tunnel from the outside are being investigated	Tunnel flooding currently being assessed, which could push through the obstruction sufficient to reinstate water flow
Water Quality	24	Lower water quality delivered to reservoirs	High Likely x Moderate	Due to pumps shutting off from poor water quality, reservoir levels are not replenished	If an entirely separate water supply system could be acquired, the dependency on the pumped system would be diminished or eliminated completely	Yes	Low Possible x Insignificant	BDC	If the Holcim water supply system was acquired by Council, it could be connected to the reticulated network in the Carters Beach area to provide an alternative source	Council staff investigating potential

## RISK ANALYSIS TABLE

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	Extreme	Extreme
Possible	Low	Moderate	High	High	Extreme
Unlikely	Low	Low	Moderate	High	High
Rare	Low	Low	Moderate	High	High



# Buller District Council Map

Print Date: 19/06/2017

Scale: **1:4,999**  
1 centimeter equals 49.99 meters



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Information shown is indicative only and is  
the currently assumed knowledge as at date  
printed. If information is vital, confirm with the  
authoritative owner.

## Attachment C

### Ministry of Health Register of Drinking Water Suppliers for NZ - Buller District Council (under section 69J of the Health Act 1956)

#### Register of Drinking Water Suppliers for New Zealand

2016 Edition  
Printed May 2016

The Register of Community Drinking-water Suppliers in New Zealand is printed annually by the Ministry of Health, as required by section 69J(3) of the Health Act 1956. It is a Register of drinking-water suppliers (excluding water-carriers) and specified self-suppliers.

The Act defines a drinking-water supplier as:

...a person who supplies drinking water to people in New Zealand or overseas from a drinking-water supply, and—

- (a) includes that person's employees, agents, lessees, and subcontractors while carrying out duties in respect of that drinking-water supply; and
- (b) includes (without limitation)—
  - (i) a networked supplier; and
  - (ii) a water carrier; and
  - (iii) every person who operates a designated port or airport; and
  - (iv) a bulk supplier; and
  - (v) any person or class of person declared by regulations made under section 69ZZY to be a drinking-water supplier for the purposes of this Part (a prescribed supplier); but
- (c) does not include—
  - (i) a temporary drinking-water supplier; or
  - (ii) a self-supplier; or
  - (iii) any person or class of person declared by regulations made under section 69ZZY not to be a drinking-water supplier for the purposes of this Part

Section 69J(1) of the Act defines the scope of the register:

The Director-General must maintain a register of persons who are—

- (a) networked suppliers, bulk suppliers, water carriers, operators of designated ports or airports, or prescribed suppliers (specified drinking-water suppliers); or
- (b) self-suppliers who supply water to community-purpose buildings owned by them (specified self-suppliers).

Note that water carriers are not included here, but appear in a separate document, "The Register of Water Carriers for New Zealand."

Registration is actioned through drinking-water assessors at the public health units of district health boards.

The Register documents 949 suppliers at 3 May 2016. These can be categorised as follows:

	Suppliers	Supplies	Population
Network suppliers	274	682	3,795,486
Specified self suppliers	689	787	114,682
Total	949*	1,469	3,910,168

\* Total is less than the column sum because a supplier's supplies can span multiple categories.

RegisterOfSuppliers\_2016a.docx 19/05/2016 2:36 p.m.

One of these suppliers also provides a single bulk-water supply that, through other suppliers' supplies, provides water to 350,000 people. This bulk supply is included in the Register but not in these statistics, so that those people are not counted twice.

The non-bulk supplies can also be grouped by supply population size:

Population band	Population range	Suppliers	Supplies	Population
Large	10,001 or more	36	43	3,193,079
Medium	5,001 to 10,000	17	24	163,257
Minor	501 to 5,000	78	216	409,238
Small	101 to 500	308	432	100,934
Neighbourhood	25 to 100	643	754	43,660
Total		949*	1,469	3,910,168

\* Total is less than column sum because a supplier's supplies can span multiple population bands.

**Health District 16. West Coast****Awahono School****A1654**

20 Napoleon Street

Ahaura

First Registered: 23 May 2014

Community: AWA012

Awahono School

Size:

Neighbourhood

Volume Capability:

-

Category:

Specified Self-Supply

L Source: G00284

Awahono School Bore

**Birchfield Community****A1316**

437 Birchfield Road

Waimangaroa 7848

First Registered: 6 Oct 1994

Community: BIR002

Birchfield

Size:

Neighbourhood

Volume Capability:

-

Category:

Networked Supply

L Source: S00360

Unnamed Stream, Birchfield

**Bruce Bay Marae****A0096**

c/- Paringa Lodge, Private Bag 773

Hokitika 7842

First Registered: 4 Jul 2011

Community: BRU004

Bruce Bay Marae

Size:

Neighbourhood

Volume Capability:

-

Category:

Networked Supply

L Source: R00814

Bruce Bay Marae Roof

**Buller District Council****A0099**

PO Box 21

Westport 7825

First Registered: 6 May 1993

Community: HEC001

Hector/Ngakawau

Size:

Small

Volume Capability:

3,240 m<sup>3</sup>/day

Category:

Networked Supply

L Source: S00358

Lamplough Stream, Ngakawau

Community: INA002

Inangahua Junction

Size:

Neighbourhood

Volume Capability:

-

Category:

Networked Supply

L Source: G00957

Bore, Inangahua Junction Res.

Community: LIT003

Little Wanganui

Size:

Small

Volume Capability:

57 m<sup>3</sup>/day

Category:

Networked Supply

L Source: S00884

Little Wanganui Intake

Community: MOK001

Mokihinui

Size:

Neighbourhood

Volume Capability:

216 m<sup>3</sup>/day

Category:

Networked Supply

L Source: S00010

Mokihinui, Creek

Community: PUN001

Punakaiki

Size:

Small

Volume Capability:

345 m<sup>3</sup>/day

Category:

Networked Supply

L Source: S00013

Smith Creek, Punakaiki

Community: REE001

Reefton

Size:

Minor

Volume Capability:

1,728 m<sup>3</sup>/day

Category:

Networked Supply

L Source: G00023

Inangahua River Flat Bore

Community: WAI001	Waimangaroa	Size: Small
Volume Capability: 3,456 m <sup>3</sup> /day		Category: Networked Supply
Source: S00011	Conns Creek, Waimangaroa	
Community: WES001	Westport	Size: Minor
Volume Capability: 7,800 m <sup>3</sup> /day		Category: Networked Supply
Source: S00016	Giles Creek, South Branch	
Source: S01038	Orowati River, Lower Giles Crk	
<b>Callery Holdings</b>		
PO Box 88		
Franz Josef		
First Registered: 14 Jun 2006		
Community: FRA004	Franz Alpine Resort	Size: Small
Volume Capability: -		Category: Networked Supply
Source: G01681	Stony Creek	
<b>Department of Conservation (Hokitika)</b>		
Sewell Street		
Hokitika		
First Registered: 29 May 1997		
Community: LAK011	Lake Kaniere Camp Ground	Size: Neighbourhood
Volume Capability: -		Category: Specified Self-Supply
Source: S00633	Lake Kaniere, Unnamed Stream	
<b>Ellerm Norton Ltd</b>		
109 Cashmere Bay Road		
Te Kinga		
First Registered: 17 Jan 2000		
Community: TEK018	Te Kinga	Size: Neighbourhood
Volume Capability: -		Category: Networked Supply
Source: G01216	Te Kinga Bore	
<b>Gloriavale Community</b>		
189 Heaphy Road		
Kopara		
First Registered: 5 Jun 2001		
Community: GLO001	Gloriavale	Size: Small
Volume Capability: -		Category: Networked Supply
Source: R00527	Gloriavale Rainwater Tank	
<b>Granity School</b>		
83 Torea Street		
Granity 7823		
First Registered: 8 Mar 2002		
Community: GRA004	Granity School	Size: Neighbourhood
Volume Capability: -		Category: Specified Self-Supply
Source: G01385	Granity School Bore	

See Table 3 for a list of all NZ supplies in the Register in alphabetical order.

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 14**

**Prepared by - Garry Howard**  
**- Mayor**

**Mayor's Report**

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**Report Summary**

This report is an overview of the key activities from 17 May to 15 June 2017.

**Draft Recommendation**

That the report be received for information.

**Calendar of Events Attended**

Date	Event
17 May	Reefton meeting regarding Lyell to Reefton cycleway utilising Brunner range. Very motivated and talented business people keen to undertake this project. The objective is to turn the idea into reality with a business case to support the project.
19 May	Community patrols, discussion with Paul Sampson and Marty Sara on recruiting new drivers and reigniting this service.
23 May	CCTO/BHL currently undertaking annual director evaluations. Process to be completed by September.
24 May	Lynne Williams, Ministry Social Development, looking to continue MSD/BDC partnership Rates Overhaul workshop Council meeting
25 May	Deputy Consul General of China, Mr Gong Chunsen visited as new to the position wanted to establish a relationship and discussed "friendly city relationship" and how business can attract investment.
26 May	Band competition: Westport, Nelson, Marlborough and Motueka bands. Welcome presentation. Excellent street march and competition.

<b>30-31 May</b>	Annual Plan hearings
<b>1 June</b>	Ben Dellaca, EPIC
<b>2 June</b>	IFHC meeting with Michael Frampton, Michelle Lomax and Jenny Black. Very positive discussion with it being very apparent that the WCDHB is the meat in the sandwich between government stipulations and community requirements. Further work and discussions taking place.
<b>6 June</b>	Interviews for DWC appointment. This has resulted in the appointment of Dame Julie Christie who brings strong strategy and accountability along with an extensive network of contacts that will benefit DWC and the West Coast.
<b>7 June</b>	<p>Brendon Burns and Dayal Phillips, Creative Developments discussed Smart Service Technology that can extend mobile phone and broadband coverage to sparsely populated areas in the Buller District. Council needs to see in September the Crown Fibre roll out of phase 2 Mobile, Broadband and UFB commitments to the West Coast and how to assist areas not covered.</p> <p>Audrey Lebel, Westport Newcomers Network Co-ordinator is putting together a “design a flag” competition. Council is working on a partnership where the flag designs may be used for Palmerston Street.</p>
<b>12 June</b>	Vodafone, 2 degrees and Spark presented what they are putting forward for the West Coast enhanced mobile and broadband network should they receive funding from Crown Fibre. The plan is to have a considerably enhanced network installed over the next four years. September/October before we know the allocation of funding.
<b>13 June</b>	<p>Bruce Walsh, Carters Beach Domain discussed safety barriers, enhanced plantings, traffic island and parking issues along Marine Parade. Keen to work with Kawatiri Westport - Charleston cycleway.</p> <p>Tony Grove, New President, Reefton RSA, met with myself and Deputy Mayor Graeme Neylon, to discuss issues and plans for the Reefton RSA. They are keen to focus on community and ex-</p>

	<p>service personnel support along with youth (see attached Reefton RSA Business Brief).</p> <p>Love Your Town meeting with approximately 20 people in attendance. Lots of passion and enthusiasm to collaborate and undertake various projects. Very good forum for Council to work with in developing riverside and other projects.</p>
<b>14 June</b>	<p>Ned Tauwhare, Te Runanga Ngatiwaewae, looking at DoC funding to assist interpretation panels for Carters Beach/Kawatiri archaeological site (see copy of draft letter attached).</p>



## Reefton RSA Business Brief

### 1. Executive Summary

The Reefton RSA is currently undergoing a major overhaul, with a new focus on both existing and future community needs. In order to achieve this vision our focus is to attract a new demographic to our RSA. As a part of this vision the Reefton RSA is working towards becoming a destination for both tourists and our regional/district neighbours. The project consists of additional fund-raising initiatives, introducing both subsidised and fully funded personal/professional development scholarships, the latest Welfare Officer training for our volunteers. The new vision will also shift away from any alcohol related activities.

#### Strategic Objectives:

- Focus on Reefton RSA becoming a destination
- Improved marketing at both district and regional level
- Involve local youth in Reefton RSA personal and professional development initiatives such as Outward Bound
- Promote community involvement in RSA activities
- Increase local RSA membership from 8% to 16% within the next 12 months

#### Operational Objectives:

- Increase the level of support available to the local RSA community
- Increase the number of local fund-raising activities and events
- Provide quality service and products

## **1. Project Model**

Our new model includes;

- The purchase of our own building on the main street of Reefton
- Provide 4 annual local Outward Bound scholarships
- Becoming a registered Duke of Edinburgh's Hillary Award unit
- Increase the number of annual fund raising events, including outdoor challenges, local markets and special interest events
- A local military history museum to include local service personnel, The Tunnellers and local links to the Maori Battalion
- Provide a high grade premium coffee business to generate regular revenue
- Provide a manned welfare support office

## **1. Current Position**

Reefton RSA is co-located within the Reefton Working men's Club. The future of this building is uncertain and as a result the RSA is pursuing a home of our own in order to continue our community charity services.

-END-

14 June 2017

**OFFICE OF THE MAYOR**

Garry Howard

To Whom It May Concern

**RE: LETTER OF SUPPORT FOR TE RUNANGA O NGATI WAEWAE TO FUND  
INTERPRETATION PANELS FOR KAWATIRI ARCHAEOLOGICAL SITE**

Buller District Council fully supports the application by Te Runanga o Ngati Waewae to the Department of Conservation's Community Fund to provide funding for interpretation panels for an archaeological site of significance at Westport.

The site, situated on farmland, was first discovered in the 1960s by the landowner. Since then it has had several owners and eventually passed in Council ownership to protect it from being destroyed by farming practices such as deep cultivation, or 'flipping'. In 2009, a report detailing the significance of the site was prepared by Southern Pacific Archaeological Research, and included information from earlier reports produced for the New Zealand Historic Places Trust.

From the report, the site is an area of approximately one hectare and to date, many thousands of artefacts have been recovered during University of Otago excavations at the site. The archaeological values of the site have been described as 'extremely high', and dates back to the 13<sup>th</sup> or early 14<sup>th</sup> Century when the earliest Maori ancestors arrived in New Zealand from East Polynesia. Currently the site exists as a grassed paddock without any signage or information.

While Buller District Council is the land owner, we see ourselves merely as custodians of this land and have no intention of developing the site further. Funding granted by the Department of Conservation's Community fund will cover the costs of interpretation panels. The panels will give the recognition to the site that it deserves by acknowledging the ancestral owners of the land (tangata whenua), and will enable people to enjoy and learn more about the cultural history of the site and early Maori life. There is very little evidence of pre-European history in Buller, and providing funding for the panels will ensure that this site will be a wonderful educational opportunity for all.

Please find attached a copy of the report by Southern Pacific Archaeological Research for further information.

I sincerely hope this application has a favourable outcome. Thank you for your positive consideration.

Best wishes



Garry Howard  
**BULLER DISTRICT MAYOR**

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 15**

**Prepared by - Garry Howard**  
**- Mayor**

**Mayor's Correspondence**

---

Correspondence attached as follows -

NZ Transport Agency - Road Safety - SH7 Blacks Point and Reefton

Tourism West Coast - Thank You

Retail NZ - Easter Shop Trading Hours Policy

**Draft Recommendation**

That the report be received for information.



9 June 2017

Mr Garry Howard  
Office of the Mayor  
Buller District Council  
PO Box 21  
Westport 7866



Level 1, BNZ Centre  
120 Hereford Street  
Christchurch 8011  
PO Box 1479  
Christchurch 8140  
New Zealand  
T 64 3 964 2800  
F 64 3 353 9499  
[www.nzta.govt.nz](http://www.nzta.govt.nz)

Dear Garry

**Road Safety – SH7 Blacks Point and Reefton**

Thank you for the letter dated 6 April 2017 expressing concerns about the need to provide adequate warning of the residential area and speed limits entering Blacks Point and Reefton. Based on the map you provided along with your letter we have investigated the issue for traffic entering the two urban areas from the Lewis Pass.

Approaching Blacks Point from the east there is approximately 120m of visibility to the 70km/h speed limit signs, which is the minimum required by NZ Transport Agency standards and we agree that this gives limited advance warning of the speed limit change. The NZ Transport Agency will investigate locations to install advance speed limit warning signage on this approach into Blacks Point.

Travel speed information shows that the speed compliance is relatively good through the Blacks Point urban area, and therefore electronic speed warning indicators are not a high priority at this stage. NZ Transport Agency will continue to monitor the situation.

Approaching Reefton from the east, again there is approximately 120m of visibility to the 50km/h speed limit signs, the minimum required by NZ Transport Agency standards. This approach is through a series of tight curves which result in lower vehicle speeds and therefore additional signage is not required at this time (including electronic signs). To improve the forward visibility of these signs we will engage the maintenance team to trim the vegetation on the inside of the approach.

If the community would like to purchase their own independent electronic speed warning indicators the NZ Transport Agency can advise on the appropriate specification and location.

Yours sincerely

**Jim Harland**  
Director of Regional Relationships

SCANNED 30/5/17

# WEST COAST

## UNTAMED NATURAL WILDERNESS



A big thank you to Garry Howard, Tony Kokshoorn, Andrew Robb, Bruce Smith and John Sturgeon from Tourism West Coast.

Gentlemen it has been a long hard road but very rewarding and we are thrilled to see continued growth of visitor expenditure on the West Coast and recognition of the tourism industry as a major contributor to our regional economy.

Tourism will continue to grow and we can continue to capitalise on this growth so long as we manage the infrastructure properly, ensure our visitors get the very best experience and provide the resources to compete with other New Zealand regions.

We all love what we do and are 100% passionate about our untamed natural wilderness - the West Coast which makes our marketing and promotions so enthusiastic.

Thank you all for your support and long may it continue.

Jim Little  
Chief Executive

Kelly McLeod  
Marketing Manager

Alicia Ulrich  
Admin & Marketing

Tourism West Coast, 100 Mackay Street, Greymouth.

26<sup>th</sup> May 2017



31 May 2017

Garry Howard  
Buller District Council  
PO Box 21  
Westport 7866



Dear Mr Howard,

#### Easter Shop Trading Hours Policy

I am writing to ask that your Council takes urgent steps to begin considering the need for a Local Shop Trading Hours Policy to permit retailers in Buller a choice about whether or not they open on Easter Sunday. We ask that you consider this issue, and adopt a policy before the end of this year, 2017.

Until recently, the Shop Trading Hours Repeal Act tried to ban shops from opening on Easter Sunday. However, a complicated set of exemptions meant that many (but not all) stores were allowed to open. This created a significant confusion for customers, employers and staff, and gave some retailers (and in some cases, whole towns) an advantage over others. For example, garden centres are exempt from the shopping ban, but hardware stores that incorporate a large garden centre are not. As you will be aware, the national picture has not changed, but the Shop Trading Hours Amendment Act 2016 granted power to territorial authorities to put in place local policies that would allow shops within their districts to open on Easter Sunday.

In the 21<sup>st</sup> century, we operate in a globalised 24/7 shopping market. The average Kiwi consumer now can shop from just about anywhere, and at any time. Not only does this allow access to Kiwi shoppers at the touch of a button, but also provides the consumer with a substantial opportunity for choice. We ask that your council adopt a local shop trading policy to allow businesses a choice as to whether they seek to serve customers on Easter Sunday.

Retail NZ is a not for profit organisation representing the interests of the retail sector. We have around 4,200 members nationally, including retailers located in Buller. Not all our members wish to open their stores on Easter Sunday, but many do. Therefore, a decision as to whether they do open is best made by the businesses concerned in discussion with its employees and customers.

Momentum is on the side of change. So far 25 councils throughout New Zealand have implemented policies that allow shops in their districts a choice as to whether they open on Easter Sunday. We also know that despite the supposed ban on shopping in other parts of the country, a majority of New Zealanders undertake some retail activity on Easter Sunday. A recent ACNielsen survey shows that 51 per cent of all New Zealanders did some form of shopping on Easter Sunday, whether online, in-person at a store, or in a café.

In a globalised 24/7 world, the ban on shops opening is increasingly archaic. There are strong protections built into the legislation governing this to protect employees and small business owners so that nobody is forced to work, open their store or shop if they do not wish to do so.

**RETAIL NZ // HQ**  
Level 6, 56 Victoria Street, Wellington 6011  
PO Box 12-086, Wellington 6144

P // 0800 472 472  
E // [info@retail.kiwi](mailto:info@retail.kiwi)  
W // [retail.kiwi](http://retail.kiwi)

Connect with us:

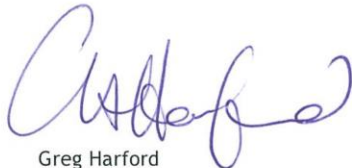


Supported by:



We ask that you complete a policy process over the next few months, with a view to completion by 31 December 2017, or at the absolute latest February 1, 2018. This date is important because it relates to the notice periods that employers need to give to workers who may be asked to work in a shop that day.

I am attaching a short fact sheet for our information. I would appreciate if you could please keep us up to date on your process, and I look forward to hearing from you soon.



Greg Harford  
General Manager, Public Affairs  
027 243 2842  
greg.harford@retail.kiwi

**1. What are the advantages of adopting a local shop trading hours policy?**

Such a policy will support businesses in Buller by allowing them to open one additional day, and potentially benefit from spending by people who might be travelling over Easter.

**2. Is it best to have a single rule across the district?**

Yes, and all Councils that have so far adopted a policy have adopted a single rule across their districts. This prevents confusion, and removes the possibility that any business is advantaged or disadvantaged.

**3. How many Councils have adopted a policy so far?**

25 Councils throughout New Zealand have adopted a policy allowing all shops to choose whether they open on Easter Sunday.

**4. Do customers really want to shop on Easter Sunday?**

A recent ACNielsen survey shows that 51 per cent of all New Zealanders participated in some form of shopping on Easter Sunday in this year, despite restriction in many council districts.

**5. Is Easter Sunday a public holiday?**

No, Easter Sunday is not a public holiday. Therefore, there is no legal obligation to pay time and a half and/or offer a day in lieu for employees.

**6. How are the rights of employees protected?**

Under the Act, all shop employees have the explicit right to refuse to work for any reason on Easter Sunday.

**7. How are the rights of small retail business owners protected?**

Under the Act, no business can be forced to open on Easter Sunday, even if they are located within a shopping mall. It's entirely a matter of choice from the business owner.

**8. Isn't it important to protect the religious nature of Easter Sunday?**

Easter Sunday is still considered a day of significance for many throughout New Zealand, and it is understood that some Kiwis might choose not to shop or to open their business on this day.

**9. If we adopt a policy, does it mean all shops must open?**

No, it will be entirely the choice of individual businesses, based on customer demand and employee availability.

**10. What timelines do we need to work to?**

We are urging Councils to implement a policy by the end of 2017, with the latest date being February 1, 2018. This timeline allows employers to meet their special obligations around notifying their employees about working on Easter Sunday.

**11. What if we don't adopt a policy?**

If your Council does not implement a local Shop Trading Hours Policy, then businesses in within Buller will continue to be disadvantaged by being denied a choice to open. It may also mean that customers will choose to shop elsewhere on Easter Sunday, either online or in person.

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 16**

**Prepared by - Andy Gowland-Douglas**  
**- Chief Executive**

**Chief Executive's Report**

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**Report Summary**

This report is an overview of key activities since the May report, and an update on some key strategic issues.

**Draft Recommendation**

That the report be received for information.

**Human Resources**

In June we have welcomed two new staff to Brougham House. Shay Hart has been appointed to the position of IT/GIS Support Person and started on 12 June and Gina Mason started on 19 June in the fixed term position of Utilities and Services Support for the Assets and Infrastructure Team.

**Long Term Plan Planning**

The Buller Vision Project was launched on 19 June as stage 2 of our LTP process and includes an online survey as the first step. This will be followed up with workshops and focus groups as well as other engagement. I will be inviting all schools to participate during term 3 as well. The community reference group is yet to be formed, but will be in the coming month. Their role will be to shape all the collated material into a clear and compelling vision.

**Strategic Issues/Updates**

**Mid Sized Tourism infrastructure Grants**

As reported last month there has been extra funding allocated by Government to this area. However it is not under the same fund or criteria as previously and is now called the **Tourism Infrastructure Fund**. The key new criteria are below, while I think we can meet the first two on a regional basis, I have concerns about the third one which is basically saying that we need to have borrowed to our limits first. This does not take into account the need for councils to consider the long term, and having high debt levels is not a good position long term. This is especially so if some major infrastructure needs to be funded and we have no capacity to borrow to do so.

*Councils must meet at least one of the following tests (now or within 5 years), priority will be given to councils that meet two or more of these tests:*

- *Visitor : rating unit ratio >5*
- *Revenue from tourism in the region <\$1 billion per annum*
- *Local Government Finance Agency lending limits have been reached*

Most of the other criteria remains largely the same, but the other key difference is that the decision making will be made by a panel consisting of: 2 independent members - with appropriate expertise; an independent chair, a local government representative, an industry representative and 2 Central Government Reps (MBIE and DoC). The fund is expected to re-open at the latter half of this year.

#### Resource Management Amendment Act

LGNZ in association with the Ministry for the Environment are offering free one hour webinar for elected members at 11am on 29 June that will go over all the key changes and responsibilities for Councils. It is highly recommended that Councillors who can, register for this event.

You can register here:

<http://www.lgnz.co.nz/equip/professional-development-offerings/webinars/live-webinars/resource-legislation-amendment-act-2017/> .

Registrations for this close on the 27 June.

#### **Key Achievements**

##### Punakaiki Water

Right on the day promised we were able to lift the boil water notice for Punakaiki, after the new filter media had been commissioned. A huge amount of effort by Mike Duff, Sam Murphy and the 3 Waters Team went into making this happen and their efforts are to be commended

##### Regional AMP - (Roading Activity Management Plan)

Our team has been working with the other councils on the Coast on a strategic business case for a regional AMP, as opposed to the separate ones we all currently have. This is part of the project that was funded by the LGC. The draft is now completed and is a very good document, and this is a reflection of the hard work all the roading teams in the region have put into it.

#### **Key Meetings Attended:**

25 May - West Coast CEs Planning Day

31 May - DHB/MoH - Council Water services meeting

2 June - Meeting with DHB re Buller IFHC

12 June - Meeting with Spark and Vodafone on Rural Broadband Proposal

13 June - Economic Development Arrangements Review Working Group Meeting

13 June - Love your Town Westport event

15 June - Meeting with Local Government Commission

15-16 June - Rural and Provincial Sector meeting

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 17**

**Prepared by - Andy Gowland-Douglas**  
**- Chief Executive**

**Council Meeting Action List**

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**1. Background**

1.1 To provide Council with an action list from the last meeting.

**Draft Recommendation**

That the report be received for information.

## Council Meeting Action List

Item	Previous Action	Proposed Action	Progress	Assigned	Completion Date
<b>Water Supply Upgrades</b> October 2014	Update and provide a timeline of the proposed upgrades to Rural Water Treatment Plants, and when they are to be consulted with the appropriate communities.	Provide progress update on Council responsible water supplies, incorporated in Water Supplies Quarterly Status Report	Agenda item	Group Manager Assets & Infrastructure	Ongoing
<b>Peel Street Depot</b> February 2016	That a cost benefit analysis be prepared regarding the remediation work required on the contaminated Peel Street property.	Provide progress update on Peel Street Depot, incorporated in Major Projects Quarterly Status Report	Reported on at March 2017 meeting	Group Manager Assets & Infrastructure	June 2017 Council Meeting
<b>Buller Youth Council</b> September 2016		Terms of constitution, type of liaison, website sharing, to be worked on.	Reported on at April Meeting	Cr Hart	July 2017 Council Meeting
<b>Disused Wharf Removal</b> October 2016	That all current information available, including flood protection work, be collated by Council in consultation with Westport Harbour Limited, and report back to Council.	Provide progress update on Waterfront Development Strategy and Master Plan, incorporated in Major Projects Quarterly Status Report NB: Development Strategy widens riverside scope to consider overall business case, risk assessment, community needs, environmental impact, social/economic benefit, legislative and statutory compliance, LTP alignment, land ownership and flood protection.		Chief Executive, Group Manager Assets & Infrastructure	June 2017 Council Meeting

## Council Meeting Action List

[illegible]

## Council Meeting Action List

Item	Action	Progress	Assigned	Completion Date
<b>Punakaiki Community Liaison Meeting</b> March 2017	<ul style="list-style-type: none"> <li>Investigate ways to advocate for freeing up land for residential and/or commercial development</li> <li>Act as conduit for input into the Dolomite Point re-development project</li> <li>Consider increasing funding for compliance in regard to freedom camping (work with Grey District Council)</li> <li>Expedite the water filter remedial process</li> </ul>	Meeting to be held once some of the action points have been attended to.		On-going
<b>Reserve Contributions</b> March 2017	That Council place on the Action List, for a workshop to be held in April to provide greater understanding for all Councillors of Reserve Contributions and the application of such funds. The workshop is to provide the background, current policy and any past Council resolutions or directions pertaining to the use of reserve contributions along with options for Councillors consideration. The objective of the workshop will be to get a sense of understanding and thinking of Councillors to allow management to put a report to the May meeting.	Reported on at May Meeting	Manager Community & Environment	
<b>Public Forum</b> April 2017	Guidelines to be formulated with a fact sheet made available for those wishing to speak during the public forum section of the Council meeting.		Mayor Howard	

**BULLER DISTRICT COUNCIL**  
**FOR THE MEETING OF 28 JUNE 2017**

**Report for Agenda Item No 18**

**Prepared by - Andy Gowland-Douglas**  
**- Chief Executive**

**Public Excluded**

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Section 48, Local Government Official Information and Meetings Act 1987.

**Draft Recommendation**

That the public be excluded from the following parts of the proceedings of this meeting.

Item No	Minutes/Report of:	General Subject	Reason for Passing Resolution Section 7 LGOIMA 1987
1	Andy Gowland-Douglas - Chief Executive	Westport Integrated Family Healthcare Centre	Section 2 (h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities Section 2(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)