

# AGENDA

Meeting of the  
**Buller District Council**

**Commencing at 3:30pm**  
**Wednesday 30 November 2022**

*To be held at the*  
Clocktower Chambers  
Palmerston Street  
Westport

# Council

**Chairperson:** Mayor

**Membership:** The Mayor and all Councillors

**Meeting Frequency:** Monthly – or as required

**Quorum:** A majority of members (including vacancies)

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## Purpose

The Council is responsible for:

1. Providing leadership to, and advocacy on behalf of, the people of Buller district.
2. Ensuring that all functions and powers required of a local authority under legislation, and all decisions required by legislation to be made by local authority resolution, are carried out effectively and efficiently, either by the Council or through delegation.

## Terms of Reference

1. To exercise those powers and responsibilities which cannot legally be delegated by Council:
  - a) The power to set district rates.
  - b) The power to create, adopt and implement a bylaw.
  - c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan.
  - d) The power to adopt a Long Term Plan or Annual Plan, or Annual Report.
  - e) The power to appoint a Chief Executive Officer.
  - f) The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan, or developed for the purpose of the Council's governance statement, including the Infrastructure Strategy.
  - g) The power to adopt a remuneration and employment policy for Chief Executive Officer.
  - h) The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
  - i) The power to approve or amend the Council's Standing Orders.
  - j) The power to approve or amend the Code of Conduct for Elected Members.
  - k) The power to appoint and discharge members of committees.
  - l) The power to establish a joint committee with another local authority or other public body.
  - m) The power to make the final decision on a recommendation from the Parliamentary Ombudsman, where it is proposed that Council not accept the recommendation.
  - n) Health & Safety obligations and legislative requirements are met.

2. To exercise the following powers and responsibilities of Council, which the Council chooses to retain:
  - a) Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
  - b) Approval of any changes to Council's vision, and oversight of that vision by providing direction on strategic priorities and receiving regular reports on its overall achievement.
  - c) Adoption of governance level strategies, plans and policies which advance Council's vision and strategic goals.
  - d) Approval of the Triennial Agreement.
  - e) Approval of the local governance statement required under the Local Government Act 2002.
  - f) Approval of a proposal to the Remuneration Authority for the remuneration of Members.
  - g) Approval of any changes to the nature and delegations of the Committees.

# Common Delegations

The following delegations from Council are common to the Risk and Audit Committee, the Community, Environment and Services Committee and the Regulatory, Hearings and Planning Committee within their respective areas of responsibility.

## General Principal

1. The work of these Committees will be in accordance with the priorities and work programme agreed by the Council.
2. These Committees have the powers necessary to perform the Committee's responsibilities, in accordance with the approved Long Term Plan and Annual Plan budgets. Subject to confirmation of compliance with the financial strategy.

These Committees will:

## Strategy, plans and policy

1. Develop and agree to strategies, plans and policies for the purposes of consultation and/or engagement with community.
2. Recommend to Council for adoption.
3. Monitor and review as and when required.

## Bylaws

1. Develop and agree to the statement of proposal for new or amended bylaws for consultation.
2. Recommend to Council new or amended bylaws for adoption.

## Consultation and engagement

1. Ensure appropriate, effective and transparent engagement with the community, tangata whenua and other stakeholders.
2. Conduct any public engagement required on issues before the Committee, in accordance with Council's Significance and Engagement Policy.
3. Conduct hearings, where appropriate, to consider submissions from members of the public and external organisations, making determinations on such matters unless they are reserved for Council to decide.

## Submissions and legislation

1. Approve submissions to external bodies/organisations on legislation and proposals, related to the Committee's areas of responsibility, that impact governance policy or matters.
2. Monitor and oversee strategic projects and programmes.
3. Monitor Council's Asset Management Plans/Strategic Infrastructure Plan.

**Contracts**

1. Approve and monitor contracts and other legally binding arrangements provided that such contracts/arrangements:
  - a) Do not require the approval of the whole of Council; and
  - b) Fall within the budget approved under the Long Term Plan or Annual Plan and have a value exceeding the Chief Executive's financial delegation.

**Other**

1. Consider and make decisions which are within the Chief Executive Officer's delegations, and which the Chief Executive Officer has referred to the Committee for recommendation to Council.
2. Consider and make decisions on operational matters that fall within a Committee's area of responsibility that are outside of delegations to the Chief Executive Officer or other Council officers.
3. Commission new Committee reports and work required to respond to significant or compliance issues, or to complete the agreed programme of Council.
4. Monitor Audit recommendations and ensure completion.

# Buller District Council

Venue: Clocktower Chambers, Westport. Livestreamed on BDC YouTube Channel



30 November 2022 03:30 PM

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**BULLER DISTRICT COUNCIL**

**30 NOVEMBER 2022**

**AGENDA ITEM 1**

**Prepared by** Sharon Mason  
Chief Executive Officer

**APOLOGIES**

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**1. REPORT SUMMARY**

That Buller District Council receive any apologies or requests for leave of absence from elected members.

**2. DRAFT RECOMMENDATION**

**That there are no apologies to be received and no requests for leave of absence.**

**OR**

**That Buller District Council receives apologies from (insert councillor name) and accepts councillor (insert name) request for leave of absence.**



## BULLER DISTRICT COUNCIL

30 NOVEMBER 2022

### AGENDA ITEM 2

**Prepared by** Sharon Mason  
Chief Executive Officer

#### MEMBERS INTEREST

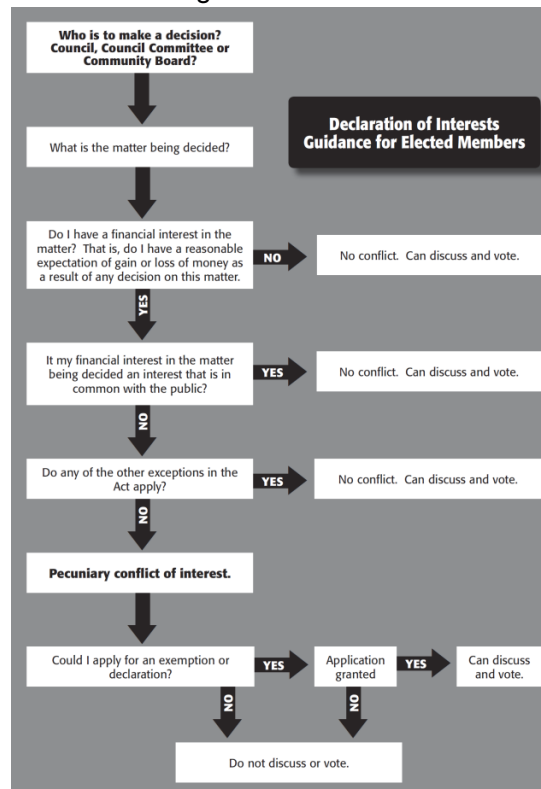
Members are encouraged to consider the items on the agenda and disclose whether they believe they have a financial or non-financial interest in any of the items in terms of Council's Code of Conduct.

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

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

#### DRAFT RECOMMENDATION:

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



**BULLER DISTRICT COUNCIL**

**30 NOVEMBER 2022**

**AGENDA ITEM 3**

**Prepared by** Sharon Mason  
Chief Executive Officer

**CONFIRMATION OF MINUTES**

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**Draft Recommendation that Council receive and confirm minutes from the meeting of 26 October 2022.**

**THE BULLER DISTRICT COUNCIL, HELD AT 3.00PM ON WEDNESDAY 26 OCTOBER 2022 AT CLOCKTOWER CHAMBERS, PALMERSTON STREET, WESTPORT.**

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**PRESENT:** Mayor J Cleine, DM A Basher, Councillors P Grafton, J Howard, Cr G Neylon, Cr T O'Keefe, Cr A Pfahler, Cr C Reidy, Cr R Sampson, Cr L Webb, Cr G Weston

**APOLOGIES:** N Tauwhare (Iwi Representative).

**IN ATTENDANCE:** S Mason (CEO)(arrived 4.20pm), R Townrow (Deputy CEO), D Marshall (Chief Financial Officer) (arrived 3.16pm), S Judd (Group Manager Regulatory Services), K Trigg (Group Manager Community Services), G Barrell (Governance Secretary)

**PUBLIC ATTENDANCE:** Jack Collin, Allen Morris

**MEDIA:** Ellen Curnow

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**MEETING DECLARED OPEN AT 3.01pm**

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**1. APOLOGIES (Page 8)**

**Discussion:**

Apologies were received from N Tauwhare. It was noted that S Mason and D Marshall would be late arrivals to the meeting.

**RESOLVED:**

That Buller District Council receives apologies from N Tauwhare and accepts councillor (insert name) request for leave of absence.

**Cr G Weston/Cr T O'Keefe**

**11/11**

**CARRIED UNANIMOUSLY**

**2. MEMBERS INTEREST (Page 9)**

**Discussion:**

Cr C Reidy declared he may have an interest in the PE section which will be addressed later in the meeting.

**RESOLVED** that members disclose any financial or non-financial interest in any of the agenda items.

**DM A Basher/Cr L Webb**  
**11/11**  
**CARRIED UNANIMOUSLY**

**3. CONFIRMATION OF MINUTES (Page 10)**

**Discussion:**

Cr J Howard noted regarding the meeting of 19 October Cr R Sampson did not arrive until later in the day so the votes should read 10/10 - *noted and amended*.

Cr J Howard noted also that in the minutes of 28 September 2022, a correction needed to be made in the Mayor's Report and the acronyms for NTU and SLT needed to be expanded for community understanding - *noted and amended*.

**RESOLVED** that Council receive and confirm minutes from the Council meetings of 19 October 2022, 5 October 2022, and 28 September 2022 with the above amendments

**19 October 2022**

**Mayor J Cleine/Cr A Pfahlert**  
**11/11**  
**CARRIED UNANIMOUSLY**

**5 October 2022**

**Cr R Sampson/Cr G Weston**  
**4/4**  
**CARRIED UNANIMOUSLY**

**28 September 2022**

**Cr J Howard/Mayor J Cleine**  
**4/4**  
**CARRIED UNANIMOUSLY**

**4. CEO REPORT - STATUTORY RESPONSIBILITIES OF MEMBERS (Page 29)**

**Discussion:**

A report from the CEO Office outlined that the Local Government Act requires the Chief Executive to provide the Council with an overview of key legislation that they need to be aware of and have an understanding of in their role as Mayor and as a District Councillor.

Deputy CEO, R Townrow spoke to the report in the absence of CEO S Mason.

Mayor J Cleine noted the recommendation is for information only.

**RESOLVED** that Council receive the report for information

**Cr A Pfahlert/DM A Basher**

**11/11**

**CARRIED UNANIMOUSLY**

**5. ADOPTION OF ELECTED MEMBERS CODE OF CONDUCT (Page 39)**

**Discussion:**

A report from the CEO Office outlined the requirement for Council to adopt a Code of Conduct under clause 15 of schedule 7 of the Local Government Act 2002. Once adopted, all Elected Members are required to comply with the Code of Conduct.

Mayor J Cleine spoke to the report and clarified the following:

- Chairs of a Committee are allowed to speak to the Press, only if deferred to by the Mayor
- the Code of Conduct applies to elected members and staff only. Members of the public are not able to lay a complaint relating to a breach in the Code of Conduct against members or staff. Only members can lay a complaint about the CEO; or the CEO can lay a complaint relating to the Code of Conduct against elected members.

D Marshall arrived at 3.16pm

**RESOLVED** That Council adopt the Code of Conduct for Elected Members as per Attachment One.

**Cr J Howard/Cr T O'Keefe**

**11/11**

**CARRIED UNANIMOUSLY**

**6. ADOPTION OF STANDING ORDERS (Page 67)**

**Discussion:**

A report from the CEO Office presented a new set of Draft Standing Orders for adoption by Council for the triennium 2022-2025.

R Townrow spoke to the report.

Cr G Neylon moved that Council remove 19.3 of the Standing Orders (Chairperson Has a Casting Vote).

**Cr G Neylon/Cr R Sampson**

**6/5**

**MOTION CARRIED**

Cr G Neylon moved that Council remove 19.7 and 19.8 of the Standing Orders (Members May Abstain)

**Cr G Neylon/Cr L Webb**  
**5/6**  
**MOTION LOST**

It was noted there was a double up in the printing of Recommended Standing Orders with 19.7 and 19.8 being the same. Therefore, 19.8 will be removed.

**RESOLVED** that Council adopt the Standing Orders 2022-2025 noting the removal of 19.3 (Chairperson Has a Casting Vote) and 19.8 (error in publication).

**Cr G Neylon/Cr A Pfahlert**  
**11/11**  
**CARRIED UNANIMOUSLY**

**7. MAYORS REPORT (Page 150)**

**Discussion:**

A report from Mayor J Cleine seeking to establish committees of Council, and to appoint Councillors to roles within those committees and to various other committees and groups requiring the representation of Council.

Mayor J Cleine spoke to his report.

It was noted that the Finance, Risk and Audit Committee (FRAC) will be now referred to as the Risk and Audit Committee (RAC).

**RESOLVED** that Council

**1) Receive the report for information.**

**Cr G Neylon/Cr J Howard**  
**10/1**  
**MOTION CARRIED**

**2) Notes that, pursuant to section 41A(3)(b) of the Local Government Act 2002, the Mayor has established the following committees of Council:**

- a. Risk and Audit Committee
- b. Chief Executive Review and Performance Committee
- c. Community, Environment and Services Committee
- d. Regulatory, Hearings and Planning Committee

**3) Notes that, pursuant to section 41A(3)(c) of the Local Government Act 2002, the Mayor has appointed the following chairpersons to the committees of Council:**

- a. Mayor, Jamie Cleine as interim Chair of Risk and Audit Committee until an independent chair is in place
- b. Deputy Mayor, Andrew Basher as Chair of Chief Executive Review and Performance Committee
- c. Councillor, Joanne Howard as the Chair of the Community, Environment & Services Committee
- d. Councillor, Rosalie Sampson as Deputy Chair of the Community Environment & Services Committee with responsibility for grants
- e. Councillor Graeme Neylon as Chair Regulatory, Hearings and Planning Committee

**Cr G Neylon/DM A Basher**

**11/11**

**CARRIED UNANIMOUSLY**

**4) Approve the appointment of Councillors to the following Subcommittees of the Community, Environment and Services Committee (CESC), in anticipation of their establishment at the first CESC meeting:**

- a. Councillor Graeme Neylon to the Reefton Reserve Subcommittee.
- b. Councillor Linda Webb to the Springs Junction/Maruia Reserve and Hall and Inangahua Junction Hall Subcommittees.
- c. Councillor Toni O'Keefe to the Ngakawau/Hector, Mokihinui and Waimangaroa Reserve Subcommittees.
- d. Councillor Rosalie Sampson to the Karamea and Seddonville Hall and Little Wanganui Reserve and Hall Subcommittees, and the Creative Communities Subcommittee.
- e. Councillor Grant Weston to the Carters Beach Reserve and Hall and Omau Reserve Subcommittees.
- f. Councillor Annalise Pfahlert to the Creative Communities Subcommittee.

**Cr G Neylon/Cr G Weston**

**11/11**

**CARRIED UNANIMOUSLY**

**5) Approve the Appointment of Councillors to Advisory Groups, Working Groups and other Committees requiring representation:**

- a. Mayor, Jamie Cleine and Councillor Graeme Neylon to the Te Tai o Poutini Plan Committee (One District Plan), Councillor Joanne Howard as nominated reserve to cover any absence.
- b. Councillor Toni O'Keefe to the Regional Transport Committee.
- c. Mayor Jamie Cleine, Councillor Colin Reidy and Councillor Joanne Howard to the Westport Rating District Joint Committee.
- d. Councillor Graeme Neylon to the District Licensing Committee (Alcohol Licensing) as Chair.
- e. Councillor Joanne Howard to the Dolomite Point Redevelopment Project Steering Group and Social Hub Feasibility Working Group.
- f. Councillor Rosalie Sampson to the West Coast Regional Housing Forum.
- g. Councillor Graeme Neylon to the West Coast Health Localities Project Governance Group.
- h. Councillor Grant Weston to the West Coast Road Safety Co-Ordinating Committee

**Cr A Pfahlert/Cr P Grafton**

**11/11**

**CARRIED UNANIMOUSLY**

**6) Note the appointment of Councillors, Graeme Neylon and Linda Webb to the Inangahua Community Board as per Council Resolution 19 October 2022.**

**Mayor J Cleine/Cr J Howard**

**11/11**

**CARRIED UNANIMOUSLY**

**7) Council approves the continuation of Ngāti Waewae representation and voting rights at committee level, the exception being full council.**

**Mayor J Cleine/Cr G Neylon**

**11/11**

**CARRIED UNANIMOUSLY**

**8) Adopt the Governance Structure including Terms of Reference as per Attachment One.**

**DM A Basher/Cr G Neylon**

**11/11**

**CARRIED UNANIMOUSLY**



**9) Confirm the remainder of 2022 Council and Committee dates as per Attachment Two.**

**Cr G Neylon/Cr A Pfahlert**  
**11/11**  
**CARRIED UNANIMOUSLY**

**8. ADOPTION OF 2022/2023 COUNCIL CALENDAR SCHEDULE (Page 188)**  
**Discussion:**

A report from the CEO Office outlined the requirement under clause 4.5(d) of the Buller District Council Standing Orders that Council is required to adopt a schedule of meetings, including meeting dates and times for each calendar year.

Cr G Neylon moved that meeting start times be moved from 3.00pm to 3.30pm.

**Cr G Neylon/Cr L Webb**  
**11/11**  
**CARRIED UNANIMOUSLY**

The Resolution was amended **from:**

1. *adopt the proposed 2022/23 Council, Committee and Community Board Calendar Schedule dates as per Attachment One.*
2. *agree to 2022/23 Council and Committee and meetings commencing at 3pm, with proposed workshops and/or presentations commencing prior to the scheduled meeting. Noting that Community Board meetings and ICB meeting start times will be resolved by members once the committees are established.*

**to:**

**RESOLVED** that Council:

2. adopt the proposed 2022/23 Council, Committee and Community Board Calendar Schedule dates as per Attachment One.
2. agree to 2022/23 Council and Committee and meetings commencing at 3.30pm with proposed workshops and/or presentations commencing prior to the scheduled meeting. Noting that Community Board meetings and ICB meeting start times will be resolved by members once the committees are established.

**Cr G Neylon/Cr L Webb**  
**11/11**  
**CARRIED UNANIMOUSLY**

## 9. COUNCIL REMUNERATION REPORT (Page 192)

### Discussion:

A report from the Mayor J Cleine setting out remuneration for Council under Remuneration Authority legislation for the incoming Council post the October 2022 elections.

Mayor J Cleine spoke to the report and answered questions.

**RESOLVED** that Council resolve the following:

1. That Andrew Basher receive remuneration of \$45,000 per year for the role of Deputy Mayor.
2. That Graeme Neylon receive remuneration of \$40,000 per year for the role of Chairperson Regulatory, Hearings and Planning Committee. The role includes organising the relevant Committee and additional liaison with Council staff.
3. That Joanne Howard receive remuneration of \$40,000 per year for the role of Chairperson Community Environment & Services Committee. The role includes organising the relevant Committee and additional liaison with Council staff.
4. That Rosalie Sampson receive remuneration of \$35,000 per year for the role of Deputy Chairperson Community Environment & Services Committee. The role includes organising the relevant Committee and additional liaison with Council staff.
5. That Phil Grafton, Toni O'Keefe, Annalise Pfahlert, Colin Reidy, Linda Webb, Grant Weston receive remuneration of \$27,384 per year for the role of Councillor. The role includes appointees to reserve subcommittees as well as representation on other community bodies or organisations on behalf of Council as required.

**Cr J Howard/Cr G Weston**

**11/11**

**CARRIED UNANIMOUSLY**

CEO S Mason arrived at 4.30pm.

**10. PUBLIC EXCLUDED REPORT (Page 198)**  
**Discussion:**

**RESOLVED** 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
10	Jamie Cleine - Mayor	Appointment of Acting Chief Executive	<p>section (2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p> <p><b>section (2)(b)(ii)</b> - Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p>
11	Sharon Mason - Chief Executive Officer	Request For Proposal Chief Executive Officer Recruitment	<p>section (2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p> <p>section (2)(b)(ii) - Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p>

**Cr G Neylon/DM A Basher**  
**11/11**  
**CARRIED UNANIMOUSLY**

The meeting was adjourned at 4.55pm for a 15-minute break.

The meeting reconvened at 5.10pm.

R Townrow left the meeting.

**BULLER DISTRICT COUNCIL**

**30 NOVEMBER 2022**

**AGENDA ITEM 4**

**Prepared by** Sharon Mason  
Chief Executive Officer

**COUNCIL ACTION POINT LIST**

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**1. REPORT SUMMARY**

A summary of council resolutions requiring actions.

**2. DRAFT RECOMMENDATION**

**That Council receive the Action Point list for information.**

**Council Action Points - CURRENT**

No	Meeting Of	Action Point	Responsible	Update	Date Required By
				No Outstanding Action Points 30 Nov 2022	

## **BULLER DISTRICT COUNCIL**

**30 NOVEMBER 2022**

### **AGENDA ITEM 5**

**Prepared by** Douglas Marshall  
Chief Financial Officer

**Reviewed by** Rachel Townrow  
Acting Chief Executive Officer

#### **UPDATE ON ADOPTION OF 2021/2022 ANNUAL REPORT FOR BULLER DISTRICT COUNCIL AND GROUP**

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##### **1. REPORT SUMMARY**

Each year Council must adopt the Annual Report for the Buller District Council as required by section 98 of the *Local Government Act 2002*. This Act, along with the special provisions in *The Annual Report and Audit Time Frames Extensions Legislation Act 2021* set out the Annual Report must be adopted by 31 December 2022.

It was planned to adopt the Annual report at the meeting on 30 November 2022.

The auditors have advised their timeframe needs to be extended so that the audited Annual Report can instead be adopted on 14 December 2022.

We appreciate the delay is disappointing; but is unavoidable.

This paper is included for information purposes only to update Council on the change in the Workplan.

##### **2. RECOMMENDATION**

**That Council receive the report for information.**

## **BULLER DISTRICT COUNCIL**

**30 NOVEMBER 2022**

**AGENDA ITEM: 6**

**Prepared By:** Sharon Mason  
CEO

**Reviewed By:** Rachel Townrow  
Deputy CEO

**Attachments:** 1 CV Sharon McGarry

### **NOMINATION OF RESOURCE MANAGEMENT ACT (RMA) COMMISSIONER TO REPRESENT BULLER**

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#### **1. REPORT PURPOSE**

The purpose of this report is to seek Council's endorsement of Sharon McGarry to be Council's nomination of commissioner on the hearing panel for Te Tai o Poutini Plan (TTPP).

#### **2. REPORT SUMMARY**

Council has the opportunity to nominate an accredited commissioner for the TTPP hearing panel. The TTPP Committee has the authority to appoint the hearing panel, and will be considering a report on this at its 15 December 2022 meeting. This report recommends that Council nominate Sharon McGarry.

#### **3. DRAFT RECOMMENDATION**

- 1. That Council nominates Sharon McGarry for the hearing panel on the Te Tai o Poutini Plan.**

#### **4. BACKGROUND**

- 4.1** An Order in Council detailing the formal reorganisation scheme to align the three district plans of Westland, Grey, and Buller District Council District Plans into one district plan was signed by the Governor-General on 17 June 2019 and came into force on 19 July 2019. This means that, rather than each

of the Councils preparing individual plans, Te Tai o Poutini Plan Committee became the approved body responsible for preparing and approving a new combined district plan covering the West Coast.

- 4.2** The Te Tai o Poutini Plan Committee was formed and is a joint committee between the four West Coast councils and local iwi. It is comprised of the Mayor or Chair and one other councillor from each council and one representative each from Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio, plus an independent chairperson.

The Committee has full decision-making powers. The make-up of the Committee ensures each district has equal input and voting rights in determining what is included within the proposed TTPP.

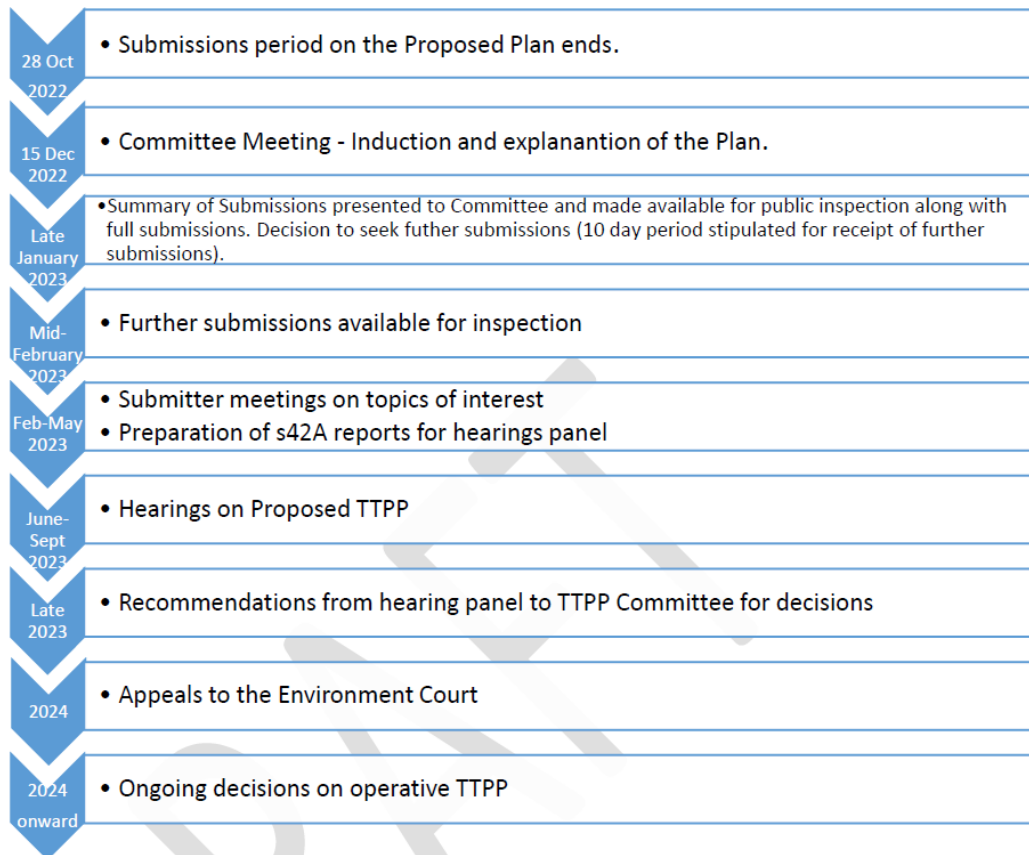
- 4.3** The project team assigned to lead the programme has completed the development of the plan to a draft form. An exposure draft was previously released to the general public to allow for feedback to be received, and this was supported by numerous workshops throughout the West Coast, including in the Buller district.
- 4.4** The Proposed Te Tai o Poutini Plan was notified to the public on 14 July 2022. Submissions on the notified plan closed on 11 November 2022.

## **5. CURRENT SITUATION**

- 5.1** With the recent closing of submissions the next step in the formal statutory process is preparation of a summary of submissions followed by the further submissions process. It is proposed that the hearing of submissions take place in June-September 2023. The hearing must be conducted by commissioners accredited as per the Resource Management Act 1991 (RMA).



## 5.2 Timeline for Committee:



**5.3** Appointment of the hearing panel for TTPP sits with the TTPP Committee. It has been agreed that the hearing panel will consist of three RMA Commissioners and an Independent Chair who is an RMA commissioner with Chair experience. The appointment of the Chair will be by consensus of the Joint Committee members.

**5.4** Buller, Grey and Westland District Councils have each been given the opportunity to nominate a commissioner.

**5.5** The Chief Executive has reviewed accredited commissioners based on the following criteria:

- Preference for a local resident;
- Experience working in the Buller District;
- Experience in the development of District Plans;
- Experience in RMA Hearings;

- Knowledge of the natural hazard dynamics of the West Coast;
- Experience working as part of a team

The preferred candidate, Sharon McGarry has extensive experience across five of the criteria. Whilst not a local, Sharon has familiarity with the Buller District and its resource management issues and challenges. Sharon has acted as a commissioner on resource consent hearings for Buller District Council.

## 6. OPTIONS

**Option 1:** To nominate Sharon McGarry for the TTPP hearing panel.

**Option 2:** To seek another nominee.

**Option 3:** Not to nominate a commissioner for the TTPP hearing panel.

## 7. PREFERRED OPTION

The preferred option is to nominate Sharon McGarry; she has extensive experience across the five criteria noted in 5.5. (See Attachment A – CV Sharon McGarry)

### Assessment of Options (including Financial Considerations)

**7.1 Option 1:** To nominate Sharon McGarry for the TTPP hearing panel.

- Sharon McGarry is an accredited commissioner
- She has experience with RMA hearings and has worked in the Buller District.
- She is interested in the role and available at the time the hearing is planned for.

**7.2 Option 2:** To seek another nominee.

- There are other candidates from a pool list of RMA commissioners external to the district however, they do not have experience or knowledge of the Buller District, or are not available at the required time.
- There is a local Buller commissioner who is not available.

**7.3 Option 3:** Not to nominate a commissioner for the TTPP hearing panel.

- Whilst this is an option it is not supported as the preferred option as Buller District Council has a responsibility to ensure we support the TTPP process and are represented as an equal partner.

## **8. CONSIDERATIONS**

### **8.1 Strategic Alignment**

Every district must have a district plan under the RMA. TTPP will be the district plan for Buller, and it is considered appropriate that Council nominate someone for the hearing panel.

### **8.2 Significance Assessment**

The decision sought in this report is not considered to meet the threshold for significance under Council's Significance and Engagement Policy for the following reasons:

- The level of significance has been assessed as being low and administrative in nature.
- No public consultation is considered necessary in relation to the recommendation within this report.
- The TTPP is a publicly consulted document.

### **8.4 Tangata Whenua Considerations**

Tangata Whenua has representation on the TTPP Committee, where the final decision on commissioner appointment will be made.

### **8.5 Risk Management Implications**

Risk has been considered, and Council should consider the risk of not nominating a commissioner.

While RMA Commissioners are expected to be independent in the decision-making process, the absence of a BDC nominated commissioner with knowledge of Buller District and its natural environment, including the hazard scape, may result in the content of submissions received not being fully questioned and understood, particularly any submission that seeks an amendment or deletion to what has been proposed.

### **8.6 Health and Safety**

Health and Safety has been considered and no items have been identified.

#### **8.8 Legal Implications**

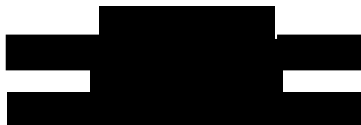
An Order in Council detailing the formal reorganisation scheme to align the three District Plans of Westland, Grey, and Buller District Council District Plans into one District Plan was signed by the Governor-General on 17 June 2019 and came into force on 19 July 2019.

This process is following those outlined in the RMA and the Order in Council.

#### **8.9 Financial / Budget Implications**

The West Coast Regional Council has responsibility to rate for costs associated with the TTPP, as mandated in the Order of Council.

**Curriculum Vitae  
Sharon Adele McGarry**



**Employment History**

- 2006-current**    **Self-employed Independent Hearing Commissioner**  
**Statutory decision-maker appointments by:**
- Environmental Protection Authority***
- Hearing and determining marine consent applications pursuant to the COVID-19 Recovery (Fast-track Consenting) Act 2020 and the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ Act).
- Canterbury Regional Council, West Coast Regional Council, Northland Regional Council, Southland Regional Council, Marlborough District Council, Tasman District Council, Horizons Regional Council, Otago Regional Council, Buller District Council, Westland District Council, Grey District Council, Selwyn District Council, Christchurch City Council, Ashburton District Council, Nelson City Council, Waimakariri District Council, Mackenzie District Council and Chatham Islands Council***
- Hearing and determining resource consent applications and writing decisions pursuant to the Resource Management Act (RMA).
  - Hearing and making recommendations on plan changes and designations.
  - Hearing and making recommendations on strategies and bylaws under the Local Government Act (LGA).
  - Determining resource consent condition reviews.
  - Hearing and determining objections pursuant to the RMA.
  - Training Councillors in hearing, determining, and writing hearing decisions.
  - Training Ngāi Tahu staff in making effective submissions.
  - Training, guiding and mentoring iwi commissioners.
- 2006-2010**    ***Minister of Conservation***
- Minister's representative to hear and recommend/decide resource consent applications for Restricted Coastal Activities.
- 2000-2006**    **Resource Management Consultant**  
***Canterbury Regional Council***
- Hearings Advisor providing advice to decision-makers and writing resource consent hearing decisions pursuant to the RMA.
  - Technical review of gravel management for the Canterbury Region.
- Director General of Conservation***
- Analysis of Plan Changes 1 and 2 of the Canterbury Regional Coastal Plan and preparation of submission.
- Private Clients***
- Preparing resource consent applications.
  - Peer reviews
- Parliamentary Commissioner for the Environment***
- Technical advice and review on the environmental impacts of cruise ships in New Zealand coastal waters.
- Southland Regional Council***

- Reviewing and processing Tier 1 Oil Spill Contingency Plans, pursuant to the Maritime Transport Act 1994; undertaking coastal compliance inspections and monitoring; and providing evidence for the Environment Court for prosecutions and enforcement action.

<b>1998-2000</b>	<b>Senior Environmental Compliance Officer</b> <b><i>Southland Regional Council</i></b>
<b>1996-1998</b>	<b>Consents Officer</b> <b><i>Southland Regional Council</i></b>
<b>1992-1996</b>	<b>Clerical Assistant</b> <b><i>Canterbury Educational Ltd</i></b> - Part-time position while studying at university.
<b>1991</b>	<b>Office Manager</b> <b><i>Canterbury Educational Ltd (England)</i></b>

#### **Academic History**

<b>1994-1995</b>	<b>Masters of Science (Honours) Resource Management</b> <b><i>Centre for Resource Management, Lincoln University</i></b>
<b>1990, 92-93</b>	<b>Bachelor of Science (Zoology/Marine &amp; Freshwater Biology)</b> <b><i>University of Canterbury</i></b>

#### **Professional Development Courses and Certification**

- Negotiating Well – MfE/Opus Environmental Training (2016)
- Conflict Resolution, Facilitation and Negotiation Skills
- Certified Independent Environmental Commissioner (Chair Endorsement) – MfE Good Decisions Program (2005, 2008, 2013 and 2018)
- Effective Writing Skills
- Māori Perspectives and Protocols
- Effective Communication and Public Speaking
- Project Management
- Member of the development team for the Ministry for the Environment's Marine indicators
- Oil Spill Managers Certification
- Expert Witness Training
- Governance Policy Training
- Advanced Driving Certificate & 4WD Certificate
- Day Skippers Certificate

#### **Examples of Statutory Decision-maker Appointments**

##### ***Tasman District Council (2-3 August 2022)***

Chair of Hearing Panel. Hearing to decide applications by the Nelson Regional Sewerage Business Unit to dispose of biosolids to Rabbit Island.

##### ***Environment Southland (12-13 April 2022)***

Chair of Hearing Panel. Hearing to decide applications by Bluff Port Company Ltd to undertake rock blasting and dredge activities to deepen the entrance to Bluff Harbour.

##### ***Marlborough District Council (9-17 November 2021)***

Member of Hearing Panel. Hearing for Variation 1 (Aquaculture) and Variation 1A (Finfish) of the Marlborough Environment Plan.

##### ***Canterbury Regional Council & Selwyn District Council (1-2 November 2021)***

Chair of the Hearing Panel of Independent Commissioners. Hearing to decide applications for the operation and decommissioning of Canterbury Coal Mine.

***West Coast Regional Council & Grey District Council (24-27 August 2021)***

Chair of Hearing Panel of Independent Commissioners. Hearing to decide application by Barrytown JV Ltd to mine mineral sands on the Barrytown flats.

***Marlborough District Council (29-30 June 2021)***

Independent Commissioner. Hearing to decide changes to conditions to operate salmon farms in the Marlborough Sounds.

***Environmental Protection Authority (March-April 2021)***

Member of Expert Consenting Panel for the Waitohi Picton Ferry Precinct Redevelopment under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

***Northland Regional Council (21-24 Sep 2020)***

Chair of Hearing Panel of Independent Commissioners. Hearing to decide application by Mangawhai Historic Wharf Trust to construct a wharf and occupy the coastal marine area.

***Otago Regional Council (4-8 Nov 2019)***

Member of Hearing Panel of Independent Commissioners. Decision on applications for overflows associated with the operation of reticulated sewerage systems in the Queenstown-Lakes district by Queenstown Lakes District Council

***Canterbury Regional Council (21-23 October 2019)***

Chair of Hearing Panel of Independent Commissioners. Hearing submissions to proposed Plan Change 1 to the Hurunui and Waiau River Regional Plan.

***Nelson City Council (19 March 2019)***

Independent Commissioner on Hearing Panel. Decision on applications to take and use water from the Rodding River and Maitai River for the reticulated water supply of Nelson City.

***Northland Regional Council (26 Feb – 2 March, 13-14 March 2018)***

Chair of Hearing Panel of Independent Commissioners. Hearing to decide applications by Refinery New Zealand for resource consents to dredge Whangarei Harbour and dispose of dredge material.

***Canterbury Regional Council (19-22 Sept and 26 October 2017)***

Chair of Hearing Panel of Independent Commissioners. Hearing to decide applications by the Lyttelton Port Company for the Lyttelton Port reclamation and wharf project.

***Environmental Protection Authority (Nov 2016 – July 2017)***

Deputy Chair of Decision Making Committee. Hearing pursuant to the EEZ Act to decide an application by Trans Tasman Resources Limited for marine consents and marine discharge consents to undertake seabed mining for iron ore in the South Taranaki Bight.

***Tasman District Council (16-19 May & 26-27 October 2016)***

Chair of Hearing Panel of Independent Commissioners. Hearing to decide applications by Harakeke Limited to subdivide rural land and create a village.

***Canterbury Regional Council and Christchurch City Council (13-21 June 2016)***

Chair of Hearing Panel of Independent Commissioners. Joint hearing to decide applications by Canterbury Aggregate Producers to excavate below groundwater and discharge contaminants into land.

***Chatham Islands Council (19-22 October 2015)***

Independent Hearing Commissioner. Hearing to decide applications by the Department of Internal Affairs for the Waitangi Wharf Upgrade Project (including wharf structure, breakwater, coastal reclamation, quarrying and construction yard activities).

***Tasman District Council (12-13 October 2015)***

Independent Hearing Commissioner. Hearing to decide applications by Tasman District Council for resource consents for river engineering works in the Tasman District.

***Canterbury Regional Council and Christchurch City Council (20 April-6 May 2015)***

Chair of Hearing Panel of Independent Commissioners. Joint hearing to decide applications by the New Zealand Transport Agency and Christchurch City Council for resource consents and designations associated with the Christchurch City Northern Arterial Motorway Extension Project.

***West Coast Regional Council and Grey District Council (12-13 March 2015)***

Independent Hearing Commissioner. Joint hearing to decide applications by Birchfield Minerals Ltd for resource consents associated with operating a 3,500 tonne gold-mining dredge on the Grey River.

***Chatham Islands Council (25-26 February 2015)***

Chair of Hearing Panel. Hearing pursuant to the RMA to decide a review of the Chatham Islands Resource Management Document.

***Environmental Protection Authority (29 October – 13 November 2014)***

Deputy Chair of Decision Making Committee. Hearing pursuant to the EEZ Act to decide an application by OMV (NZ) Ltd for marine consents for with the drilling of seven new oil wells at the existing Maari Field, South Taranaki Bight.

***Chatham Islands Council (November 2013)***

Independent Hearing Commissioner. Hearing to decide an application for resource consents and designations for the development and operation of a new landfill on Chatham Island.

***Canterbury Regional Council (22 April 2013)***

Independent Hearing Commissioner. Hearing to decide an application by Christchurch City Council for resource consents for the Akaroa wastewater treatment plant.

***Canterbury Regional Council (18-19 December 2013)***

Independent Hearing Commissioner. Hearing to decide an application by Te Wharau Investments Ltd for resource consents for the operation of a marine farm at Menzies Bay, Banks Peninsula.

***Canterbury Regional Council (29-31 October 2012)***

Independent Hearing Commissioner. Hearing pursuant to the LGA to make recommendations on the Draft Canterbury Regional Flood Protection and Drainage Bylaw 2012.

***Tasman District Council (10 October 2012)***

Independent Hearing Commissioner. Hearing to decide application by Tasman District Council for resource consents associated with constructing and upgrading Ruby Bay revetment structure.

***Canterbury Regional Council (3-5 September 2012)***

Chair of Hearing Panel of Independent Commissioners. Hearing pursuant to the LGA to make recommendations on Draft Canterbury Regional Gravel Strategy.

***West Coast Regional Council and Westland District Council (6-15 June 2012)***

Independent Commissioner on Hearing Panel. Joint hearing to decide applications by Trustpower for resource consents for the hydro-electric power scheme on the Kaniere River, Lake Kaniere.

***West Coast Regional Council and Buller District Council (21-31 May 2012)***



Independent Commissioner on Hearing Panel. Joint hearing to decide an application by Solid Energy New Zealand for resource consents to mine coal at Mt William, Stockton Plateau, West Coast.

***Minster of Conservation and Canterbury Regional Council (September 2011)***

Independent Hearing Commissioner. Hearing to decide an application by Christchurch City Council for resource consent to discharge wastewater into water at Wainui Bay, Banks Peninsula.

***West Coast Regional Council and Buller District Council (6-22 June 2011)***

Independent Commissioner on Hearing Panel. Joint hearing to the RMA to decide applications by Buller Coal Ltd (Bathurst) for resource consents to mine coal on the Denniston Plateau, West Coast.

***Canterbury Regional Council and Selwyn District Council (11-22 July 2011)***

Chair of Hearing Panel of Independent Commissioners. Joint hearing to decide Plan Change 25 to the Selwyn District Plan and resource consents by Porters Ski are Limited for an alpine village and extension to the existing ski field.

***Canterbury Regional Council (11-20 July 2011)***

Independent Commissioner on Hearing Panel. Hearing to decide Pareora River Plan and Variation 18 to the Canterbury Natural Resource Regional Plan.

***Canterbury Regional Council (8-19 November 2010)***

Chair of Hearing Panel of Independent Commissioners. Hearing to decide an application by Hurunui District Council for resource consents associated with the integrated stormwater management plan for Amberley Township, including discharges, diversions and coastal permits for river mouth openings.

***Minster of Conservation and Canterbury Regional Council (November 2010)***

Independent Hearing Commissioner. Hearing to decide an application by Timaru District Council for resource consent to discharge wastewater into water from Timaru Township.

***Minster of Conservation and Marlborough District Council (September 2010)***

Independent Hearing Commissioner on Hearing Panel. Hearing to decide an application by Marlborough District Council for resource consent to discharge wastewater into water from Blenheim Township.

***Minster of Conservation and Canterbury Regional Council (25-29 June 2010)***

Independent Hearing Commissioner. Hearing to decide an application by Christchurch City Council for resource consents to discharge wastewater into water at Diamond Harbour and Governors Bay.

***West Coast Regional Council and Buller District Council (17-26 May 2010)***

Independent Commissioner on Hearing Panel. Joint hearing to decide applications by Solid Energy New Zealand for resource consents to construct and operate the Stockton Plateau Hydro Power Scheme, West Coast.

***Minster of Conservation, West Coast Regional Council and Buller District Council (July-August 2009)***

Independent Commissioner on Hearing Panel. Joint hearing to decide applications by Hydro Developments Ltd for resource consents for the Stockton Plateau Hydro Scheme, West Coast.

***Canterbury Regional Council (June-July 2009)***

Chair of Hearing Panel of Independent Commissioners. Consent review of 531 Water Permits to take and use groundwater in the Rakaia-Selwyn Groundwater Allocation Zone.

***Canterbury Regional Council (17-19 February 2009)***

Independent Commissioner on Hearing Panel. Hearing to decide application by Mayfield Hinds Irrigation Society for resource consents to construct, operate and maintain irrigation storage ponds on the true right bank of the Rangitata River.

***Canterbury Regional Council (23-24 October 2008)***

Independent Commissioner on Hearing Panel. Hearing to decide an application by Lake Tekapo Enterprises for resource consents to discharge stormwater from a residential, rural and industrial subdivision development at Lake Tekapo.

***Minister of Conservation and Canterbury Regional Council (18-20 June 2008)***

Independent Commissioner on Hearing Panel. Hearing to decide an application by Christchurch City Council to replace the Ferrymead Bridge, Christchurch.

*Full list of over 320 statutory decision-maker appointments available on request.*

## **BULLER DISTRICT COUNCIL**

**30 NOVEMBER 2022**

### **AGENDA ITEM 7**

**Prepared by** Tracy Judd  
Senior Animal Management Officer

**Reviewed by** Hannah McGowan  
Team Leader Regulatory

#### **ADOPTION OF REPORT UNDER SECTION 10A OF THE DOG CONTROL ACT 1996**

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##### **1. REPORT PURPOSE**

The report is an overview of Animal Management practices and statistical information pursuant to s10A of the Dog Control Act 1996 relating to the 2021 / 2022 financial year. This report is required to be adopted by Council and publicly notified before a copy is sent to the Secretary for Local Government.

##### **2. REPORT SUMMARY**

Section 10A of the Act requires Council to report on the administration of its Dog Control Policy and practices each financial year. It also specifies certain information that must be included in the report.

- The statistical information is attached as Annex A
- The information document that outlines what your registration pays for is attached as Annex B
- The full text relating to section 10A of the Act is included in the Report for reference as Annex C.
- Council's Dog Control Policy is attached as Annex D

##### **3. DRAFT RECOMMENDATION**

**That Council adopts the Buller District Council Annual Report on Dog Control Policy and Practices for the 2021/2022 financial year.**

## 4. BACKGROUND

### **Practices s10A(1)(b)**

The *Dog Control Policy* and the supporting Bylaw are enforcement tools for ensuring that the legislation is complied with. Day to day dog control is enforced in accordance with the graduated response model and only in the event of continued non-compliance or sufficiently serious matters are infringement notices or prosecution options pursued.

The majority of the district's dog owners are responsible and compliant. Animal Control Officers have focused on educating the non-compliant owners and while this is more time consuming, we generally achieve a positive result.

An outline of the dog control activities undertaken by Animal Control Officers, entitled "*What Your [Dog] Registration Pays For*" is attached as Annex B. This document is used as an educational tool for dog owners.

### **4.1 Public Education and Information**

Current activities include recognition for dog owners displaying positive behaviour and provision of information about responsible dog ownership. Covid restrictions have had an effect on public education as it has limited our ability to visit schools and hold public events such as the Mutt Dog Show.

Animal Management continue to work with DAWGS who are a non-profit organisation operating in the Buller District. They are financed via local fundraising initiatives and have assisted by covering the cost to spay or neuter impounded dogs so that they may be suitable for rehoming.

We continue to have success using social media as a communication platform for consistent messaging.

Our communication includes dogs available for adoption, advising owners of registration dates and our dog socialisation group. We have huge success in matching lost dogs with their owners through our Animal Management Facebook page.

One negative aspect with the increased use of social media are the negative and often ill-informed comments from some individuals in the community. This has seen staff personally singled out and criticised and the impact to the staff involved is significant, having said that, this year it has eased.

Animal Control continues to run a Dog Socialisation Group that meets several times each week at the Westport Domain (mostly over summer months). The group is designed to get dogs socialised and owners educated in dog behaviours and relevant law. This has turned out to be very popular and has received positive feedback from participants. We offer a free microchipping service to owners who attend this group.

The Animal Management Team are currently investigating possibilities and options for a dog park in Westport. Sites for this now depend on the placement of the proposed floodwall.

Animal Management will be holding another Mutt Dog Show in 2023, as part of the Westport A & P Show. The show has not been held in recent years because of COVID-19 restrictions. This event is always very popular and positive. Classes such as the obstacle course always attract a big crowd.

## **5. OPTIONS**

Not Applicable

## **6. CONSIDERATIONS**

### **6.1 Strategic Alignment**

Council is committed to providing a professional service in relation to its obligations under the Dog Control Act 1996

### **6.2 Significance Assessment**

This is of low significance in accordance with our policy.

### **6.3 Tangata Whenua Considerations**

No specific considerations have been identified.

### **6.4 Risk Management Implications**

If Council does not adopt a report on its Dog Control Policy and practices for the 2021/2022 financial year, it will not meet the requirements of section 10A of the Dog Control Act 1996.

### **6.5 Policy Framework Implications**

The Report can be used to measure the effectiveness of Council's Dog Control Policy and practices, and to inform their review.

### **6.6 Legal Implications**

Once adopted, the Act requires Council to give public notice of the Report and send a copy of it to the Secretary for Local Government within one month of its adoption.

### **6.7 Financial / Budget Implications**

Not significant

### **6.8 Consultation Considerations**

Nil consultation considerations identified.

## Annex A: Statistical Information

Attached as Annex A is the statistical information required to be reported on under section 10A (2) of the Act.

### Buller District Council Annual Report on Dog Control Policy and Practices

Dog Control Annual Statistics ( DCAS) Registration statistics		
Registration - s10A(2)9(a)-(d)	Year	
	2020/21	2021/22
Number of registered dogs	1,950	2,020
Number of probationary owners	0	0
Number of disqualified owners	0	0
Number of dogs classified dangerous under Section 31 1B due to sworn evidence	0	1
Number of dogs classified as menacing under Section 33C (by breed)	0	0
Number of dogs classified as menacing under Section 33A 1 (b) (I) (by threat)	2	0

Number of infringement notices issued for - S10A (2)(e):	Year	
	2020/21	2021/22
Failing to register a dog	3	0
Failure to comply with menacing classification	0	0
Failure to comply with dangerous classification	0	0
Failure to keep dog under control	3	0
Failure to comply with Bylaw	0	0
Falsely notifying death of dog	1	0
<b>Total Infringement Notices -</b>	<b>7</b>	<b>0</b>

Number of dog related complaints - s10A(f)(g)	Year	
	2020/21	2021/22
Barking complaints	54	56
Wandering dogs/impounded	155	145/25
Dog/s aggressive behaviour including rushing	21	20
Dog/s attack	21	25
Miscellaneous (including lost, found, neglected, information related enquiries, & defecating dogs)	237	247
Prosecutions	0	1
<b>Total Dog Related Complaints</b>	<b>488</b>	<b>494</b>

Annual Statistics		2020/21	2021/22
Total Registrations -		1,950	2,020
Total Infringement Notices -		7	0
Total Dog Related Complaints -		488	494

## **Annex B - What Your Registration Pays For:**

### **Response to Complaints**

- Barking
- Wandering
- Attacks on people
- Attacks on stock
- Animal welfare concerns

### **Impounding Service**

- Maintenance of Pound facilities Westport
- Portable traps and cages
- Extensive Re-Homing of dogs
- Destruction of unwanted dogs
- Catching equipment and safety equipment

### **Enforcement Activity**

- Property inspections
- House to house registration checks
- Issuing permits
- Court costs
- Dangerous/Menacing dog classification and follow ups
- Issue and processing of infringement fines

### **Annual Costs**

- Two officers covering Westport, Karamea, Reefton, Punakaiki & Springs Junction
- Registration tags/forms/postage
- Pamphlets – forms, advertising
- Vehicle maintenance, replacement, mileage
- Maintenance of National Dog Database

### **Associated Costs**

- Maintenance of dog register
- Office space, computer system
- Phones and on call numbers
- Maintenance of signs
- Secretarial work
- Ranger education
- Public information

**DOGS NEED TO BE REGISTERED BEFORE 12 WEEKS OF AGE**

## **Annex C - Extract from Dog Control Act 1996**

### **Section 10A Territorial Authorities must report on dog control policy and practices**

#### **[10A Territorial authority must report on dog control policy and practices**

- (1) A territorial authority must, in respect of each financial year, report on the administration of—
  - (a) its dog control policy adopted under section [10](#); and
  - (b) its dog control practices.
- (2) The report must include, in respect of each financial year, information relating to—
  - (a) the number of registered dogs in the territorial authority district:
  - (b) the number of probationary owners and disqualified owners in the territorial authority district:
  - (c) the number of dogs in the territorial authority district classified as dangerous under section [31](#) and the relevant provision under which the classification is made:
  - (d) the number of dogs in the territorial authority district classified as menacing under section [33A](#) or section [33C](#) and the relevant provision under which the classification is made:
  - (e) the number of infringement notices issued by the territorial authority:
  - (f) the number of dog related complaints received by the territorial authority in the previous year and the nature of those complaints:
  - (g) the number of prosecutions taken by the territorial authority under this Act.
- [[ (3) The territorial authority must—
  - (a) give public notice, as defined in section [5\(1\)](#) of the Local Government Act 2002, of the report; and
  - (b) make the report publicly available, as described in section [5\(3\)](#) of that Act.]]



## Annex D - Policy s10A(1)(a)

Council has a *Dog Control Policy* adopted under section 10 of the Act.

This Policy was originally adopted in 1997 and was reviewed and reaffirmed in August 2004. Provisions relating to enforcement procedures and neutering of classified menacing dogs were added to the Policy in 2006. In 2010 all of Council's policies relating to dog control were combined into one document under the title *Dog Control Policy*. This incorporated the *Spay/Neuter Reduction and Unclaimed Dogs Destruction Fee Policy* into the *Dog Control Policy*.

The Policy identifies dog control areas and places restrictions and requirements on dog owners regarding:

- Prohibited dog areas
- Leash control areas
- Dog exercise areas
- Conservation prohibited areas
- Menacing dogs

The Policy also contains provisions relating to the issue of infringement notices, delegations and procedures for the return of roaming dogs.

Section 10 of the Act also requires territorial authorities to give effect to their policies on dogs by "*making the necessary bylaws*".

Council has made the *Control of Dogs Bylaw*, which has been adopted from *NZS 9201 Part 12:1999* (the Model General Bylaw produced by Standards New Zealand), with local amendments based on the Policy.

The Bylaw was reviewed and reaffirmed, under section 158 of the Local Government Act 2002, on 10 June 2008. It is currently due for review, pursuant to section 159 of the Local Government Act 2002.

## **BULLER DISTRICT COUNCIL**

**30 NOVEMBER 2022**

### **AGENDA ITEM 8**

**Prepared by** - Sharon Mason  
- Chief Executive Officer

**Reviewed by** - Rachel Townrow  
- Deputy Chief Executive Officer

**Appendices** A: NTU Briefing Note to Elected Representatives  
B: MoH Letter – Community Water Fluoridation  
C: Summary – Future for Local Govt Draft Report

#### **CHIEF EXECUTIVE REPORT**

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##### **1. REPORT SUMMARY**

This report is an overview as detailed below to:

Provide an update on the positive and strategic aspects that are happening in the Buller District during November 2022. This month the report has a strong focus on the breadth of central government reform announcements.

##### **2. RECOMMENDATION**

**That the Council:**

- 1. Note content of CEO Report.**

##### **3. OVERVIEW OF INFORMATION**

This report provides information on activity which has occurred over November and horizon scans matters of interest to Council.

##### **4. THREE WATERS UPDATE ELECTED MEMBERS**

The Executive Director of the National Transition Unit (NTU) has provided a briefing (Appendix A) outlining more detailed information on the Three Waters transition process.

The purpose of the briefing for elected members is to inform understanding not only of what is changing and why, but also the process that is being

followed, in order to ensure that communities are best served in the transition to the new operating environment.

The NTU are aiming to hold national roadshows in early 2023 to outline:

- a) NTU process for engaging with iwi and how iwi engagement is integrating with Council engagement.
- b) What the transition process means for councils progressing their current local government statutory requirements between now and 1 July 2024.
- c) What NTU are doing to make sure there is continuity of Three Waters services for communities throughout the transition process and from day one of the Water Service Entities(WSEs) going live.

Below is a timeline mapping progress of the water entities bill through parliament

**Water Services Entities Bill: Process through Parliament**

2 Jun 2022	7 Jun 2022	November 2022	November 2022	November 2022	December 2022	
In	1	SC	2	CH	3	RA
Bill introduced	First reading	Select Committee	Second Reading	Committee of Whole House	Third Reading	Royal Assent
The bill is made available for the House to consider.	MPs debate and vote on the bill. If successful, it is usually sent to a select committee.	The select committee gathers information and prepares a report on the bill for the House, including recommending changes to the bill.	The House debates the select committee report and votes on the bill.	MPs consider the bill in detail and vote on proposed changes.	Final debate and vote. If successful, the bill has been passed.	Bill signed by Governor-General and becomes an Act.

Source: [www.parliament.govt.nz](http://www.parliament.govt.nz)

There will be a second bill introduced to Parliament to establish the powers and functions of the new water services entities. The timing of this second bill is likely to be early 2023, assuming Parliament passes the Water Services Entities Bill. That vote is expected to take place in December 2022.

## 5. RESOURCE MANAGEMENT ACT REFORM UPDATE

The Government plans to repeal the Resource Management Act and enact three new pieces of legislation this parliamentary term. Below is a summary of the intent of the reform:

The new laws are the:

- Spatial Planning Act (SPA) which requires the development of long-term regional spatial strategies to help coordinate and integrate decisions made under relevant legislation
- Natural and Built Environment Act (NBA), the main replacement for the RMA, to protect and restore the environment while better enabling development

- Climate Adaptation Act (CAA) to address complex issues associated with managed retreat, and funding and financing climate adaptation.

The Natural and Built Environment Bill and Spatial Planning Bill were introduced to Parliament in November 2022. The Climate Change Adaptation Bill is likely to follow in 2023.

There are five objectives for the new resource management system.

- To protect and, where necessary, restore the environment and its capacity to provide for the wellbeing of present and future generations.
- To better enable development within natural environmental limits including a significant improvement in housing supply, affordability and choice, and timely provision of appropriate infrastructure including social infrastructure.
- To give proper recognition to the principles of Te Tiriti o Waitangi and provide greater recognition of te ao Māori including mātauranga Māori.
- To better prepare for adapting to climate change and risks from natural hazards and better mitigate the emissions.
- To improve system efficiency and effectiveness and reduce complexity while ensuring local input and involvement.

### **Spatial Planning Act**

The Spatial Planning Act will provide a more strategic and coordinated approach to long-term regional planning. It will require spatial planning at the regional level through the development of regional spatial strategies.

The Spatial Planning Act will integrate with the NBA and other legislation such as the:

- Local Government Act 2002
- Land Transport Management Act 2003
- Climate Change Response Act 2002.

Substantive changes to these other Acts are not proposed as part of this reform.

### **Regional Spatial Strategies**

Regional spatial strategies will see central government, local government and Māori working together, in consultation with the community, to identify how their region will grow, adapt and change over the next thirty-plus years. They will focus on significant issues and opportunities facing the region.

Regional spatial strategies will set out a vision and objectives to guide a region's development accompanied by a set of priority actions to turn the vision into a reality.

Regional spatial strategies will identify areas that:

- are suitable for development
- may require protection, improvement and restoration
- require infrastructure
- are particularly vulnerable to the effects of climate change and natural hazards.

Regional spatial strategies will be directed by the National Planning Framework and will provide strategic direction for NBE plans, putting the emphasis on upfront and robust planning. The regional spatial strategies will provide greater clarity on the spatial parameters within which the NBE plans to operate. This will flow through to fewer decisions needing to be made at the consenting level.

It's proposed that regional spatial strategies will be reviewed with full public engagement every nine years with the possibility of partial or full reviews occurring within that timeframe.

### **Natural And Built Environment Act (NBA)**

The NBA will be the primary piece of legislation to replace the RMA. Like the RMA, the NBA will be an integrated statute for land use and environmental protection.

Integral to the purpose of the NBA is Te Oranga o Te Taiao, a concept drawn from te ao Māori. It is an intergenerational ethic that emphasises the importance of the health and wellbeing of te taiao for current and future generations.

The NBA will support this by requiring any use of the environment to comply with environmental limits and targets. The environmental limits will be set at the current state of the natural environment at the time the NBA is passed to avoid further degradation.

Associated targets will also be required to drive improvement in the natural environment. In areas that are already unacceptably degraded, minimum level targets will be required to improve the state of the environment ensuring that existing degradation is not locked in.

The NBA will also set out how the environment is to be protected and enhanced. It will specify positive outcomes to be promoted for the natural and built environments. This is a shift from the RMA which focuses on managing adverse effects rather than achieving positive outcomes.

These limits, targets and outcomes will be provided by the National Planning Framework, a key component of the NBA, that consolidates what is known as 'national direction' in the existing resource management system.

The new system is designed to improve the recognition of Te Ao Māori and Te Tiriti o Waitangi. It will require anyone exercising powers, functions or duties under the Act to give effect to the principles of Te Tiriti. Under the current legislation, decision-makers are only required to 'take into account' those principles.

### **National Planning Framework**

A key element of this legislation is the National Planning Framework which will provide a stronger and more active role in the new system for central government on how we use, protect and manage our natural and built environments.

In the current resource management system national direction is provided across 23 different national policy statements, national environmental standards, national planning standards and regulations. These documents will be consolidated into a comprehensive National Planning Framework, contributing to a more cohesive and efficient system.

The National Planning Framework will provide direction for regional spatial strategies and the NBE plans that flow from them.

It will set:

- policies and standards for construction and development activities
- natural environmental limits relating to water, estuaries, air, soil and indigenous biodiversity
- targets for development within those environmental limits.

The National Planning Framework will also provide consistent policies and technical standards for all plans and consenting decisions around infrastructure. This will provide greater clarity, mean fewer decisions are made at consenting level and support the acceleration of housing and infrastructure.

## **6. CORRESPONDENCE**

### **Community Water Fluoridation - Notification of Active Consideration**

The CEO has received correspondence from the Director General (DG) of Health to follow up to the correspondence received in July 2022 regarding fluoridation requirements.

The Director-General of Health issued directions to 14 local authorities to fluoridate some or all of their drinking water supplies. Consistent with the

Director-General's June 2022 correspondence, Buller District Council is included in the second set of 27 local authorities advising each that the DG Health is actively considering whether to issue a direction to fluoridate some or all of its drinking water supplies.

The DG has chosen to prioritise consideration of these 27 local authorities based on the needs and size of the populations served by their water supplies. The Buller District Council is one of the local authorities the DG is actively considering for a potential direction to fluoridate. The DG will consider separately each of the following drinking water supplies in the Buller area; Westport and Reefton.

Regarding each water supply listed above, before the DG decides whether to issue a direction to fluoridate, the DG is required under section 116G(2) of the Health Act (the Act) to invite written comment from BDC on:

- a) the estimated financial cost of adding fluoride to the drinking water, including any additional costs of ongoing management and monitoring
- b) the date by which your local authority would be able to comply with a direction to fluoridation.

Council staff via the CEO, will provide a briefing to Councillors at the Council meeting scheduled for December 2022. Following correspondence received from the DG of Health in June 2022, Infrastructure staff completed a review to understand the cost associated with fluoridation, consequences, impact and timing with the Three Waters reforms. Please see Appendix B.

## **7. LOCAL GOVERNMENT REFORM UPDATE**

The Future for local government review panel released its [draft report 'He mata whāriki, he matawhānui'](#) on 28 October 2022. It previously released an interim report 'Ārewa ake te Kaupapa - Raising the Platform' at the beginning of October 2021.

The Panel are inviting submissions on its draft report until 28 February 2023.

## **Report Summary**

The 11 chapters of the draft report cover the following topics:

1. Thriving Local Government is Vital for Aotearoa New Zealand
2. Revitalising Citizen-Led Democracy
3. A Tiriti-Based Partnership Between Māori and Local Government
4. Allocating Roles and Functions in a Way That Enhances Local Wellbeing
5. Local Government as Champion and Activator of Wellbeing
6. A Stronger Relationship Between Central and Local Government
7. Replenishing and Building on Representative Democracy
8. Building an Equitable, Sustainable Funding and Financing System
9. Designing the Local Government System to Enable the Change We Need
10. System Stewardship and Support
11. The Pathway Forward

Appendix C is an easy to read thirteen-page summary of the draft report prepared by Local Government New Zealand for elected members information.



**To:** Local Government Elected Representatives  
**From:** Three Waters National Transition Unit  
**Date:** November 2022

## **RE: SUPPLEMENTARY BRIEFING ON THREE WATERS TRANSITION**

### **Background & purpose**

Many of you have already received a wider briefing from the Local Government Branch of the Department of Internal Affairs (DIA) about three waters.

This briefing provides supplementary, more detailed information on the Three Waters transition process.

It recognises how important it is for you to have a good understanding not only of what is changing and why, but also the process that is being followed, in order to ensure that your communities are best served in the transition to the new operating environment.

### **Context**

Councils are under pressure to deliver an increasingly wide range of services and are impacted by increasing costs of delivery.

As you know, there are major challenges in three waters service delivery across the country which include ageing infrastructure, historical under-investment and the growing impacts of climate change. This has been overlaid with new future demands from accommodating population growth.

Meeting these challenges requires a lot more investment in water infrastructure (up to \$185 billion over the next 30 years). It also requires a different way of managing our three waters system. The status quo is not working.

Key to this is creating scale. The reform will shift water services from 67 councils to four new Water Service Entities (WSEs), each proportionately owned by their region's respective councils on behalf of their local communities.

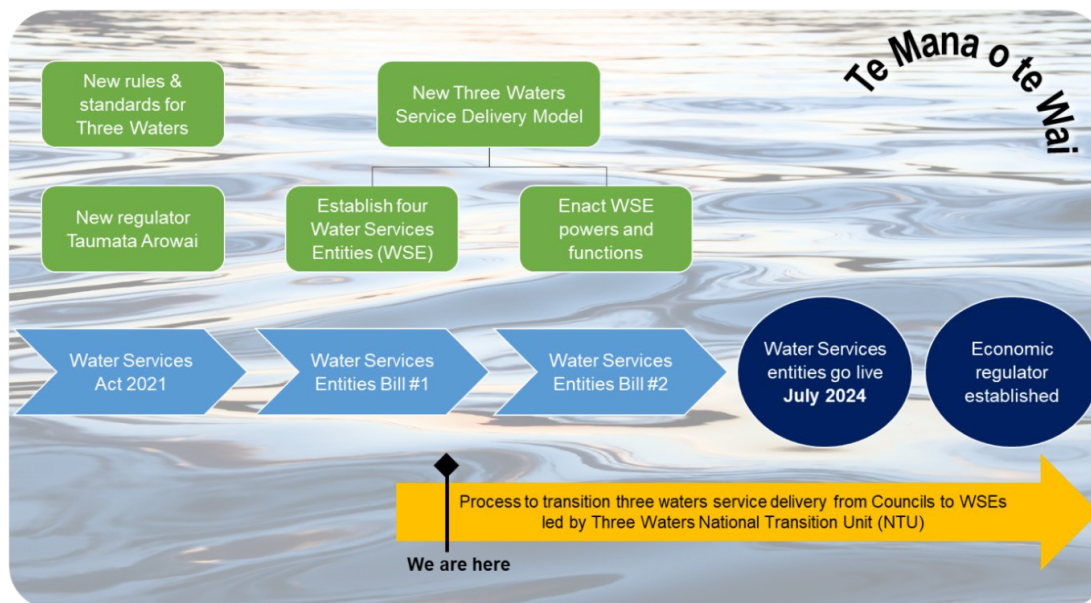
A key structural change is balance sheet separation from councils, enabling the WSEs to raise the levels of debt required to fund significant infrastructure investment over a long timeframe. The repayment of that debt would then be funded by water charges that are spread over a long-time horizon, rather than front-loaded onto today's ratepayers as is the case under the status quo.

Getting the transition right will lay the foundations for major transformation in water services management and delivery long-term.

In particular, there is the opportunity for a uniquely New Zealand approach to building a world-class water system guided by Te Mana o te Wai (the health and wellbeing of water). Putting Te Mana o Te Wai at the centre of the system is a whole different frame of reference for the delivery of three waters

services. It's about taking a catchment-based and interconnected view of the water system from source to sea, rather than the current highly fragmented approach that can lead to inconsistencies and adverse outcomes.

### The Three Waters reform process at a glance



The first Bill establishes the four WSEs. This is currently before the Finance and Expenditure Committee and is expected to be reported back by 11 November. More than 80,000 New Zealanders engaged with the Select Committee to have their say on the Water Services Entities Bill. As a result of this feedback, we anticipate the Select Committee will make a number of recommendations to improve the legislation and positively impact the way the Entities will operate from 1 July 2024.

It is expected to be passed into law before the end of the year. This sets out Entity functions, objectives and operating principles. It covers the ownership, governance, accountability arrangements relating to the Entities, and provides for ongoing public ownership, safeguards against future privatisation, and transitional arrangements.

The second bill will be introduced towards the end of 2022. This will establish the detailed powers, functions and duties of the Entities necessary for the WSEs to deliver water services to communities in place of territorial authorities. It also encompasses transfer of assets and liabilities.

### The Three Waters transition programme

The transition work programme is advancing at pace, in close partnership with your respective council executives and technical staff. We are collectively working to a tight timeframe on the work required to ensure the WSEs are ready to deliver for communities on 1 July 2024.

Broadly, the programme is structured into key workstreams as follows:

- *People and Workforce*: This workstream is tasked with designing and staffing the new WSEs in a way that is operationally sound and delivers a positive and inclusive transition.
- *Customer and Digital*: This workstream is accountable for the implementation of systems, data, tools, and digital processes required to enable the WSEs to operate on Day One.
- *Asset Management, Operations and Stormwater (AMOS)*: These sub-streams are working collaboratively to manage interdependencies to transition from the current environment to the new entities.
- *Financial and Commercial*: This workstream will develop the financial plans and structures which the WSEs will operate under.
- *Governance and Appointments*: This workstream is responsible for appointment of the chief executives for the new WSEs, as well as shortlisting candidates for the Establishment Boards and developing the draft Establishment Water Services Plan.

We are making good progress on this work programme, and recent milestones include:

- Requests for Information (RFIs) for Employment Relations and Organisational Design are underway, with help sessions to support councils to provide the necessary information.
- Digital workshops are underway, to engage with councils on the plan and approach for establishing the digital capability of the WSEs, with a focus on data migration.
- Establishment of the AMOS technical panel, enabling the National Transition Unit (NTU) to procure technical resource to assist the workstream.
- RFIs for key financial information have been issued, and the majority of councils have now completed and submitted their pro forma financial template.

### **Ongoing engagement with councils**

The NTU has been working closely with councils on the transition programme for some time, and has established a number of channels for communication and engagement.

Our *Council Interface Managers (CIMs)* are connectors between NTU, councils and the workstreams in their Entities. Their role is to make it easy for councils to participate in the transition process. They are a local point of contact for programme-wide conversations with councils about transition workstream requirements, milestones and activity.

We have also established *Local Transition Teams* with council general managers and staff to collaborate with us on key activity within the NTU workstreams. This recognises the importance of local knowledge and expertise of council staff in delivering a seamless transition.

In addition to fortnightly updates we send to all council CEs and regular briefings through LGNZ and Taituarā, we recently concluded a two-week roadshow on the roadmap to Day One of the new WSEs. This was for council chief executives (CEs) and their key water reform representatives, designed to provide more certainty around the programme for planning purposes.

While a full report on the roadshow is being developed, a number of changes have already been made in response to feedback to improve engagement and information flows, including:

- The transition process workplan has been segmented into 90-day plans for early communication to councils, accompanied by an estimate of council input required.
- Entity-based forums for CEs and council technical leads have been established to provide greater visibility of the work programme.
- The Finance and Commercial workstream team have assigned local leads for each council, to facilitate more direct engagement.
- The Customer and Digital workstream are running workshops in each Entity region (as above).
- Feedback is being sought on WSE Organisational Design (as above), following a request from CEs.

We look forward to continuing to work with your council executive and staff to ensure the best outcomes for the communities you serve.

A handwritten signature in black ink, appearing to read "H. Shotter", with a long horizontal flourish extending to the right.

Heather Shotter  
Executive Director  
Three Waters National Transition Unit



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3 November 2022

Sharon Mason  
Chief Executive  
Buller District Council  
[sharon.mason@bdc.govt.nz](mailto:sharon.mason@bdc.govt.nz)

Tēnā koe Ms Mason

### **Community water fluoridation - notification of active consideration**

Thank you for your work to date with Manatū Hauora (the Ministry of Health) on matters concerning community water fluoridation.

As you will be aware, in July 2022, the Director-General of Health issued directions to 14 local authorities to fluoridate some or all of their drinking water supplies. Consistent with the Director-General's June 2022 letter to you, I am now writing to a second set of 27 local authorities advising each that I am actively considering whether to issue a direction to fluoridate some or all of its drinking water supplies. I have chosen to prioritise consideration of these 27 local authorities based on the needs and size of the populations served by their water supplies.

The Buller District Council is one of the local authorities I am now actively considering for a potential direction to fluoridate. I will consider separately each of the following drinking water supplies in your area: Westport and Reefton.

Regarding each water supply listed above, before I can decide whether to issue a direction to fluoridate, I am required under section 116G(2) of the Health Act (the Act) to invite written comment from you on:

- a) the estimated financial cost of adding fluoride to the drinking water, including any additional costs of ongoing management and monitoring
- b) the date by which your local authority would be able to comply with a direction to fluoridate.

Thank you for providing information earlier this year on the status of the fluoridation infrastructure in your area and the estimated costs and timeframes that would be necessary to fluoridate your drinking water supplies. That information is summarised in the attached table. Please note that the table expresses the information you provided about timeframes in terms of the number of months it would take to implement community water fluoridation if a direction were given and funding available. Please confirm or update the attached table and, where applicable, provide additional comment.



The Act requires that I give you at least 40 working days to respond to my request for written comment. To take into account the summer holiday period, I am giving you an additional 20 working days to respond. Please provide written comment to me **by 2 February 2023**. Please send your response to [fluoride@health.govt.nz](mailto:fluoride@health.govt.nz).

When deciding whether to issue any directions to fluoridate I will also consider the scientific evidence on the effectiveness of fluoridation and, for each drinking water supply, whether the benefits of fluoridation outweigh the financial cost, taking into account the oral health status, population size, and estimated costs of fluoridation.

I continue to be mindful of current service delivery pressures across the water services and broader local government sectors. In light of this, if I do issue directions regarding your drinking water supplies, they will have compliance dates set for after July 2024 when the new water service entities are due to be established.

An official from Manatū Hauora will contact your team during the consultation phase to discuss any questions you may have. Manatū Hauora recognises that this is a busy time for local authorities and wishes to work with you to make the process as straightforward as possible for your team.

Nāku noa, nā



Dr Diana Sarfati  
**Te Tumu Whakarae mō te Hauora**  
**Director-General of Health**



### Information about drinking water supplies for Buller District Council

Local Authority	Reticulated drinking water supply name	Water supply pop	Estimated number of months to fluoridate if a direction is given and funding available	Estimated capital works cost to fluoridate	Estimated ongoing mgmt. & monitoring costs	Additional comments
Buller District Council	Westport	4974	24	\$250,000		
	Reefton	951	24	\$250,000		



# SUMMARY OF THE FUTURE FOR LOCAL GOVERNMENT DRAFT REPORT

// This document provides a summary of the key points and recommendations in the draft report released by the Review into the Future for Local Government Panel.

// OCTOBER 2022



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## What is it all about?

The Review into the Future for Local Government is focused on understanding how local democracy needs to change over the next 30 years to be fit for the future. The Review is being led by an independent Panel, who released its draft report on 28 October.

This report builds on the key findings set out in its Interim Report and includes a series of options and recommendations about some of the changes that are needed for the future.

This summary provides an easy-to-read guide to the main themes of the report and the recommendations the Panel has made, to help bring you up to speed.

This Review matters because it's an opportunity for us to work together to set local government up for a very different future. It's positive to see many of the recommendations we outlined in our paper to the Panel on behalf of councils earlier this year have been picked up in the report. LGNZ are committed to working with councils to bring to life your vision for the future.

## Where to next?

The Panel are inviting submissions on its draft report until 28 February 2023. We're encouraging councils to make submissions of its own and will also develop our own submission to bring together the key themes we're hearing from members.

We'll hold a series of workshops throughout November and December to discuss the report's recommendations, which will inform our submission. Keep an eye on your inbox for calendar invites in the next two weeks. We'll then share a draft submission with you in the early new year for further feedback.

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# Report Summary

The 11 chapters of the draft report cover the following topics:

- // 1: Thriving local government is vital for Aotearoa New Zealand
- // 2: Revitalising citizen-led democracy
- // 3: A Tiriti-based partnership between Māori and local government
- // 4: Allocating roles and functions in a way that enhances local wellbeing
- // 5: Local government as champion and activator of wellbeing
- // 6: A stronger relationship between central and local government
- // 7: Replenishing and building on representative democracy
- // 8: Building an equitable, sustainable funding and financing system
- // 9: Designing the local government system to enable the change we need
- // 10: System stewardship and support
- // 11: The pathway forward

## Chapter 1: Thriving local government is vital for Aotearoa New Zealand

This chapter sets out the key players with important roles in local governance decision-making, and the five key shifts that the Panel thinks are needed to the way that local governance operates.

These five key shifts, which the Panel shared in early February are:

1. Strengthened local democracy – Citizens participate in local decision-making, councils are trusted and reflect community diversity
2. Stronger focus on wellbeing – Councils are focused on broad strategies to improve the wellbeing of their communities
3. Authentic relationship with hapū/iwi/Māori – strong, authentic relationships between councils and hapū/iwi/Māori that enable self-determination and shared authority
4. Genuine partnership between local and central government – Genuine partnership to coinvest in and deliver wellbeing outcomes to communities
5. More equitable funding – Equitable funded system that enables communities to thrive.

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The chapter sets out a summary of what will be required to make these shifts, and how to get there. There's not a lot in this first chapter that's new – it's more or less a summary of how the Panel's thinking has developed since publishing its Interim Report in September 2021. It's a high-level introduction, but more detail is given in some of the later chapters.

What the Panel is clear on is that realising some of these shifts will require systematic and structural change to local government. It will also require changes to the legislation underpinning local government.

## Chapter 2: Revitalising citizen-led democracy

This section responds to the decline in citizen participation in local democracy. The Panel states that the current mechanisms for participation in local democracy are inadequate and often misunderstood.

Some of the key issues with current practices include councils not conducting engagement in a manner, place or format that works for diverse groups, people feeling intimidated by formal proceedings, and elected members showing concern about how to balance their role as representative decision-makers with citizens' participation.

Part of the chapter sets out examples of participative and deliberative tools used internationally and in New Zealand, such as referendums and citizen's assemblies, and the Panel have asked for feedback on whether the Local Government Act (LGA) should better enable the use of these tools.

This chapter also recommends wider use of tikanga in council meetings, interactions between local authority staff, and in local government engagement with Māori.

The Panel is also seeking feedback on what could be done to increase community understanding about the role of local government that could lead to greater civic participation.

### The recommendations from this chapter:

1. That local government adopts greater use of deliberative and participatory democracy in local decision-making.
2. That local government, supported by central government, review the legislative provisions relating to engagement, consultation and decision-making to provide a platform for revitalising community participation.
3. That central government leads a comprehensive review of requirements for engaging with Māori across local government related legislation to streamline or align those requirements.
4. That councils develop and invest in their internal systems for managing and promoting good quality engagement with Māori.
5. That central government provide a statutory obligation for councils to give consideration to an agreed, local expression of tikanga whakahaere in their standing orders and engagement practices, and for chief executives to promote the incorporation of tikanga in organisational systems.

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## Chapter 3: A Tiriti-based partnership between Māori and local government

The Panel acknowledges that while there's a lot of positive examples of change, the relationship between Māori and local government often falls short of a Tiriti-based relationship. This chapter sets out a framework for achieving a Tiriti-based partnership between Māori and local government with six parts:

- a new legislative framework for Te Tiriti in local governance
- establishing a strategic role for Māori in identifying community wellbeing outcomes
- mainstreaming and consolidating specific mechanisms for partnership and co-governance
- improving Māori participation in local government processes
- improving Māori representation at the council table
- building local government and Māori capability and capacity to build and maintain a Tiriti-based relationship.

Currently there's not a clear framework for Te Tiriti in local governance. Specific arrangements between local government and iwi/hapū have been developed ad-hoc across the country. The Panel's view is that there needs to be a greater level of direction and accountability within the system, including at the legislative level since the multiple pieces of legislation that underpin the relationship between Māori and local government are not all consistent.

This chapter suggests there could be a general clause or specific clause about Te Tiriti in the Local Government Act, or the introduction of a set of principles that describe how councils must give effect to Te Tiriti principles, to provide specific guidance (as well as flexibility). There's no clear recommendation here, but the Panel has asked for further feedback on how this could be reflected in the Local Government Act (LGA).

The Panel's also clear that existing arrangements between Māori and local government that are provided for in legislation should be respected and maintained, with a focus on moving to a more consistent approach in the future.

It's positive to see the acknowledgement that there needs to be additional funding and support to develop the capability and capacity to build these partnerships at a local level.

### The recommendations from this chapter:

6. That central government develops a new legislative framework for Te Tiriti-related provisions in the Local Government Act that drives genuine partnership in a local context and explicitly recognises Te Ao Māori values and wellbeing concepts.

7. That councils develop in partnership with iwi/hapū a partnership framework that complements existing co-governance arrangements to ensure that all groups in a council area are involved in local governance in a meaningful way.
8. That central government introduce a statutory requirement for local government Chief Executives to develop and maintain the capacity and capability of council staff to grow understanding and knowledge of Te Tiriti, the whakapapa of local government and te ao Māori.
9. That central government explore a stronger statutory requirement on councils to foster Māori capacity to participate in local government.
10. That local government leads the development of coordinated organisational and workforce development plans to enhance the capability of local government to partner and engage with Māori.
11. That central government provide a transitional fund to subsidise the cost of building both Māori and council capability and capacity for a Tiriti-based partnership in local governance.

## Chapter 4: Allocating roles and functions in a way that enhances local wellbeing

This chapter sets out a proposed framework that could be used to guide the allocation of roles and functions across central and local government as well as iwi/hapū entities and community organisations.

The framework is underpinned by the subsidiarity principle (that the issue should be addressed at the level as close to the relevant community as possible) and te ao Māori values.

The report recognises that councils have been given additional functions to deliver without additional resources (often referred to as the unfunded mandate), will potentially have some functions moved to a more centralised model (eg, Three Waters and Resource Management), and that some roles and functions are very unclear – for example, councils’ role in responding to the effects of climate change.

The framework suggests starting with a ‘local-first’ approach that always considers what local parties can do to deliver to a role or function, then departing from this approach when a role or function:

- can only be effective when done at scale
- requires access to ongoing skills that cannot be provided for locally
- has large risks and liabilities that cannot be effectively managed at the local level
- requires national level agreement on outcomes
- has a need for equality of service delivery.

The framework would also be underpinned by te ao Māori values and the practice of tikanga.

The Panel acknowledges they don't know what this framework would look like in practice, but suggest this framework is used by local and central government to review the current allocation of roles and functions. They're asking for feedback on what type of process would be needed to agree the allocation of roles and functions across central government, local government, Māori and potentially community organisations.

There's also suggestion of some areas that would be better done at scale – including climate change mitigation and adaptation, transport and waste management and regulatory responsibilities across animal control, sale of alcohol and building regulations.

### **The recommendations from this chapter:**

12. That central government and local government notes that the allocation of the roles and functions is not a binary decision between being delivered centrally or locally.
13. That local government and central government, in a Tiriti-consistent manner, review the future allocations of roles and functions by applying the Panel's proposed framework, which includes three core principles:
  - the concept of 'subsidiarity'
  - local government's capacity to influence the conditions for wellbeing is recognised and supported
  - te ao Māori values underpin decision-making.

## **Chapter 5: Local government as champion and activator of wellbeing**

This chapter focuses on local government's role in promoting community wellbeing. This section of the report is more conceptual, and it's difficult to get a sense of what this would really mean for councils. However, the following chapter on roles and functions does provide some clarity.

The Panel identified three main ways that local government can champion local wellbeing:

- As an anchor institution (an organisation with a long-term commitment and connection to a place)
- As a systems networker and convenor (bringing people together across organisations, sectors and cultures)
- As a placemaker (strengthening the connection between people and the places they share to strengthen community identity).

The Panel's main recommendation from this chapter is that there's a need for local and central government to explore funding and resources that enable and encourage councils to innovate, experiment, share learnings, and build their capability and capacity to influence local wellbeing more intentionally.

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### **The recommendations from this chapter:**

14. That local government, in partnership with central government, explore funding and resources that enable and encourage councils to:
  - Lead and support innovation to achieve greater social, economic, cultural, and environmental wellbeing outcomes
  - build partnership and co-design capability and capacity across their whole organisation
  - embed social/progressive procurement and supplier diversity as standard practice
  - review their levers and assets from an equity and wellbeing perspective
  - take on the anchor institution role initially through demonstration initiatives with targeted resources and peer support
  - share learnings and emerging practice from innovation and experimentation.

## **Chapter 6: A stronger relationship between central and local government**

The Panel recognises change is required from both central and local government to reset the relationship between the two and suggests that a key outcome needs to be a commitment to co-investment in community outcomes – that is aligning efforts to plan, fund and execute projects to maximise wellbeing at place.

The chapter outlines a set of outcomes for what a strengthened relationship would look like, and also outlines some of the key tensions in the current relationship.

It also explores several approaches to developing an interdependent relationship between central and local government, and current examples of each. These include:

1. Place-based initiatives that are developed for a specific geographic area (eg, the social sector trials, the Southern Initiative, Urban Growth partnerships).
2. Broader, approaches that set requirements at a national level while enabling local specificity (eg, the Welsh Wellbeing Model).

It's somewhat disappointing to see there aren't any specific recommendations in this chapter, and it's another area of the report that remains quite conceptual. The Panel have asked for feedback on potential pathways to build and support a more collaborative, joined up relationship.

## **Chapter 7: Replenishing and building on representative democracy**

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This chapter is focused on what is needed to achieve more diverse representation and increased governance capability at the council table. Most of the report's more tangible recommendations are found in this chapter, many of which pick up on the recommendations we made in our [Vision for the Future paper](#) to the Panel earlier this year.

To shift towards a more robust representative democracy in the future, the Panel has made recommendations for better representation and electoral processes, better remuneration and support for elected members, changes to the local electoral term and new models for council governance.

However, there's also some proposals that need further critique and discussion, such as a number of hybrid governance models to address Tiriti-partnership and capability issues. Some of these models include a mix of appointed and elected members. We think some of the proposed models could have significant implications for representative local democracy and require further consideration. This is one area we'll look to explore with you through our upcoming workshops and address in our submission.

### **The recommendations from this chapter:**

15. That the Electoral Commission be responsible for overseeing the administration of local body elections.
16. That central government undertakes a review of the legislation to:
  - a) introduce Single Transferrable Vote as the nation-wide voting method in local body elections
  - b) lower the eligible voting age in local body elections to the age of 16
  - c) provide for a four-year local electoral term
  - d) amend the employment provisions of chief executives to match those in the wider public sector.
17. That central government and local government, with the Remuneration Authority, review the criteria for setting elected member remuneration to recognise the increasing complexity of the role.
18. That local government develops a mandatory professional development and support programme for elected members.
19. That central government and local government:
  - a) support councils to undertake regular health checks of their democratic performance
  - b) develop guidance and mechanisms to support councils to resolve complaints under their code of conduct and explore a specific option for local government to refer complaints to an independent investigation process led by a national organisation
  - c) Assess whether the provisions of the Local Government Official Information and Meetings Act 1987, and how it is being applied, supports high standards of openness and transparency.
20. That central government retain the Māori wards and constituencies mechanism (subject to amendment in current policy processes), but consider additional options for providing for a Treaty-based partnership at the council table.



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## Chapter 8: Building an equitable, sustainable funding and financing system

The key points from this chapter are that the current funding mechanisms for local government are unsustainable, and that while rating should remain a primary funding mechanism, the process for setting and planning rates should be simplified, and councils also need to have the ability to introduce additional funding mechanisms.

It also highlights the need to recognise the role councils will play in climate change mitigation and adaptation, which will require national intergenerational funding to tackle.

In a nutshell, this section calls for:

- Co-investment in public goods
- The end of ‘unfunded mandates’ being passed to local government
- New funding mechanisms established
- Rating remains and is simplified
- An intergenerational fund to tackle climate change.

It sets out some principles that could guide what a local government revenue system should be: workable, fair, sustainable, incentivised and nationally consistent. The Panel has assessed a range of potential revenue streams against these principles, including road congestion charges, bed taxes and visitor levies, and revenue bonds. There’s not clear analysis on which of these options the Panel recommends, or what the implications of them would be.

The Panel also recommends streamlining the requirements to develop and adopt long-term plans in response to feedback that the current requirements and need for an audit add huge cost without value.

The recommendations are consistent with the 2019 Productivity Commission report on *Local Government Funding and Financing*, and somewhat disappointingly don’t really extend beyond that report’s findings.

### The recommendations from this chapter:

21. That central government expands its regulatory impact statement assessments to include the impacts on local government; and undertakes an assessment of regulation currently in force that is likely to have significant future funding impacts for local government and makes funding provisions to reflect those impacts.
22. That central government and local government agree on arrangements and mechanisms for them to co-invest to meet community needs and priorities, and that central government makes funding provisions accordingly.
23. That central government develops an intergenerational fund for climate change, with the application of the fund requiring appropriate regional and local decision-making input.
24. That central government reviews relevant legislation to:

- enable councils to introduce new funding mechanisms, and
  - retain rating as the principal mechanism for funding local government, while simplifying long-term planning and rating provisions to allow a more holistic and responsive process.
25. That central government agencies pay local government rates and charges on all properties.

## Chapter 9: Designing the local government system to enable the change we need

This chapter recommends that structural change is needed to ensure better value spend, minimise duplication, and get the best use of people and resources. Once again, there's not yet a firm view on what the specific future structure of local government should look like, but the report outlines five 'design principles' to guide the future structure, which the Panel are seeking feedback on.

The five design principles are:

1. There is local place-based decision making and leadership, and local influence on decisions made about the area at a regional and national level.
2. Local government entities support and enable roles and functions to be allocated adopting the principle of subsidiarity.
3. Local government entities have the people, skillsets and funding they need to deliver services effectively, and address the complex current and future challenges facing communities.
4. Local government entities have flexibility to partner with each other and with other parties to share decision-making and delivery of services, in order to advance community outcomes effectively and efficiently.
5. Local government entities make use of economies of scope and combine resources and expertise where appropriate to ensure services and functions are delivered to a high standard.

There are also three possible models of what a future structure could look like that are outlined. These aren't intended to be final models but starting points that the Panel are seeking feedback on. While there's some variation, some of the models don't move far beyond the status quo. This is another area we'll look to discuss through our upcoming series of workshops.

The three models outlined are:

1. One council for the region supported by local or community boards. This model is the most similar to a unitary model, where there's one council supported by smaller entities that are delegated some roles and functions. In this model the unitary council carries out the roles and functions currently delegated to a regional council and territorial authority, while the community or local boards would be delegated specific functions. Elected members would

represent the entire region, and the local/community boards would also have elected members.

2. Local and regional councils with separate governance. This would mean local councils provide local functions and facilitate partnerships with local hapū/iwi, community groups and agencies. Regional councils would carry out specific roles best delivered at the regional level – eg, current regional council functions with additional areas such as transport, civil defence and building and consenting. Communities would elect members for both the local and regional councils separately.
3. Local councils and a combined council with shared representation. This would mean that communities elect members to their local council, and a combined council for the region is made up of representatives from each local council and a combined mayor. The local councils would focus on activities that achieve wellbeing outcomes, while the combined council would carry out current regional council functions, and other roles and functions that the local councils agree would be better delivered regionally. This model is similar to the Greater Manchester Combined Authority.

#### **The recommendations from this chapter:**

26. That central and local government explore and agree to a new Tiriti-consistent structural and system design that will give effect to the Panel's proposed design principles.
27. That local government, supported by central government, invests in a programme that identifies and implements the opportunities for greater shared services collaboration.
28. That local government establishes a Local Government Digital Partnership to develop a digital transformation roadmap for local government.

## **Chapter 10: System stewardship and support**

This chapter focuses on how stewardship of the local government system is currently delivered. The Panel sees gaps and limitations in the current approach that is split across a range of partners, including the Minister of Local Government, the Secretary for Local Government, and entities such as the Local Government Commission, LGNZ and Taituarā.

There's an outline of some of the key stewardship roles that currently exist and who carries them out, and some findings for further consideration.

Two key takeaways are that the Panel see LGNZ and Taituarā as well placed to play a greater role in strong sector leadership through any change, but question whether the current structure of these organisations is sufficient for the future. It's not too clear what this means, and will be an area for us to discuss further with the Panel.

The other key takeaway is recommending a nationally coordinated stewardship function that cares for the health of the system by convening multiple central government agencies to resolve cross-

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cutting issues, to drive greater knowledge and practice of local governance and set standards for integrity and conduct.

**The recommendations from this chapter:**

29. That central and local government consider which entities are best placed to play system stewardship roles in a revised system of local government.

## **Chapter 11: The pathway forward**

The final chapter gives a brief outline of next steps. If the proposals from the draft report are accepted, they will need to be supported by a strong process for change and system reform. There's a question of who would lead this programme, since it will impact central government, local government and iwi/hapū, and will go beyond legislative change to whole-of-system change. The final report will provide more detail about this process and who would lead it.

## **BULLER DISTRICT COUNCIL**

**30 NOVEMBER 2022**

### **AGENDA ITEM 9**

**Prepared by** Jamie Cleine  
Buller District Mayor

**Appendix**

- 1 TTPP Project Managers Report
- 2 WCEM Agenda Pack November 9
- 3 Councillor Conference Reports Zone 5 & 6
- 4 Mayors Correspondence

### **MAYOR'S REPORT**

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#### **1. REPORT SUMMARY**

This report is to provide commentary of significant events and meetings attended by the Mayor. The report also provides information on advocacy or political matters currently before Council.

#### **2. DRAFT RECOMMENDATION**

- 1. That Council receive the report for discussion and information.**
- 2. That Council receive and note incoming and outgoing correspondence and Councillors provide direction for any responses or additions.**

#### **3. COUNCIL**

It's great to have Councillors inducted and settling into their roles for the 2022-25 triennium. I have been working through another round of individual meetings with Councillors to ensure they have an opportunity to ask any questions and provide their observations on areas for improvement in Council meetings and performing their roles.

It is with mixed emotions that I acknowledge this as the final meeting of Council with Sharon Mason as Chief Executive. Sharon has made a huge contribution to the District and the Buller District Council as an organisation.

Her ability to network and collaborate on strategic initiatives has been key to our success through what have been extraordinary times of challenge due to natural disaster and global pandemic effects. Sharon has played a key role in Buller having an outstanding reputation with Central Government and our other

stakeholders as a Council that has a solid strategy and an ability to deliver on commitments made.

Personally, I have felt well supported as Mayor. Sharon has “led from the front” and united her management team and supported those around the governance table on the strategic direction we have been delivering.

I wish to thank Sharon and wish her all the very best in her move on to new challenges. I welcome Rachel Townrow as Acting Chief Executive during the recruitment period for a permanent CE.

### **3.1 Infrastructure Acceleration Fund (IAF)**

Westport will receive **\$13.6 million** from the IAF for transport and water infrastructure, which will support housing delivery and help increase community resilience against future climate events.

There is significant long-term unmet housing demand in the greater Westport area, and the IAF funded infrastructure will assist in opening new developable land.

The IAF-funded infrastructure will enable up to 400 new homes to be built within the Alma Road development area, which aims to provide the Westport community with increased housing options on naturally raised land away from existing flood-prone areas.

The infrastructure projects include new stormwater, freshwater and wastewater mains, an arterial road and bridge upgrade, and a new cycleway and footpath.

I'm very excited to see the IAF funding being approved. This infrastructure investment is an important step in providing future proof options for residents in Buller. It's important we enable a mix of property types in locations less prone to climate change and Alma Road has long been identified as a future proof location.

### **3.2 Economic Indicators**

Buller District's economy has held up over the quarter ending September 2022 according to the Infometrics Quarterly Economic Monitor report released this month.

The Buller District's GDP grew 2.1% in the year to September 2022, compared with an increase of 2.6% nationally and 3.4% across the West Coast Region.

Buller's housing market is bucking the national trend with house prices rising in Buller despite falling nationwide. The average current house value in Buller District was up 10.7% in September 2022, compared to a year earlier. House prices dropped in New Zealand by 2% and increased by 6.4% in the West Coast region.

This places the average current house value around \$315,119 in Buller compared to the national average of \$964,202.

The report shows that our local economic indicators are mainly positive and, in some areas, have outperformed the national trend. Our district's key industries have been holding up over the quarter to September 2022, helping our local economy remain resilient.

Electronic card spending in Buller rose 4.8% in the year to September 2022, but this increase is mainly driven by higher inflation in New Zealand.

The national inflation rate of 7.2% for the year to September 2022, is on par with the increase in consumer spending of 7% in New Zealand. Essentially the inflationary pressure outweighed consumer spending and this trend is expected to continue.

A sharp fall in car and commercial vehicle registrations also point to consumers and businesses putting off major purchases as they face rising food, fuel, and energy prices.

Total tourism expenditure in the Buller District fell by 6.4% in the last year, but guests' nights increased by 2.9%. In particular, domestic guest nights continued to perform well with international guest nights also starting to come back.

The number of residential building consents were up 33% compared with the same 12-month period a year before, showing that the building of new homes continues to be strong. This growth fits into the regional increase of 42.8% on the West Coast and the national increase of 7%.

Employment in Buller grew by 2.4% in the year to September 2022, which reduced the unemployment rate to 4.3% for the September 2022 year. The increase in jobs were across a wide range of industries with the construction sector growing strongest providing additional employment for Buller's residents.

### **3.3 Mayors Taskforce for Jobs (MTFJ)**

This period has transected the local body elections which have dominated my time. However, having now been confirmed as Mayor for another term, I get the privilege of continuing the MTFJ mahi in Buller.

MTFJ Co-ordinator Julie Moore continues to find new employers and employees to bring together into the MTFJ / MSD system to ensure some great outcomes. The BDC, Buller REAP, MTFJ partnership is going very well with REAP already having established networks into the target NEET group.

There has been changes to the reporting framework which has prevented the usual reporting on numbers through to this meeting. I will seek to bring this through to the December meeting.

### 3.4 Buller Mayoral Relief Fund (MRF)

BULLER DISTRICT COUNCIL  
MAYORAL RELIEF FUND - JULY 2021 FLOOD EVENT  
STATUS REPORTS AS AT 31 OCTOBER 2022

#### FUNDS RECEIVED

Central Government		
(\$300,000 less GST)	260,870	
Community Lead Donations	410,885	
TOTAL FUNDS RECEIVED		671,755

#### Less FUNDS DISTRIBUTED

In the period from 20 September 2022 to 31 October 2022 there were 18 Applications Approved		635,304
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#### BALANCE OF FUNDS AVAILABLE FOR DISTRIBUTION

\$	36,451
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MAYORAL RELIEF FUND - FEBRUARY 2022 FLOOD EVENT  
STATUS REPORT AS AT 31 OCTOBER 2022

#### FUNDS RECEIVED

Central Government		
(\$100,000 less GST)		86,957

#### Less FUNDS DISTRIBUTED

In the period from 20 September 2022 to 31 October 2022 there were 10 Applications Approved		50,843
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#### BALANCE OF FUNDS AVAILABLE FOR DISTRIBUTION

\$	36,113
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## 4. EXTERNAL MEETINGS & EVENTS

### 4.1 Te Tai Poutini Plan TTPP (One District Plan)

The TTPP is now notified and so working its way through a statutory process. The submissions closed on 11 November.

The Committee has some new members as a result of the local body elections, so has held an induction workshop to bring the committee up to date on the history and process taken to date in developing the TTPP, the statutory roles and functions of the committee membership and the process from here as the submissions are collated and ultimately considered by an independent panel of Resource Management Act, qualified hearing commissioners.

The October TTPP project managers report is included as **Attachment 1**.



#### **4.2 West Coast Emergency Management Joint Committee**

The Joint Committee met for the first time this triennium on 9 November. I have been appointed chair of the Joint Committee for the next three years. This committee is charged with providing governance over the Emergency Management arrangements for the West Coast region and is a requirement under the CDEM Act.

The agenda and reports for that meeting are included as **Attachment 2**.

#### **4.3 Mayors Chairs & Iwi Forum (MCI)**

The MCI forum met on 9 November, hosted in Westport. Various speakers presented to the group including:

- Kevin Hague, Chair of Takiwa Poutini West Coast Health Locality. An overview of the locality and the synergies with local government values and strategic direction. The locality is accountable to Minister of Health, Iwi Governance Board and Community. Local Government are an integral part of a successful Locality. Buller will be represented by Cr Neylon at the governance level.
- Warren Gilbertson, Kanoa. An overview of Government investment that Kanoa has oversight of. Cost escalation is an issue as major projects roll out, including Dolomite Point redevelopment as cost escalation pressures budgets and deliverables. The Te Ara Pounamu (Pounamu Pathway) project has started physical works in Greymouth. Regional Strategic Investment Fund is working on a couple of Buller specific projects that look promising.
- Heath Milne, Development West Coast. DWC have established a new People and Culture Committee. Current fund balance is \$146.9m but under pressure due to investment market conditions.

Te Whanaketanga Strategy 2050 is progressing with 18 out of 24 actions commenced. DWC website has updates. A tourism summit is planned for 23 November to unveil the destination management plan. There has been an international promotion to aid recruitment of professionals to the West Coast. "Cut out for the Coast" has received over 100 registrations and approx 15 are currently being assisted to work through immigration requirements.

The Transport & Logistics Strategy has been picked up by DWC with an initial focus on a distribution hub in Greymouth entering the pre-feasibility stage. A renewable energy strategy is due out. DWC are working with EECA and other funders on applications to support West Coast business move away from fossil fuel-based process heat requirements. DWC Chair Renee Rooney is planning an

engagement with Councils in March 2023 to provide update to elected members.

- Chris Purchas, Tonkin & Taylor. Updated on the Three Waters reform and work T&T are supporting all three councils on. Specifically keeping a high-level overview with the National Transition Unit.
- Francois Tumahai, Ngati Wae Wae. Updated on the stewardship land review, Iwi concerns on process DOC has used to re-classify land. Subject to legal challenge.

#### **4.4 Local Government New Zealand Zone 5 & 6 Conference**

Councillors Toni O'Keefe and Joanne Howard joined me in attending the LGNZ Zone 5 & 6 Conference hosted in Tasman District. This was an excellent "close to home" opportunity for Councillors to network with councillors from around the South Island as well as gain professional development and insight into broader issues affecting the sector.

Both Councillors have provided thorough written reports which are included as **Attachment 3**.

#### **4.5 Local Government New Zealand Rural & Provincial Conference (R&P)**

I attended R&P at Sky Stadium, Wellington on 16/17 November. Various speakers and networking opportunities included:

- **Bryce Davies, IAG Exec Manager Corporate Relations**  
Flooding first cab off the rank in climate change effects. Risk based pricing now in use for earthquake insurance. This will be increasingly applied to flooding as modelling becomes available; IAG not using it yet but highly likely at some stage in future.

Flooding is very localised / concentrated risk and is avoidable so eventually will be costly or difficult to insure. IAG supports a pragmatic approach to reducing flood risk; stop things getting worse via improved building standards and national guidance to prevent further investment in wrong places.

Survey data suggests community has increased awareness of flood risk and climate change but reduced feeling of personal action or sense of an ability to act (dont know what to do about it). Governments, Local and National need to provide leadership on options.

- **Chris Bishop, National Party Spokesperson, Housing & Infrastructure**

#### **RMA Reform**

Across party support for reform but sees problems with legislation as drafted. Legal uncertainty around Te Ao Maori and Tikanga references which has never been in legislation before, will need to be legally tested as to how it is applied.

Wording that current RMA uses; “take account of” has been largely replaced with “give effect to” this effectively means do it. In relation to Te Ao Maori and Tikanga on environment matters what does this actually mean?

Balance tilted towards environment, looks like an environmental protection plan.

Would like to see fast tracking measures and standardising application process

#### **Three Waters**

National Party support the need for reform, Regulator Te Mata Arowai, and the proposed economic regulator. National are vowing to repeal Three Waters on the basis they oppose, Co-governance, four entity model as being too large, and the inclusion of Te mana o Te Wai statements.

Mr Bishop was vague on financing options, what entities they would use, and timelines of repeal. Simply stating “that will depend how far government have got in the reform”.

### **4.6 Tuia Graduation Wananga**

I attended the final wananga event for the 2022 TUIA cohort. This was held in Wellington on the 5 November where I joined Cheyenne Te Haara-Bar; the recipient of the TUIA scholarship for Kawatiri.

The day consisted of presentations from a number of mentees about what TUIA has done for them and their community contributions. I was asked to speak about the role of a Mentor as a listening ear and how, by being present and inclusive in my role as Mayor it has mentored leadership and inspiration to others.

Cheyenne will assist in finding a suitable TUIA Candidate for Council consideration in 2023.

## **5. LOCAL EVENTS & RELATIONSHIP MEETINGS**

I have attended various local events and relationship meetings over the period. Some highlights included:

- Police District commander Tracey Thompson based out of Nelson, and Westport based Senior Constable Sarah Cook for an update on local policing matters.
- Waka Kotahi board and executive. This was to discuss road funding and policy concerns, the apparent lack of funding available to maintain road condition and respond to the challenges of climate change across NZ's roading network. Critical will be the new Government policy statement (GPS) on land transport due out for consultation in 2023.
- Development West Coast. To advocate for support they may provide to the Karamea community and businesses facing the challenge of an 80% reduction in Heaphy Track users due to the extended closure of the track which is not expected to fully open to hikers until at least October 2023.
- Alma Road TAS accommodation village, Iwi blessing and thank you BBQ. This project is almost ready for the residents to occupy the houses.
- Citizenship ceremony to receive the oaths from two new New Zealand citizens that have chosen to make Buller their home.
- Buller Women's Health Fund, annual triathlon and walk event. I assisted the organisers as a course marshal. Very good participation and spirit shown by those entered.
- Dawn blessing of Ngahue; the whare on the Kawatiri Coastal Trail near Carters Beach. An excellent start to a beautiful day with a very informative presentation on the significance of the site from an archaeological perspective and reinforced the growing and important relationship with Ngāti Waewae as Mana Whenua.

## 6. CORRESPONDENCE

For Council consideration – see Attachment 4

<b>Incoming Correspondence 2022</b>		
21 September 2022	Hon Carmel Sepuloni	Marking Waitangi Day in your community
11 October 2022	University of Otago	Medical Students Community Contact Week – Thank you
17 October 2022	Buller High School	Invitation – Senior Awards Evening
17 October 2022	Damien O'Connor	Letter of Congratulations
18 October 2022	Melissa Lee	Letter of Congratulations
25 October 2022	Christopher Luxon	Letter of Congratulations
27 October 2022	T Thompson - NZ Police	Letter of Congratulations
31 October 2022	Mr Ravelich	Freedom Camping Legislation
1 November 2022	Debbie Power, MSD	Letter of Congratulations
4 November 2022	Hon. Nanaia Mahuta	Letter of Congratulations
4 November 2022	David Boyce, NTA	Letter of Congratulations
9 November 2022	Hon Dr Megan Woods	TerraFirma letter response
14 November 2022	Nicole Rosei, Waka Kotahi	NLTP Activity Class Funding Changes
21 November 2022	Mark Davies DOC	Conversation Board Nomination Form
24 November 2022	Hon. David Parker	RMA Reform – new legislation

<b>Outgoing Correspondence 2022</b>		
18 October 2022	Letter of Support	Funding proposal to the Ministry for Culture and Heritage - Letter of Support
30 October 2022	Hon Dr. Megan Woods	TerraFirma from West Coast councils
16 November 2022	Letter of Support	Kawatiri Nature Environment & Communities Trust



**Te Tai o Poutini**  
**PLAN**  
*A combined district plan for the West Coast*

# Project Manager Update

**1 October 2022 – 31 October 2022**

Prepared By: **Jo Armstrong**  
Date Prepared: **31 October 2022**

## Accomplishments this Period

- The focus at the beginning of October was to get all of the site and area of significance to Māori (SASM) update letters and maps out to landowners. This took a lot longer than expected due to the complexity on the majority of properties where more than one, and up to five, SASM overlapped. This particularly occurred on Greymouth properties where hundreds of landowners were impacted.
- Thanks go to the planning team staff who put in countless hours on this project and were supported by a large number of regional council staff in getting the last letters out on 18 October.
- As submissions were due to close on 28 October, the council Chief Executives decided that the submission date should be extended a further two weeks to 11 November, to allow the community time to make submissions. A press release and public notice to this end were in the local papers on 20 October. The new TTPP Committee will be asked to ratify this decision at its first meeting on 15 December 2022.
- TTPP shared a stand with WCRC at Agfest in October, manned by senior WCRC staff. Six submissions and 10 queries were received for TTPP.
- Staff continue to respond to phone and email queries. The majority over the past month have been from planners, but after Agfest we saw an increase in calls from the public.
- Seventeen information sheets have been produced to highlight some of the changes in different towns and settlements or explain what is happening on a specific topic such as mineral extraction. The information sheets were displayed at Agfest and are available on the TTPP website.
- It is with sadness that I have accepted the resignation of the TTPP senior planner, Edith Bretherton. Edith has been the only fulltime planner on staff for the three years of TTPP development. We will miss her truly collaborative style of working and all the knowledge she has brought to the role. We wish her well.
- The search for a new senior planner is underway.
- We have also advertised for expressions of interest for a Chair of the hearings panel which will need to be established in 2023.

### Plans for Next Period

- Respond to queries
- Summarise submissions
- Update coastal research
- Update WCRC Resource Management Committee
- TTPPC meeting 15 December at Grey District Council.

### Key Issues, Risks & Concerns

Item	Action/Resolution	Responsible	Completion Date
Decision makers can't agree	Get agreement on pieces of work prior to plan completion	Chairman	Ongoing
Budget insufficient for timely plan delivery	Work with TTPPC to recommend budget, and with WCRC to raise rate to achieve deliverables	Project Manager TTPP Committee CE WCRC	Annually Jan/Feb
Changes to national legislation	Planning team keep selves, Committee and Community updated on changes to legislation and the implications for TTPP	Project Manager Planning Team	Ongoing
Staff safety at public consultation	Committee members to proactively address & redirect aggressive behavior towards staff	TTPP Committee	Ongoing
National emergencies such as Covid-19 lock down	Staff and Committee ensure personal safety and continue to work remotely as able. Work with contractors to expedite work.	Project Manager TTPP Committee	Ongoing
Time and Cost of Appeals Process	Realistic budget set for best case costs. Awareness that contentious issues such as SNAs, natural hazards, mineral extraction and landscape provisions could see an extended appeals process, increasing costs to reach operative plan status	TTPP Committee TTPP Steering Group Project Manager	Ongoing
Community concerns over proposed Plan content	Respond to queries by phone, email and public meetings. Update information, encourage submissions.	TTPP Committee Project Manager	Ongoing

### Status

<b>Overall</b>		
Schedule		Proposed Plan Notified
Resources		Future budgets required to cover hearings and mediation
Scope		Schedule 1 processes leading to updates to Plan to achieve operative status

### Schedule

Stage	Target for Completion	Comments
Notify Te Tai o Poutini Plan	14 July 2022	This will be the <b>"Proposed"</b> Plan
Public Meetings	August 2022	Public meetings at 18 venues for proposed Plan
Submissions on Te Tai o Poutini Plan	11 November 2022	A Minimum of 40 working days for submissions
Local Body Elections	October 2022	
Further Submissions	28 February 2023	Submissions must be summarised and published and then there are 10 working days for further submissions
Pre-hearing meetings /Mediation	30 April 2023	Indicative time only
Hearings Te Tai o Poutini Plan	31 December 2023	Indicative time only

Stage	Target for Completion	Comments
Decisions Te Tai o Poutini Plan	Early 2024	Indicative time only
Ongoing Decision Making for TPPC	January 2024 onward	TPPC is a permanent Committee. Once the Plan is adopted the ongoing Committee role includes monitoring implementation and the need for any amendments, undertaking amendments and reviews, or ensuring these are undertaken, as required.
Appeals and Mediation Te Tai o Poutini Plan	From mid-2024	Indicative time only. Any parts of the Plan not appealed are operative from the end of the Appeal Period.
Environment or High Court	2024-2025	Indicative time only.



**Te Tai o Poutini**  
PLAN

*A combined district plan for the West Coast*



## Joint Committee West Coast Emergency Management

Meeting Time: 9.00am – 10.30am Wednesday, 9 November 2022  
Location: Buller District Council Chambers  
ZOOM Details: Meeting ID: 863 8260 3632  
Passcode: 203506

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### Agenda

Joint Committee Chair – Mayor Tania Gibson

1. Welcome and apologies
2. Appointment of new Joint Committee chair **Pg. 2**
3. Confirmation of the Minutes of last meeting held on Wednesday, 11 May 2021  
Matters arising from Minutes **Pg. 3-4**
4. Group Manager Report - Claire Brown **Pg. 5-7**  
*With Attachment ONE*
5. National Emergency Management Agency (NEMA) Update – Paul Renshaw **Pg. 8-10**
5. General Business
7. Meeting Close

**Next Meeting:**  
2023 Meeting Schedule tbc

## AGENDA ITEM TWO

**Prepared for:** West Coast Emergency Management Joint Committee  
**Prepared by:** Simon Bastion – CEG Chair  
**Meeting Date:** 9 November 2022  
**Subject:** Appointment of new Joint Committee Chair

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### **Purpose**

To seek nominations for and appoint a new Chair of the West Coast Emergency Management Joint Committee.

### **Term of Chair and Governance**

Joint Committee elect a new Chair and Deputy Chair following a local election, under provisions of section 24 of schedule 7 of the Local Government Act 2002.

### **Recommendation**

Seek nominations and conduct appointment process.

Simon Bastion  
Chair, Coordinating Executive Group  
Chief Executive, Westland District Council



**THE MINUTES OF THE WEST COAST EMERGENCY MANAGEMENT JOINT COMMITTEE  
HELD AT WEST COAST REGIONAL COUNCIL CHAMBERS, GREYMOUTH AND VIA ZOOM  
10 AUGUST 2022, 9:00AM**

Chair – Mayor Tania Gibson

**Attendees:**

Tania Gibson (Chair – GDC Mayor), Francois Tumahai (Te Rūnganga o Ngāti Waewae), Paul Madgwick (Te Rūnganga o Makaawhio), Allan Birchfield (WCRC Chair), Jamie Cleine (BDC Mayor) via zoom, Paul Morris (GDC), Claire Brown (WEM), Rachel Vaughan (WCRC) via zoom, Rachel Townrow (Acting CE - BDC) via Zoom, Simon Chambers (NEMA) via zoom, Amie Drnasin (minute taker).

**Guests:**

**Apologies:** Simon Bastion (CE WDC), Heather Mabin (CE WCRC), Sharon Mason (CE BDC)

**1. Welcome and apologies.**

T Gibson welcomed all present to the meeting

**Apologies:** Simon Bastion (CEO WDC), Heather Mabin (CEO WCRC), Sharon Mason (CEO BDC)

**Moved**(T Gibson/J Cleine)

*Carried*

**2. Confirmation of the Minutes**

The minutes from the last meeting held on Wednesday 11 May 2021 were confirmed as correct.

**Moved** (T Gibson/P Madgwick)

*Carried*

**Matters Arising**

There were no matter arising

**3. Regional Director's Report**

C. Brown took the report as read and noted there had been several Emergency Response's and partial activations throughout June and July. C Brown acknowledged the passing of Tim Gibb who was on the panel for Franz Josef Community Support Officer position, highlighting the many years of service and commitment that T Gibb and his family had provided to Civil Defence Emergency Management over many years.

The other points highlighted included the Westport Evacuation Plan workshop that was scheduled for 16 August 2022, the good progression the Review recommendation from October 2021, and the volume of training occurring across the region with good levels of participation from councils.

C.Brown responded to a question from Mayor Cleine regarding the Westport Evacuation plan that this would be exercised with the key agencies.

Discussion around the Controllers took place with C.Brown advising the additional approaches she had received from people interested in the Controller positions were mainly based on the Coast.

**Recommendation**

Receive the report

**MOVED** (F.Tumahai / J.Cleine)

*Carried*

**4. Six Month Work Plan and Priorities**

C.Brown referred to the work priority attachment that had been reviewed in July by the Coordinating Executive Group who agreed to submit the plan to the Joint Committee for endorsement. She drew the



attention to priority of the Westport Evacuation plan and the EOC/ECC resource stock-take exercise and the connection of this to the 'Better of Funding' packages that are currently being fleshed out.

A. Birchfield asked about the Controller advertisement and the reference to Te Treaty o Waitangi. F. Tumahai noted that an understanding of the Treaty is a common requirement in many agencies and groups. C. Brown noted the need to take into consideration the diversity population and the role and support that Māori / Iwi contribute to a response. She noted it was critical that Controllers had an understanding of the Treaty but also acknowledged the support that may be required to develop this area for potential Controllers. She responded to a query to advise the Response and Recovery training programme that is available for Controllers has a significant section on the role of and engagement with Māori / Iwi. S. Chambers supported these comments.

#### **Recommendation**

To endorse the six-month work priorities from July to December 2022.

**MOVED** (check no audio or visual)

*Carried*

#### **5. National Emergency Management Agency (NEMA) Update**

S. Chambers took his report as read and highlighted the following points:

- Change in Minister to Hon Kieran McNulty who had recently visited the region with his other portfolios. No change in focus from prior Minister, Hon Kiritapu Allan, noting the ongoing high priority of working with Iwi/Māori
- The new emergency management Bill with an extension of submission to the Select Committee now not expected until next year. So the new incoming local government governance will have an opportunity to be involved.
- The new draft Emergency Management plan is expected to be available for consultation in the next few months.
- If there is a need to declare during the period between the announcement of the election results and the swearing in of the local authority NEMA advise to use the Minister if this is the case. Advised to have the discussion with himself or alternate advisor Paul Renshaw.

#### **Recommendation**

To receive the report.

**MOVED** (T. Gibson / A. Birchfield)

*Carried*

#### **6. General Business**

J. Cleine advised he was invited by NEMA to participate in a national training exercise at the end of the month and present on local government experience in emergencies, and how governance operates during an event

#### **7. Meeting closed at 0919**

Next meeting: 9 November 2022 at Buller District Council or via zoom.



## AGENDA ITEM FOUR

**Prepared for:** West Coast Emergency Management Joint Committee  
**Prepared by:** Claire Brown  
**Meeting Date:** 9 November 2022  
**Subject:** Group Manger Report

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### PURPOSE

To update the West Coast Emergency Management (WCEM) Joint Committee on work progress, key projects, and highlights since the last meeting on 10 August 2022.

### EMERGENCY RESPONSE MONITORING AND ACTIVATION

The following response activity has occurred since Joint Committee last met:

#### 15 – 19 August 2022 Red Rain Warning

This event resulted in a state of emergency declaration on 16 August. Resources were deployed across and into the region with both Buller and Westland EOCs and the ECC activated. Voluntary evacuations occurred in the Westport area, with the hospital relocated and evacuation centres prepared. Sand-bags were distributed and placed around critical areas. Schools were closed for several days.

This course of this weather event resulted in state of emergency declarations for both Nelson / Tasman and Marlborough Groups with significant damage to homes, property, and infrastructure.

#### 2 – 3 November 2022 Orange Rain Warning

This event forecast up to 550mm rain over 32 hours mostly in the Westland District. An EOC was activated in Westland to monitor the event and coordinate preparations. The EOC was activated from 1100 Wednesday 2 November through to 0900 Thursday 3 November. Sand-bags were made available for the public at strategic locations around the Hokitika township. Localised local and state highway closures, surface flooding, school closures took place.

### COORDINATING EXECUTIVE GROUP (CEG) UPDATE

A report to the CEG on 26 October 2022 contained the following key points:

#### Staff

The Readiness and Response Emergency Management Officer (EMO) and Buller EMO positions are now filled. The Westland EMO position was advertised and interviews are in progress.

#### 2022 – 2023 Resilience Fund Projects

Good progress is made on both the Fuel and Alternate Communication's projects. A highlight has been the initiation of a South Island group to collaborate in the design a HF Radio network, that a portion of the NEMA resilience fund (\$30,000) will contribute to.

#### Franz Community Support Officer

A contract has commenced for a 12-month position to enhance community preparedness for the Franz Josef community. This work is funded through a successful application made by the Franz Josef community through a lotteries grant. This position will work closely with WCEM, particularly the new Westland EMO and is a great resource boost for south Westland.



#### Westport Operational Evacuation Plan

The draft evacuation plan was tested in the August flood activation in Westport. A follow-up de-brief and review of the plan took place on 28 September. Overall, it was agreed the plan worked well but required some changes including the addition of the staged evacuation steps that were used in August. A version two with these changes will be circulated to the working group this month.

#### Lifelines, Welfare, and The Farming Community Advisory (FCAG) Networks

We are addressing the lack of regular meetings for all three main network groups: Lifelines Utilities, Welfare Community and the Farming group.

The WCEM Welfare Community Resilience met last week with twenty-six agencies attending. There was a strong emphasis on collaborating on community resilience plans. Ministry of Social Development and Ministry for Primary Industries agreed to work with WCEM to develop a template. A future date was set for MPI to present on planning with regards Foot and Mouth Disease (FMD).

A Lifelines and Farming Community network are both set to meet before the end of the year.

#### FENZ Local Advisory Committee (LAC)

I attended the LAC meeting last month. It was a good opportunity to discuss how we work together to improve the emergency management network across the region. We intend to keep more connected with this group in future.

#### NEMA Resilience Project Ideas 2023-2024

CEG endorsed the progression of two funding proposals topics for next year's funding round. The included 1) 'KitMe' Household Preparedness Web based tool – phase two national rollout, and 2) Alternate EOC / ECC Emergency Equipment Cache with early discussion with Makaawhio, Ngāti Waewae and Ngāi Tahu regarding the location of emergency equipment at Marae.

More detail on the content of the proposals will be discussed by the Operational Sub-Committee end of November, before presenting to CEG for approval and submission by 31 January 2023.

#### Operational Sub-Committee Updates (OSC)

The OSC Chair reported to CEG the good progress on the work programme but the need for more traction on Alpine Fault Agency Planning and the Controller Network Programme.

Progress on growing response capability across council and agencies reported. It was also acknowledged however, that due to the limited training subsidy from NEMA that each council would be asked to consider what funding they could contribute for the next financial year to support building their staff and community's capability.

CEG accepted the recommendation to endorse the regional roll-out of the D4H digital response platform and that discussions are held with each council on the funding implications and timeframe.

#### Progress Update on October 2021 Review

CEG were advised that of the 40 recommendations in the October 2021 Review that thirty-three were complete, five were underway and two were still to be progressed. The two to be progressed involved incorporating exercises into the training programme, and that the Lifeline's group profile and support is lifted.

The Group Manager also advised the changes in her title and reporting line had occurred that were directly aligned with the relevant recommendations in the Review.

#### **COUNCIL INDUCTIONS**

We have had the opportunity to present at West Coast Region and Westland District councils' induction programmes. The template of the presentation is attached, in addition to a guideline pack that is being given out to Councillors.

#### **RECOMMENDATION**

That the West Coast Emergency Management Joint Committee:

*receive* this report

Claire Brown  
Group Manager

## AGENDA ITEM FIVE

**Prepared for:** West Coast Joint Committee  
**Prepared by:** Paul Renshaw  
**Meeting Date:** 9 November 2022  
**Subject:** National Emergency Management Agency (NEMA) Update

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### Report to the West Coast Civil Defence and Emergency Management Joint Committee Meeting - 9 November 2022

#### Trifecta Programme

- The final Emergency Management System Reform Cabinet paper is due to be proactively released. NEMA will forward this to CDEM Governance as soon as it is publicly available.

#### *New Emergency Management Bill*

- Drafting of the Bill is underway with the intention of introducing it to the House of Representatives in late November, early December or early 2023.
- There will be an opportunity to provide feedback via the Select Committee process. This will occur following the introduction of the Bill to the House.

#### *National Civil Defence Emergency Management Plan and Guide*

- The first phase of targeted engagement for the review of the National CDEM Plan (the Plan) has been completed.
- An early draft of the new Plan is being prepared to share as a basis for collaboration for the next round of engagement.
- The timeframe for engagement has been extended. Engagement will occur over approximately six months, with most of it occurring in 2023 to take account of the current reform pressures on local government.

#### *Lead and Support Agency Roles and Responsibilities*

- NEMA has developed and completed initial testing for some options to clarify the roles and responsibilities of lead and support agencies and is analysing what has been learnt.
- CDEM Group feedback will inform decisions about preferred options.

#### *Te Kotahitanga o Ngā Tai – the joining of the tides*

- On 13 and 14 September, NEMA, with Wellington CDEM Group and the Group Manager for Tairāwhiti supported a wānanga hosted by Ngāti Toa Rangatira and Te Āti Awa. The wānanga, Te Kotahitanga o Ngā Tai (the joining of the tides), was for mana whenua, Māori, NEMA and CDEM to progress meaningful change in the emergency management sector.
- The experiences of Māori in emergency events including the Pigeon Valley fires, and severe weather and flooding in Kawatiri (Buller), Te Taihū (Nelson-Tasman) and Te Tairāwhiti were presented.
- The Trifecta Programme will incorporate what was learnt from the wānanga, including ways of better engaging with Māori as the work progresses.
- The wānanga is part of a continuing conversation and ongoing relationship building with Māori since the National Emergency Management Conference 2021. At that conference, three wero were laid down: tukua, turi and tikanga - acknowledging and learning from the past to look to a



collaborative future, removing barriers to tangata whenua and reflecting Mātauranga Māori in emergency management.

- NEMA's involvement in the wānanga is part of the response to these three wero and part of the commitment to ensuring Māori participation in the emergency management system is recognised, enabled, and valued.

### Catastrophic Planning

- Between now and Christmas, a key focus for NEMA will be bolstering its readiness for a catastrophic event.
- New Zealand has not seen a catastrophic level event which exceeds our capacity on a large scale.
- This work is being done with urgency as the likelihood and risk exposure to a catastrophic event for New Zealand is not currently reflected in the readiness of our emergency management system to respond to such an event.
- NEMA will keep the CDEM sector updated as this work takes shape, particularly how this planning will be regionalised going forwards.

### Monitoring, Alerting and Reporting Centre

- The MAR Centre has been operating on a 24/7 basis since the end of June, providing NEMA with situational awareness and early warning of emerging risks.
- The team has responded to a number of smaller domestic and distant earthquakes during that time, assessing the risk and sharing information through the National Warning System and NEMA's social media channels.
- The largest contribution has been during the recent spate of weather events where it worked alongside the NEMA National Coordination Centre to gather and share information across the affected CDEM Groups, facilitate hazard-based inter-agency meetings and provide updates to the Minister.
- The information gathering function has begun to expand, linking in with, and sharing intelligence with New Zealand government agencies and with counterparts in Australia and the United States.
- One of the products of this increased capability is the release of a Daily Intelligence Bulletin which is now being shared with CDEM Groups.

### Foot and Mouth Disease – National Planning

- The Ministry for Primary Industries (MPI) is leading updated national planning to prepare for the possibility of a Foot and Mouth Disease (FMD) outbreak in New Zealand, following the risk being assessed to have heightened because of FMD spreading in Indonesia.
- NEMA joined a series of All of Government planning workshops at which basic scenarios were worked through. The workshops will lead to revision of national planning, building on the 2018 *Foot and Mouth Disease Response and Recovery Plan*. Updated planning will need to incorporate lessons identified during the COVID-19 pandemic.
- The recent workshops have raised questions around the role of NEMA and the CDEM Groups in terms of welfare responsibilities, and regional coordination arrangements. These discussions are ongoing amongst agencies; NEMA will keep CDEM Groups briefed via usual channels.

### Disaster/Mayoral Relief Funds

- During or after an emergency event the government may contribute to a Disaster Relief Fund (often referred to as a Mayoral Relief Fund - MRF).
- An update has been made to section 33.5.2 of the Guide to the National CDEM Plan to the effect that Government contributions to MRF will now be stated in GST exclusive amounts.

- For example, if the government contributes \$100,000 to a Mayoral Relief Fund, this contribution will be GST exclusive. Previously, the amount stated was GST inclusive (i.e., \$100,000 equated to \$86,960, excluding GST).

### Sector Surge Support in an Emergency

- CDEM Groups and councils across the country provided significant support to coordination centres on the West Coast, Nelson-Tasman, and Marlborough during the severe weather event in late August.
- Over 70 staff were deployed from supporting CDEM Groups and councils across the country (including Auckland) under national coordination arrangements, while a significant number was also deployed on a bilateral basis.
- Deployments of nationally coordinated staff were conducted in-line with the high-level principles that had been developed with the National Emergency Management Development Group in early 2022. These saw some notable improvements, including better certainty for home and requesting agencies by adopting and implementing a 1-day travel, 5-days' work, 1-day travel deployment model, and a recognition that timely requests for personnel support were necessary to ensure staff could be identified and mobilised.
- The importance for coordination centres to have a sufficient depth of response personnel to enable initial shifts to be staffed while surge staff are requested and mobilised, was again underlined.
- NEMA National Operations has employed a full-time Senior Advisor to continue progressing this work; the next six months will focus on the development of supporting procedures, guidance, and training material for CDEM Groups.

### New Zealand Response Teams

- On 20 August, NZRT-8 Wellington Emergency Response Team was the first team to achieve accreditation under the new NEMA national accreditation process.
- Marlborough, Selwyn, and Nelson-Tasman Response Teams have accreditation visits scheduled for October and November.
- New Zealand Response Teams (NZRTs) now have their own learning dashboard on the Takatū learning management system; this allows team members to complete some of the theory-based training through online learning modules at no cost. More content will be added to this dashboard over time.

### RECOMMENDATION

That the West Coast Emergency Management Joint Committee:

- **receive** this report

Paul Renshaw | Senior Regional Emergency Management Advisor  
National Emergency Management Agency Te Rākau Whakamarumarū

## LGNZ Zone 5 & 6 Meeting

Richmond, 14-15<sup>th</sup> November 2022

by Attendee Jo Howard

Following an intro from Mayor Tim King we had an address from LGNZ introducing the body, current work programmes, future, encouraging feedback and contact.

Next was building successful teams with Toni's and Jo's team building the highest lego tower – our successful strategy – a loose strategy, deciding on a uniform sizing and letting everyone use their creativity to develop their own sections.

Followed by an update by Dept of Internal Affairs on the govt reforms they were working on; spatial planning, 3 waters. Stormwater was an issue raised on whether this should be with Transport rather than 3 waters, but DIA was firm on 3 waters.

Jim Palmer gave an update and Q&A session on Future for Local Government. Options for local engagement. Models for participation. Use of FLG, Participatory models, Deliberate models. *Refer review paper on Local Govt Reform*. Noted that this was a review, not a reform. Many thought that LGNZ and members should use review as basis of leading a reform as opposed to waiting for anything to come from central govt. Assurance a change had govt support.

After lunch was a South Island Economic update by Brad Olsen – Principal Economist Infometrics. Macrotrends of Climate, Conflict and Contagions. Controlling inflation. International trends. Mortgage/interest rates. Employment – job vacancies. Net migration. Immigration backlog – 9 months +. Med and long-term trends.

Site visit to Waimea Dam. Impressive build. Informed on its construction and how it will function as a water reservoir, environmental aspects of water quality, fish migration. Appreciate the effort Organisers put in to arrange this.

The evening barbeque was an excellent opportunity to meet other councillors, Mayors, CEO's, staff, and presenters. To hear what issues/initiatives were being worked through with other communities and how they engaged.

A sombre start to day 2 with a presentation on the AF8 Alpine Fault South Island Impact and Resilience. Models on the impact depending on where the fault ruptured – some may be surprised that a northern rupture is the best scenario! The impacts to expect and importance of being prepared, leadership....

Assistant Minister of Local Government, Hon Kieran Mc Anulty spoke of the value he got from individual council visits, and value in working together.

An LGNZ feedback session from Ranjani Ponnuchetty, LGNZ Chief Advisor. What do we need to do to increase LG participation, elections etc. breakout groups.

Finished the zone meeting with sessions from James Laughlin, Leadership trainer and mental skills coach and Cheryl Doig on thinking for the future – a strategic foresight for communities.

Notes taken:

Different ways of having conversations with your community. Refer [Complex Conversations | Developing better approaches to public engagement around complex issues](#) **Complex Conversations** is a research programme based at [Kōi Tū: The Centre for Informed Futures](#) focused on innovating and improving citizen involvement in public decisions around complex issues.

Importance of having vision. Future thinking – anticipation (not prediction). Scanning – looking for what’s next. “Futures retrospective” – looking back as a way to improve way forward.

Intergenerational fairness of policies.

The best leaders Spend time thinking.

Leadership – how you tell your story.

Looking at leadership qualities and looking at own style. Building a high performance team.

Citizens as leaders.

Take an issue to community and get people to tell their stories.

Looking at the current and what the transformed would look like.

I encourage all councillors to attend future zone meetings.

To gain knowledge/broaden outlook; gather information/insight on issues; meet and network with others/building collaboration; enhance skills.

LGNZ Zone 5 & 6, November 2022

A fish out of water.

Early start driving to Nelson to attend my first conference as a councillor, panicking slightly & wondering where a 'tradie' from St Helens would fit into a room full of Mayors, future leaders & politicians, I could not have been more wrong.

Day one: We had an amazing welcome from the minute we arrived, presented with a fabulous 'goodie' bag, boasting all the spoils from the Tasman, followed by a 'down to earth' greeting from Tim King, Tasman District Mayor.

No time was wasted, diving straight into a Karakia & LGNZ Chairs, Bryan Cadogan & Sam Broughton set the pace with our agenda, next to a team building exercise, building a tower from Lego blocks with 10 strangers, aiming to beat 3.6 meters in 20 min, we won thanks to my clever tactics, grabbing the youngest person in the room, Mayor of Gore, Ben Bell, (Jamie's team fell short)

After morning tea, we had updates & Q&A from DIA, touching on the 3 waters reform, Future for local Govt spoke on the new approach needed & feedback on how deliver this, this was quite a hot topic, lots of hands were raised from almost every table & after lunch Brad Olsen, Principal Economist, brought us back down to earth with graphs & pie charts, getting us up to speed on the south Island's economic update.

To conclude day one, Tim King proudly bused us all up to Waimea Dam for a site visit, not only was it an amazing feat of engineering, but it also showed how strong partnerships & investment between private, local & central government can work & flourish, creating an asset for generations to come.

Day two: Dr Tom Robinson gave a sobering talk on AF8 South Island impact & Resilience, I strongly suggest if anyone can attend an AF8 conference please do so, being prepared starts with knowledge & something for BDC to focus on for future planning around the impacts that a major earthquake will have on the West Coast.

Hon Kieran McNulty, Assistant Minister for Local Government was extremely popular & under the pump answering questions from government reforms & the workload presented, Waka Kotahi, climate change, government funding time frames, the list went on. Coming off the back of a road show, he was primed for questions but also commended on the time he had spent answering us, knowing he had gone over his schedule. Ranjani Ponnuchetty, LGNZ Chief adviser, ran a feedback session, challenging us to look at the current state of local politics, we had some fantastic ideas that came through, I took so many notes & this will be something I will reflect on coming up to our first workshop 'How do we revitalise local democracy'.

After lunch James Laughlin, Leadership trainer & mental skills coach really got the grey matter working with his Insight into some of the practices you can use, how to tell a story, thinking and vision & the possibilitarian traits you should strive for, also a challenge to try and take 90 minutes a week to think about your vision and goals, I plan to implement this when I'm in the garden. The day was finished up with Cheryl Doig, Futurist & foresight practitioner, future thinking for our communities and tools on how we can do this using a generational approach, all food for thought.

What I got out of LGNZ zone 5 & 6 conference,

I would highly recommend going to anyone, new & old on council, not only do you get 'real time' information on the state of the nation, but you also make amazing connections with likeminded people, sharing experiences & challenges, breaking down barriers & learning new things. Thank you to Jamie & Jo shepherding me through, being as green as I am, I have really felt the benefits.

Councillor Toni O'Keefe

## Hon Carmel Sepuloni

MP for Kelston

Minister for ACC

Minister for Arts, Culture and Heritage

Minister for Social Development and Employment



21 SEP 2022

Tēnā koe

### Marking Waitangi Day in your community

Every year on Waitangi Day, we take time to reflect on our shared history and the contributions of all cultures represented in Aotearoa New Zealand today, both tangata whenua and tangata tiriti. Waitangi Day commemorations bring us together to deepen and broaden our understanding of Te Tiriti o Waitangi/The Treaty of Waitangi.

This year, up to \$300,000 of funding will be available through Manatū Taonga Ministry for Culture and Heritage Commemorating Waitangi Day Fund (the Fund). Grants are usually in the region of \$5,000 - \$10,000 and support events that commemorate the signing of Te Tiriti o Waitangi and promote nation and community building.

This is a day that should be commemorated not only at Waitangi, where the Treaty was first signed, but throughout the country – recognising that the Treaty itself travelled and that it is part of the fabric of our entire nation.

There are many well-established events delivered by communities across the country each year, which are treasured by the thousands of New Zealanders that attend them. Many of these established events are supported by the Fund, but new applicants are vital to ensure all New Zealanders have an opportunity to participate in such events in their local community.

This Fund works to encourage as many tangata whenua, community groups and local councils as possible to work together to organise local events that deepen and broaden our shared understanding of Te Tiriti o Waitangi.

Applications for the Fund are now open and close by Wednesday 26 October 2022.

For more information on the Fund criteria, please visit: [mch.govt.nz/funding-nz-culture/ministry-grants-awards/commemorating-waitangi-day-fund](https://mch.govt.nz/funding-nz-culture/ministry-grants-awards/commemorating-waitangi-day-fund).

I look forward to hearing about the exciting events planned for Waitangi Day in 2023.

Nāku iti noa, nā

**Hon Carmel Sepuloni**

Minister for Arts, Culture and Heritage



October 2022

### 3<sup>rd</sup> Year Medical Students - Community Contact Week 2022

**Thank you** - on behalf of the Otago Medical School, University of Otago, we would like to express our appreciation to your organisation for meeting with our Third Year Medical Students during their Community Contact Week in August 2022.

Please find enclosed a certificate to acknowledge our appreciation of your participation. If you are unable to print this out, and would like a hard copy for your organisation to display, please confirm your preferred postal address and we can arrange for this to be sent.

I have also attached a copy of the students Group Report for your region. This report is a snap shot, from their perspective, of the community's healthcare needs based on the short time that they were in contact with your community. It concludes with some suggestions on how they think efforts may best be directed to address these needs.

We thank you for sharing your time, expertise and experience with the group as, without your help, we would not be able to offer the students such a rich and varied programme. Our students always come away with an enhanced appreciation of life in New Zealand's smaller communities and the way different providers contribute to the wellbeing of its individuals.

If you have any specific comments, or suggestions regarding the students' interviews, or the administration of this programme, please do email them directly to us, so that they may be passed onto our students, or administrators. Such comments are always most welcome and are taken into consideration for program organisation and development. We remain hopeful that next year's programme, pandemic allowing, will be back to face-to-face meetings in your community.

Finally, and with next year in mind, we would greatly appreciate you helping us with our evaluation of this year, and planning for the next, by completing the Community Contact Week Survey for 2022 at – [https://otago.au1.qualtrics.com/jfe/form/SV\\_7O05XOgc8Wal1mC](https://otago.au1.qualtrics.com/jfe/form/SV_7O05XOgc8Wal1mC)

This link will be open until Tuesday 1 November 2022.

We look forward to your continued support and participation of Community Contact Week in 2023.

Kind Regards

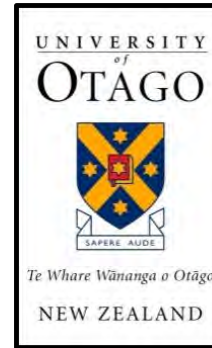
Lis Heath  
EPE Convener

Dr Nigel Thompson  
Convener

Megan Christensen  
Coordinator

Otago Medical School - Te Kura Hauora o Ōtākou  
University of Otago – Te Whare Wānanga o Ōtāgo, Dunedin | PO Box 56 | Dunedin 9054  
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[www.otago.ac.nz](http://www.otago.ac.nz)

Department of Primary Health Care & General Practice Te Tari Hauora Tūmatanui me te Mātauranga Rata Whānau  
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M: 021 0279 5663 | Email: [wellingtonccw@otago.ac.nz](mailto:wellingtonccw@otago.ac.nz)



# A SPECIAL THANK YOU

for assisting our Third Year Medical Students in their  
training as future doctors during their  
Community Contact Week - 2022

**Lis Heath**  
CONVENER, EPE PROGRAMME

**Dr Nigel Thompson**  
CONVENER

**Fiona Doolan-Noble**  
CONVENER

**Megan Christensen**  
CO-ORDINATOR

EARLY PROFESSIONAL EXPERIENCE PROGRAMME  
EARLY LEARNING IN MEDICINE  
Bridging the gap between theory and practice





# **BULLER HIGH SCHOOL**

## **Te Kura Tuarua-o-Kawatiri**

33 Derby Street  
WESTPORT 7825  
Telephone: (03) 789 7299  
Fax: (03) 789 6790  
Email: [office@buller.ac.nz](mailto:office@buller.ac.nz)  
Website: [www.buller.ac.nz](http://www.buller.ac.nz)

PO Box 87  
WESTPORT 7866  
NEW ZEALAND

17 October 2022

Sharon Mason  
C.E.O Buller District Council  
PO Box 21  
Westport 7866

Dear Sharon

### **SENIOR AWARDS EVENING 2022**

On behalf of the Board of Trustees, I would like to extend an invitation for you to join our staff and students at the 2022 Senior Awards.

The ceremony will be held in the NBS Theatre on Thursday 3 November, commencing at 7.00pm.

Our guest speaker this year is Connie O'Callaghan. Connie left Buller High School in 2014 to pursue further study at the National Academy of Singing and Dramatic Arts. Since then, she has performed both in New Zealand and abroad.

We look forward to welcoming Connie back.

Warmest regards

Mr Andrew Basher  
Principal

*To enable catering arrangements to be finalised, could you please RSVP your attendance with the School Office by **Wednesday, 26 October 2022***



# **BULLER HIGH SCHOOL**

## **Te Kura Tuarua-o-Kawatiri**

33 Derby Street  
WESTPORT 7825  
Telephone: (03) 789 7299  
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Website: [www.buller.ac.nz](http://www.buller.ac.nz)

PO Box 87  
WESTPORT 7866  
NEW ZEALAND

17 October 2022

Jamie Cleine  
His Worship The Mayor  
PO Box 21  
Westport 7866

Dear Jamie

### **SENIOR AWARDS EVENING 2022**

On behalf of the Board of Trustees, I would like to extend an invitation for you to join our staff and students at the 2022 Senior Awards.

The ceremony will be held in the NBS Theatre on Thursday 3 November, commencing at 7.00pm.

Our guest speaker this year is Connie O'Callaghan. Connie left Buller High School in 2014 to pursue further study at the National Academy of Singing and Dramatic Arts. Since then, she has performed both in New Zealand and abroad.

We look forward to welcoming Connie back.

Warmest regards

Mr Andrew Basher  
**Principal**

*To enable catering arrangements to be finalised, could you please RSVP your attendance with the School Office by **Wednesday, 26 October 2022***



17 October 2022

Jamie Cleine  
102 Utopia Road  
RD 2  
WESTPORT 7892

Dear Jamie

I would like to take this opportunity to congratulate you on your success in the Buller District Council Local Body Elections and to wish you well in the term ahead.

You have been very committed to your role and even though there was a low polling turnout, the community was very strong in its support for you to continue with this work for another term.

This will be a challenging term as council commits and delivers on a wide programme of work. All the best as you pull your new council together and guide them along this journey.

I wish you well as you begin your second term as Mayor.

Yours sincerely

Hon Damien O'Connor  
MP for West Coast-Tasman



**Parliamentary office**

☎ 04 817 8715  
✉ [damien.oconnor@parliament.govt.nz](mailto:damien.oconnor@parliament.govt.nz)  
📍 Parliament Buildings, Private Bag 18 888  
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**Motueka office**

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**Greymouth office**

☎ 03 718 7189  
📍 181 Tainui Street, Greymouth 7805

📧 [@damienoconnormp](https://twitter.com/damienoconnormp)

Authorised by Damien O'Connor MP, Parliament Buildings, Wellington



**Labour**



19 October 2022

Jamie Cleine  
Buller District Council  
PO Box 21  
Westport 7866

**Melissa Lee**  
National List MP  
멜리사 리 국회의원  
国家党国会议员

Dear Jamie,

I am writing to congratulate you on your recent success in the New Zealand Local government elections for 2022.

It is a great achievement to have been elected to the Buller District Council as Mayor and I hope that you, your family, and campaign team are proud of your success.

I hope that you will be able to work constructively in this important role and support the needs of your constituents in an effective way for all in Buller.

As National Spokesperson for Ethnic Communities, I know you will work to support the growing diversity of the West Coast and help support the amazing cultures, faiths, and people we have around New Zealand. As National Spokesperson for the Digital Economy and Communications I also know there are ongoing opportunities and challenges our communities face as digital exclusion continues to prevent some New Zealanders being able to work, educate and live their lives.

Please feel free to contact me if I can be of assistance to you or the people of the Buller District Council in the work you will be undertaking during your time in office.

Congratulations once again on your election and best wishes for your term Jamie.

Yours sincerely,

**MELISSA LEE MP**  
National Member of Parliament  
National Spokesperson for -  
Broadcasting & Media | Digital Economy and Communications | Ethnic Communities

**Parliament**

Parliament Buildings,  
Wellington 6160  
Freepost Private Bag,  
18888 Wellington 6160

**Auckland**

107 Great South Road,  
Greenlane, Auckland 1051  
PO Box 74271 Greenlane 1546  
09 520 0538

Email [MPLee@parliament.govt.nz](mailto:MPLee@parliament.govt.nz) • Website [melissalee.national.org.nz](http://melissalee.national.org.nz)

**National**

Authorised by Melissa Lee, Parliament Buildings, Wellington.



25 October 2022

Jamie Cleine  
Mayor of Buller  
PO Box 21  
Westport 7866

Dear Jamie

On behalf of the New Zealand National Party, we write to extend our warm congratulations to you on your election as Mayor of Buller.

We commend you for the vote of confidence that your community has shown you through your re-election, and we wish you all the best for the coming term.

We are very aware of the significant volume of change and uncertainty facing local government, including the Labour Government's Three Waters reforms, which National opposes; resource management reform; cuts to investment in roading and infrastructure; and the Future for Local Government review; not to mention the ongoing impacts of COVID-19.

It has never been more important that local and central government can work together. Your ratepayers are our citizens. National feels strongly that your council knows your community and your circumstances best, and that there must be an enduring spirit of genuine partnership between local and central government – not the Beehive imposing decisions on communities.

We look forward to continuing to work positively and collaboratively together to deliver outcomes for your community and our country. Please do not hesitate to contact us at any time.

Yours sincerely

A handwritten signature in blue ink that reads 'C. M. Luxon'.

Christopher Luxon  
**Leader of the National Party**

A handwritten signature in blue ink that reads 'Simon'.

Simon Watts  
**National Party Spokesperson for Local Government**





27 October 2022

Mr Jamie Cleine  
Mayor  
Buller District Council  
PO Box 21  
WESTPORT

Tēnā koe Mr Cleine

Congratulations on your re-election to the position of Mayor of Buller. I was appointed to the position of Tasman Police District Commander in September this year and am slowly making my way around the district meeting our staff and partners. I look forward to catching up with you on one of my visits.

I am sure your local Area Commander, Inspector Jacqui Corner will continue the excellent relationship she has with you and your Councillors.

I wish you well during your time as Mayor.

Ngā mihi

Tracey Thompson  
Superintendent  
Tasman Police District Commander

---

**Tasman Police District Headquarters**

Monro Building, 186 Bridge Street, Nelson, New Zealand.  
Telephone: 03 546 3840. [www.police.govt.nz](http://www.police.govt.nz)

**From:** [BDC Customer Services](#)  
**To:** [Kirstin McKee](#)  
**Subject:** FW: Letter to ALL Councilors  
**Date:** Monday, 31 October 2022 8:29:49 am

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**From:** Wayne Ravelich [REDACTED]  
**Sent:** Sunday, 30 October 2022 11:39 AM  
**To:** Gary Stoneley <[secretary@allpointscampingnz.org](mailto:secretary@allpointscampingnz.org)>; [president@allpointscampingnz.org](mailto:president@allpointscampingnz.org)  
**Subject:** Letter to ALL Councilors

## The All Points Camping Club of New Zealand

Ph or text 022 328 0973 32 Kennedy Avenue Feilding email;  
[president@allpointscampingnz.org](mailto:president@allpointscampingnz.org)

*Kia ora koutou,*

*Welcome to all incumbent and new District and Regional Councilors,*

*We wanted to bring your attention to a major legislative change which is currently proposed in Parliament and is going through the Select Committee hearings right now.*

*This Bill will affect all people who wish to use your public spaces, LINZ and NZTA land which falls under your management.*

*See the Bill here*

<https://legislation.govt.nz/bill/government/2022/0158/latest/LMS737445.html>

*Minister Nash is pushing for this Bill to be in place prior to the Women's FIFA World Cup, which may bring an influx of international tourists to your regions.*

*You may already have experienced issues with Freedom Camping in your area, or you may not find this a problem, but either way the Bill is definitely going to require your attention if it passes (potentially in March 2023).*

*Our organisation made a submission opposing this Bill in both written and oral form on October 27, 2022, because we see many problematic clauses - as it is an Omnibus Law changing 4 Acts of Parliament with 65 new amendments to the current Freedom Camping Act.*

*Listen to the oral submissions here to get a sense of how the changes will affect your community members.*

<https://fb.watch/gqHsxYxan7/>

*Because our organisation represents campers of all kinds, we have a growing concern for the enactment of this far-reaching piece of national legislation because it is going to be left up to all Local Governments to enforce, police and manage. It affects freedom camping areas all across Aotearoa New Zealand, whether they have current Bylaws in place or not.*

*Therefore, we are sending you these important **questions to consider** over your summer period,*

keeping in mind that you may be required by the new Law (if it passes) to have management systems, appropriate Bylaws, and enforcement capabilities in place by March of 2023.

Here are the questions we would be very grateful if you could address.

Any responses to these would be greatly appreciated.

Thank you so much.

*\*When will your new Councillors discuss all implications for your local Council land as well as the LINZ and NZTA land in your area if the Motor Vehicle Self-Containment amendment to the Freedom Camping Act passes?*

*\* Do you intend to comply with the new Laws (if passed) and apply these restrictions and designations to public land which you manage including LINZ and NZTA land in your area?*

*\* This Bill redefines what a self-contained vehicle is, and it must include a fixed, permanent toilet (not a portable toilet) so how does your Council currently define self-contained vehicles?*

*\* If this becomes a law, HOW do you intend to apply it and monitor it?*

*\*Do you have the time and resources allocated to review, consult and prepare appropriate Freedom Camping Bylaws and have these in place to apply the new law if it passes by March 2023?*

*\* Have you approached LINZ and NZTA to discuss collaboration with them over monitoring of their land to enforce the new Bill if it passes, as your district's LINZ and NZTA land will be included in the new Act?*

*\* Did you meet the deadline for Transitional Funding applications to provide the resource and funds to review or create the necessary Bylaws - MBIE closed this on October 3?*

*- <https://www.mbie.govt.nz/immigration-and-tourism/tourism/tourism-projects/supporting-sustainable-freedom-camping-in-aotearoa-new-zealand/transition-fund-for-local-authorities/>*

*\* Do your bylaws enable non-self-contained freedom camp sites, wherever there are toilet facilities to accommodate the thousands of willing freedom campers who will want to stay, but won't be able to stay at any Self-Contained Restricted sites unless they can change their porta-potties for a fixed toilet?*

*\* Do you currently have freedom camping bylaws to match this major amendment in the Freedom Camping Act, or can you review and send out appropriate public consultation information immediately to amend your current ones, so that this new law can be implemented in your district?*

*\*Do you use contractors to ensure campers are self-contained in all restricted sites, who will be given adequate tutorial and information in how to apply the new law (if it passes)?*

*\*Are your enforcement officers also aware that vehicles will have a 2-year transitional period to meet any new standards of self-containment for freedom camping?*

*\*Does your community of motor vehicle camper owners have adequate access to members of the Plumbers, Drainlayers and Gasfitters Board who will be able to re-certify vehicles to meet the new standards?*

*\*How do you ensure inspection, patrol, or monitoring officers are safe, and also ensure privacy and safety of the campers by not bullying campers, or shining torches into vehicles late at night, which may disturb them? Do they monitor at reasonable hours of the day?*

*\*Do you have a clear complaints policy for freedom campers who might receive incorrect infringement notices while the transition period and new Bylaws are being created?*

*\* Did you realise that the Bill as it stands offers a loophole for tent stayers? They are not included in the self-contained restrictions outlined in this Bill. Do you have tent camping sites allocated for freedom camping?*

*The date for making written submissions on the Bill has passed, and oral submissions are now underway.*



*We suggest that if any of these questions will have an impact on your work and management strategies for your public land, that you urgently address them, and also send your answers to Local Government New Zealand for urgent advice.*

If you have any questions, please do not hesitate to reply by email or phone.

**Ngā mihi nui,**

**Wayne Ravelich,**

**All Points Camping Club President**



**MINISTRY OF SOCIAL  
DEVELOPMENT**  
TE MANATŪ WHAKAHIAŌ ŌRA

1 November 2022

IN CONFIDENCE

Jamie Cleine  
Mayor of Buller District  
Buller District Council  
PO Box 21  
Westport 7866

Tēnā koe Mayor Cleine

Congratulations on being re-elected as mayor of Buller District.

We look forward to continuing to work with you and your Council to understand your priorities, the role MSD might play in that, and to support economic and social development in Buller District.

Our Regional Commissioner for Nelson, Marlborough, West Coast, Craig Churchill will be well known to you, both in his role with MSD and also as the Regional Public Service Commissioner in your area.

We look forward to continuing working in partnership with you and your community.

Nakū noa, nā

Debbie Power  
Chief Executive, Ministry of Social Development

Cc Craig Churchill

**From:** [Kirstin McKee](#)  
**To:** [Kirstin McKee](#)  
**Subject:** NTA Congratulations on your election  
**Date:** Friday, 4 November 2022 3:58:57 pm  
**Attachments:** [image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**From:** David Boyce <[David.Boyce@trucking.nz](mailto:David.Boyce@trucking.nz)>  
**Sent:** Friday, 4 November 2022 3:23 PM  
**To:** BDC\_Info <[info@bdc.govt.nz](mailto:info@bdc.govt.nz)>  
**Subject:** NTA Congratulations on your election



04 November 2022

Dear Mayor Jamie Cleine

**Congratulations on your election to Council: National Road Carriers Assn and New Zealand Trucking Assn are here to help on roading matters**

Congratulations on your election as Mayor of the Buller District Council.

Road planning, construction, maintenance and management have always been key responsibilities for local bodies – and roading issues including speed limit reviews, re-shaping streets and potholes continue to be top of mind for the public and news media.

Between National Road Carriers Association (NRC) and the New Zealand Trucking Association (NTA) we represent 3,300 member companies who collectively operate about 30,000 trucks, vans and courier vehicles throughout New Zealand.

The roads are our members' everyday workplace. NRC and NTA engage with the many various stakeholders involved in the road transport sector to help make roads a safer, friendlier and more productive workplace for our member companies and their drivers.

We're sure you will share our view that the efficient, safe and timely delivery of goods is at the heart of our modern economy and provides the standard of living we enjoy in this country. Our focus is to ensure freight corridors are protected so New Zealanders can maintain access to the goods and services they deserve.

NRC and NTA are keen to work together with your council to positively shape New Zealand's roading infrastructure in a coordinated way, using an evidence-based approach. We are here to help on all matters relating to road transport.

1. **If you have any questions about road transport**, please don't hesitate to contact either

NRC CEO Justin Tighe-Umbers or NTA CEO Dave Boyce using our contact details below.

2. **We would welcome the opportunity to present** to your Council on issues relating to road transport
3. **We would appreciate being put on your mailing list** for notification of consultations and correspondence.

Yours sincerely,



Justin Tighe-Umbers  
CEO  
National Road Carriers Assn  
E: [justin.tighe-umbers@natroad.co.nz](mailto:justin.tighe-umbers@natroad.co.nz)  
M: 027 268 4053  
326 Church St, Penrose  
Te Papapa 1061, Auckland

Dave Boyce  
CEO  
New Zealand Trucking Assn  
E: [david.boyce@trucking.nz](mailto:david.boyce@trucking.nz)  
M: 021 754 137  
Level 1, 23 Islington Ave, Islington  
Christchurch 8042

Kind Regards,

## David Boyce

Chief Executive Officer  
Email: [david.boyce@trucking.nz](mailto:david.boyce@trucking.nz)  
Mobile: 021 754 137



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### KEY PARTNERS



## Office of Hon Nanaia Mahuta

MP for Hauraki-Waikato

Minister of Foreign Affairs

Minister of Local Government

Associate Minister for Māori Development



November 4 2022

Jamie Cleine  
mayor@bdc.govt.nz

Tēnā koe Jamie

Congratulations on your 2022 local election victory.

Given that you are returning to office, you will no doubt be aware of the challenges currently facing local government. While some of these are local issues, others are challenges for the whole sector.

We are committed to a strong, robust local government sector focused on wellbeing. In partnership with local government, we are working on a number of initiatives that will strengthen communities around the country, including three waters reform, local electoral maintenance and community resilience (including natural hazards and the effects of climate change). At the sectors' request, the Government has also commissioned an independent review into the Future for Local Government.

The Government is pursuing a bold agenda in reforming three waters, resource management, and emergency management legislation. Your experience, knowledge and insights into the unique constraints facing the sector will be crucial in ensuring that these reforms are enduring, effective and meet the challenges facing our communities.

We recognise that an effective partnership between central and local government, and iwi/Māori, is crucial to respond to the diverse wellbeing needs of different communities. Effective engagement between our two levels of government must involve balancing good process, inclusiveness, timeliness and financial management, while drawing on the spirit of partnership and principles of engagement to give a voice to our local communities.

We would like to take this opportunity to underscore the need for councils to maintain robust code of conduct provisions and processes, and the need for good governance training for your new council. Making this a priority, and taking the time to work with your council, is important to achieving a good foundation and thorough induction for your newly elected councillors. In this respect, please encourage your councillors to take advantage of the valuable resources provided by Local Government New Zealand and Taituarā.

We wish you well for your work on behalf of your council and local communities and look forward to working with you over the coming term.

Nā māua,

A handwritten signature in black ink, appearing to read 'N. Mahuta'.

Hon Nanaia Mahuta  
**Minister of Local Government**

A handwritten signature in black ink, appearing to read 'K. McAnulty'.

Hon Kieran McAnulty  
**Associate Minister of Local Government**

# Hon Dr Megan Woods

MP for Wigram

Minister of Housing

Minister of Energy and Resources

Minister for Building and Construction

Associate Minister of Finance



West Coast Mayors, Chairs and Iwi

c/- [mayor@greydc.govt.nz](mailto:mayor@greydc.govt.nz)

Ref: MWE22-1974

Kia ora koutou

Thank you for your letter of 20 October 2022 in support of TerraFirma Mining Limited's (TerraFirma) application to reopen the former Solid Energy Mine Spring Creek (Spring Creek). I understand that TerraFirma's proposal presents significant employment and other economic opportunities for the West Coast, and acknowledge the strong local support for this project.

As you will be aware, TerraFirma's proposal must be considered within the rules of the regulatory regime for Crown-owned minerals. This decision was made by officials and they assessed the information provided to date by TerraFirma against the relevant legislative tests, and will similarly appropriately consider any further information supplied by TerraFirma in response to the intent to decline letter.

I acknowledge the concern you have expressed regarding the time taken to assess TerraFirma's proposal, and the timeliness of minerals permit processing more generally.

In relation to the former, officials advise me that TerraFirma's application is for an underground coal mining permit. This is the most complex type of application that can be made outside of petroleum, and therefore it must be thoroughly assessed on its merits and against the relevant statutory tests.

I also understand that the assessment of the TerraFirma's application has required an ongoing interchange between officials and the applicant to request further information and clarification of the information supplied to support the application.

In relation to minerals permit applications more generally, I acknowledge that processing times are causing frustration for applicants. In Budget 2022, the Government committed additional funding to the management of the Crown Mineral Estate. Among other things, the intent of this additional funding is to help reduce Minerals permit processing times.

This increased capability, as well as a focus on improving the quality of applications received, will help New Zealand Petroleum & Minerals address the queue of minerals permit applications that have resulted from the high gold price and the impact of COVID-19 on exploration and mining activities.

Thank you again for taking the time to write.

Warm regards

A handwritten signature in blue ink, appearing to read 'M. Woods', with a stylized flourish at the end.

Hon Dr Megan Woods  
**Minister of Energy and Resources**



14 November 2022

Kia ora koutou

The Waka Kotahi Board recently reviewed the investment targets for all activity classes in the 2021-24 National Land Transport Programme (NLTP) that were agreed when the programme was adopted in August 2021. This is normal process during the delivery of a NLTP.

COVID lockdowns, supply chain delays, the tight labour market, and the reprioritisation of transport programmes to better address recent policy changes, have affected the sector's ability to deliver on the ambition in the 2021-24 NLTP.

Many organisations have delayed the start of new projects or are delivering projects at a slower pace than originally forecast because of increased costs, funding pressures and supply disruptions. As a result, forecasted funding demand is much lower, with the situation remaining uncertain and there being ongoing changes to programme delivery.

Forecast revenue for the 2021-24 NLTP period is estimated to be \$600 million down (or about 5 percent of projected revenue at the time the NLTP was adopted) while project costs are higher than originally expected, putting pressure on this NLTP. In response, the Board has changed the activity class targets and established new target ranges in line with what we know we can afford to fund or finance.

Based on projected funding demand from recent council and Waka Kotahi forecasts which have also considered forecast revenue, investment limits have been reduced for the following activity classes:

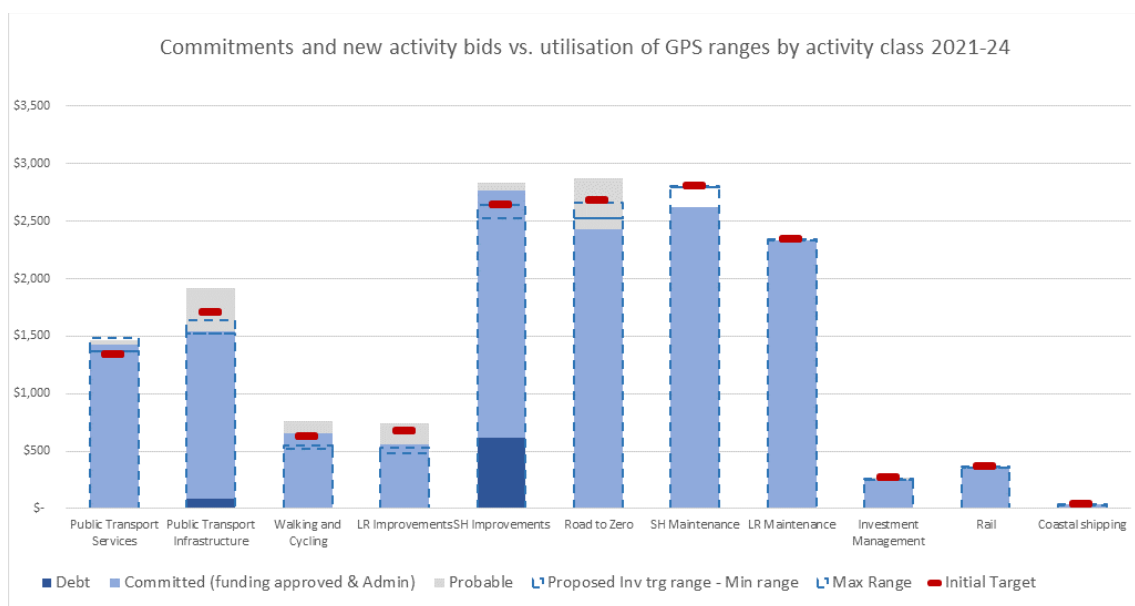
- Public Transport Infrastructure
- Walking and Cycling
- Local Road Improvements
- Road to Zero Activity
- Investment Management

Investment targets in the Public Transport Services activity class has been increased.

The activity classes that have remained the same are:

- Local Road Maintenance
- State Highway Maintenance
- State Highway Improvements
- Rail
- Coastal Shipping

All these changes are shown in the graph over the page, and full details are available at the end of this letter.



It is important to emphasise that at this stage we expect to be able to fund Probable Activities and meet all existing commitments. The lowering of some investment targets is not the result of Waka Kotahi cancelling or reprioritising any work programmes, it is simply reflecting forecast demand. However, it is unlikely we will be able to fund any new activities that are not Probable or agree to any new enhanced Funding Assistance Rates, outside of those approved for Emergency Works and other existing commitments.

Various factors have affected funding demand in the Public Transport Services Activity Class including reduced farebox revenue since COVID, diesel cost pressures, increased drivers' wages, and an extra public holiday. Accordingly, we have increased this funding target to ensure we can continue to maintain current services and support the reduction in private vehicle use and carbon emissions.

As you will be aware, the ongoing scale of emergency works from severe weather events is putting significant pressure on the State Highway Maintenance and Local Road Maintenance Activity Classes. We are currently managing this within the existing budgets. Should emergency events continue at the same frequency, adjustments may also be required to these Activity Class targets potentially resulting in the need to offset across the programme.

We are continuing to monitor available revenue and costs, and how these will impact the 2024-27 NLTP. At this stage, we expect a higher-than-normal carry-over of committed activities into the 2024-27 NLTP, which is likely to limit funding available for new activities in some Activity Classes.

Given the high levels of uncertainty, it is important you are regularly reviewing your work programmes and project forecasts through Programme Monitor to help us manage delivery of the 2021-24 NLTP and plan for 2024-27.

Please contact your Director of Regional Relationships if you have questions about this change.

Ngā mihi nui,

Nicole Rosie  
Chief Executive  
Waka Kotahi NZ Transport Agency

## New Target Investment Ranges by Activity Class

Activity Classes, NLTF (share \$m)	Investment Target (incl. approvals)	New Investment Target Range	GPS Lower range	GPS Upper range	Most Likely Case
Public Transport Services	1,330	1,370-1,480	1,220	1,930	1,441
Public Transport Infrastructure	1,699	1,520-1,640	1,270	2,080	1,600
Walking & cycling improvements	618	515-550	290	550	543
Local Road Improvements	671	485-525	300	810	511
State Highway Improvements	2,640	2,530-2640	2,400	3,250	2,680
Road to Zero	2,673	2,530-2660	2,530	2,830	2,595
State Highway Maintenance	2,805	2,805	2,260	2,940	2,805
Local Road Maintenance	2,339	2,339	2,000	2,340	2,339
Investment Management	262	250	220	270	250
Rail Network (excluding Crown top-up)	360	360	360	510	360
Coastal Shipping	30	30	30	45	30
<b>Total</b>	<b>\$15,427</b>	<b>\$ 14,734 - 15,279</b>	<b>\$12,880</b>	<b>\$17,555</b>	<b>\$15,154</b>

**From:** [Mark Davies](#)  
**To:** [Mayor J. amie Clein](#); [Mayor J. amie Clein](#); [Sharon Mason](#); [Rachel Tow](#); [Wania Gibson](#)  
([\\_mayor@greydc.govt.nz](#)); [Paul Morris](#) ([\\_paul.morris@greydc.govt.nz](#)); [Simon Bastion](#)  
([\\_simon.bastion@westlanddc.govt.nz](#)); [Helen Lash](#) ([\\_Helen.lash@westlanddc.govt.nz](#))  
([\\_helen.lash@westlanddc.govt.nz](#)); [Renee Rooney](#) ([\\_ch.air@dw.c.org.nz](#)); [Allan Birch](#) ([\\_allan.birch@dw.c.org.nz](#)); [Francois Tumah](#) ([\\_francois.tumah@dw.c.org.nz](#))  
**C c:** [Mike Legge](#); [Mike Legge](#); [Scott Freeman](#); [Joy Cowan](#)  
**Subject:** West Coast Tai Poutini Conservation Board nominations  
**Date:** Monday, 21 November 2022 7:41:46 am  
**Attachments:** [conservation-boards-nomination-form\(2\).docx](#)

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<https://www.doc.govt.nz/about-us/statutory-and-advisory-bodies/conservation-boards/>

Kia ora Mayors, Chairs and CE's

The West Coast Tai Poutini Conservation Board nominations for appointments to the board in July 2023 are now open. This process closes on the 31 January 2023. As you know, the Minister and the current chair and Board are very keen for the board to reflect the community that it serves. Can you please consider encouraging suitable persons to be nominated. If you have any questions on this please let me know. I am happy to come and talk with you all or on the phone. Looking forward to some strong nominations.

Kind regards Mark

**Mark Davies**

Director, Operations

Western South Island Region

Department of Conservation | *Te Papa Atawhai*

10 Sewell Street, Hokitika 7810

**Mobile** + 64 274 746 330

**Conservation leadership for our nature** *Tākina te hī, Tiakina, te hā o te Āo Tūroa*

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## Hon David Parker BCom, LLB

Attorney-General

Minister for the Environment

Minister for Oceans and Fisheries

Minister of Revenue

Associate Minister of Finance



24 November 2022

Dear Local Government Mayors and Chairpersons

The reform of New Zealand's resource management system reached a significant milestone with new legislation introduced to Parliament last week. The two bills, the Natural and Built Environment Bill and the Spatial Planning Bill, are the outcome of an intensive work programme over the past three years.

I thank you for the time and effort local government has given during the policy development phase of the reform programme. I have appreciated hearing local government's perspectives on the proposals for the future system, and I value your insights, experience, and expertise.

The resource management system is at the heart of how we manage our natural environment and fundamental to our built environment including urban development, housing supply and regional economic development.

Both bills are available to view on the New Zealand Legislation website: [www.legislation.govt.nz](http://www.legislation.govt.nz).

I encourage your council to provide feedback on the bills via the select committee process. The Environment Committee will accept submissions from 23 November 2022 to 30 January 2023.

You can find out more and make a submission through the New Zealand Parliament website: [www.parliament.nz/make-a-submission](http://www.parliament.nz/make-a-submission).

Information about the high-level design of the system can be found in the Government's *Our Future Resource Management System* document available here: [environment.govt.nz/publications](http://environment.govt.nz/publications).

Further information about the future resource management system is also available on the Ministry's website: [environment.govt.nz/resource-management-system-reform](http://environment.govt.nz/resource-management-system-reform).

Yours sincerely

Hon David Parker  
**Minister for the Environment**

18 October 2022

To Whom it May Concern

**FUNDING PROPOSAL TO THE MINISTRY FOR CULTURE AND HERITAGE  
MANATŪ TAONGA, REGENERATION FUND - LETTER OF SUPPORT**

The Buller District Council wishes to express its full support for the funding application to the Cultural Sector Regeneration Fund from the three West Coast's arts representative Veronica de Friez, Cassandra Struve and Lindy Roberts.

Based on the success of the local Cultural Activator pilot programme in Buller and Te Tai Poutini Arts Awards, the three arts representatives have collaborated on a funding proposal which includes:

- the employment of an arts activator in each district and an arts coordinator for the West Coast to mentor, encourage and empower creatives
- the organisation of the Te Tai Poutini Arts Awards
- the funding of contestable arts grants for each West Coast district

We consider this proposal as an important place-based investment in arts and culture that can make an enduring difference to arts and culture Buller and West Coast wide.

This proposal is based on the success of the 2021/22 Cultural Activator pilot programme in Kawatiri Buller, which has made a significant contribution to the creative scene in our district and elevated the cultural offer in Buller over the last 12-months.

Seeing the spirit of this program continuing, strengthened, and combined with the Te Tai Poutini Arts Awards will ensure that arts, culture and creativity is sustainably nourished and supported in Buller and on the West Coast.

It would be fantastic to see this proposal become reality and offer future opportunities for our community to engage, or participate in arts and cultural projects as well as nourishing and supporting local artists and creatives.

The three West Coast's arts representative have strong council and community support and the expertise to initiate each component of the proposal to a high standard.

We are confident each aspect of the proposal will be a significant asset and have a positive impact at our community once implemented.

Yours sincerely



**Jamie Cleine**

Mayor

18 October 2022

Carol Keoghan  
Sergeants Hill Committee  
Via email: [cankeoghan@hotmail.com](mailto:cankeoghan@hotmail.com)

Dear Carol

**RE: SERGEANTS HILL HALL COMMITTEE**

Thank you for your letter and apologies that you have not had a response, it appears to have missed getting to me for some reason. We certainly appreciate the work of your committee in making available the Sergeants Hill hall for Buller residents.

Unfortunately the concept of rates relief is not how Council typically supports community groups. We do however encourage applications for support via Council Grants and/or initiatives which could be submitted as revitalisation projects. I acknowledge that these are competitive grants but I can assure you Council considers these on merit.

In regards your specific costs related to the emergency declarations during July 2021, February 2022 and August 2022, I invite you to apply to the Mayoral Relief Fund on the appropriate form (via the below link). I would certainly look favourably on ensuring you are not out of pocket for these events.

<https://bullerdc.govt.nz/district-council/your-council/flood-recovery/financial-assistance/>

Best Regards



**Jamie Cleine**

Buller District Mayor  
Phone 027 423 2629 | Email [jamie.cleine@bdc.govt.nz](mailto:jamie.cleine@bdc.govt.nz)





20 October 2022



C/- P O Box 66  
Greymouth 7840  
E. na@wrc.govt.nz

Hon Dr Megan Woods  
Minister of Energy and Resources  
Parliament Building  
Wellington

sent via email: [m.woods@ministers.govt.nz](mailto:m.woods@ministers.govt.nz)

Dear Minister

### Former Solid Energy Spring Creek Mine

On 24 June 2020 Mayors, Chairs of the Buller, Grey and Westland District Councils, West Coast Regional Council, Development West Coast, Te Runanga o Makaawhio and Te Runanga o Ngāti Waewae wrote a letter for TerraFirma Mining Ltd in support of their application to reopen the former Solid Energy Mine Spring Creek.

Twenty-eight months later TerraFirma has finally had a reply from New Zealand Petroleum Minerals on its intention to decline the mine application and they now have a ~~copy~~ right of reply.

We would like to reiterate our support for the application to support the reopening of Spring Creek.

- The existing Spring Creek underground mine has a very small surface footprint and its operation will have minimal impacts on flora and fauna.
- Mine surface infrastructure is largely intact; coal processing and transport infrastructure is in place.
- This project is a unique opportunity to utilise a historical operation without requiring new land to be cleared.
- The mine will be operated at a much smaller scale than its predecessor and is anticipated to produce 150,000 to 200,000 tonnes per year over the first 10 years of operation.
- Coal reserve investigations indicate a large resource that could be mined beyond 40 years.
- Spring Creek's ~~low~~ wash coal has characteristics that are internationally scarce, and production will be largely targeted at the specialist market, particularly silicon metal manufacture in which coal acts as a reductant (not a fuel) when combined with high purity quartz in an electric furnace.
- High value silicon metal is essential to the manufacture of solar panels and semiconductors, the production of aluminium alloys to replace steel in light vehicles and for manufacture of silicones (tyres, sealants).
- TerraFirma is a New Zealand company with strong expertise and experience in NZ mining conditions and owns most of the underground plant and equipment necessary for the operation.
- TerraFirma has the financial backing to restart this operation and move into production in a short timeframe.
- Spring Creek will employ over 60 staff and bring a ~~needed~~ boost to the West Coast economy through high paying jobs and associated services required for the operation.



- The silicon metal market is growing at approx . 6% pa, yet international resources suitable coal are limited and declining. Spring Creek has potential to meet market requirements and become a significant export earner for NZ .

The economic importance of this venture for the West Coast and the employment that it would create is significant. It will also create employment and of fshoots within the sector to other businesses in our region along with social benefits within our education sector and community groups. The community in the region is strongly in support along with the leaders of the West Coast.

The world and our country need these minerals for new and existing technologies. Our mining companies are amongst the best in the world in sustainability and good practice. Instead of being hypocritical and importing them from countries that do not have best practices in place and are unethical.

The time frames to even get to this stage are excessive and we are hearing this through the Minerals Sector and the frustrations that this is causing in getting projects of f the ground. We would like this to be looked into and addressed and hope that the follow up information provided from TerraFirma, the application is processed in a prompt and efficient manner.

The West Coast Mayors, Chairs and I will strongly support this project and the positive outcomes it would have for the region.

Yours sincerely



**Renee Rooney**  
Chair  
Development West Coast



**Allan Birchfield**  
West Coast Regional Council



**Jamie Cleine**  
Mayor Elect  
Buller District



**Helen Lash**  
Mayor Elect  
Westland District



**Tania Gibson**  
Mayor Elect  
Greymouth District



**Paul Madgwick**  
Chair - Te Rūnanga o  
Māhāwhe



**Francois Tumahai**  
Chair - Te Rūnanga o Ngāti  
Waewae

**BULLER DISTRICT COUNCIL**

**30 NOVEMBER 2022**

**AGENDA ITEM 10**

**Reviewed by** Sharon Mason  
Chief Executive Officer

**COMMITTEE CHAIRS AND REPRESENTATIVE BODIES VERBAL UPDATES**

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**1. REPORT SUMMARY**

A summary of updates is verbally provided by Committee Chairs and Representative Bodies. More Committee Chairs will provide updates in future meetings as their committees commence their meeting schedules.

**2. DRAFT RECOMMENDATION**

**That Council receive verbal updates from the Committee Chairs and Representative Bodies, for information:**

- 1. Ngati Waewae Representative - N Tauwhare**
- 2. Community, Environment & Services Committee - Cr J Howard**
- 3. Localities Project - Cr G Neylon**

**BULLER DISTRICT COUNCIL**

**30 NOVEMBER 2022**

**AGENDA ITEM: 11**

**Prepared by** Sharon Mason  
Chief Executive Officer

**PUBLIC EXCLUDED**

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**1. REPORT SUMMARY**

Subject to the Local Government Official Information and Meetings Act 1987 S48(1) right of Local Authority to exclude public from proceedings of any meeting on the grounds that:

**2. DRAFT RECOMMENDATION**

**That the public be excluded from the following parts of the proceedings of this meeting**

<b>Item No.</b>	<b>Minutes/Report of:</b>	<b>General Subject</b>	<b>Reason For Passing Resolution Section 7 LGOIMA 1987</b>
12	Eric de Boer	Three Waters Operations and Maintenance Contract 21/22/14 – Recommendation	<b>section (2)(i)</b> enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);  <b>section (2)(b)(ii)</b> - Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information