

# **AGENDA**

Extraordinary Meeting of the  
**Buller District Council**

**Commencing at 1:30PM**  
Wednesday 16 April 2025

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



## CORE COUNCILLOR ROLE AND RESPONSIBILITIES

The Governance role entails:

- Strategic planning and decision-making;
- Policy and strategy review;
- Community leadership and engagement, and stewardship;
- Setting appropriate levels of service;
- Maintaining a financially sustainable organisation; and
- Oversight/scrutiny of Council's performance as one team.

The governance role focusses on the big picture of 'steering the boat' - management's role focusses on 'rowing the boat'

Our commitments to best support each other and meet the challenges and opportunities of 2025 include:

### CLEAR AND RESPECTFUL COMMUNICATION

We are committed to:

Actively listening and not interrupting;

Remaining conscious of 'tone', body language, and amount of time speaking (allowing time for others);

Responding/answering in a timely manner; and

Being honest, reasonable, and transparent.

### TRUST AND RESPECT

We recognise that trust and respect must be earned and that a team without trust isn't really a team. Trust can be built by:

Valuing long-term relationships; being honest; honouring commitments; admitting when you're wrong; communicating effectively; being transparent; standing up for what's right; showing people that you care; being helpful; and being vulnerable.

### CONTINUOUS LEARNING AND IMPROVEMENT

Continuous learning and improvement are critical for growing together as a team.

We are committed to constantly reviewing what is going well and what needs to improve in relation to the way we work together, the processes we follow, and the outcomes we deliver.

NONE OF US IS AS SMART AS ALL OF US

# Council

<b>Chairperson:</b>	<b>Mayor</b>
<b>Membership:</b>	The Mayor and all Councillors
<b>Meeting Frequency:</b>	Monthly – or as required.
<b>Quorum:</b>	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.
  - h) Approval of funding to benefit the social, cultural, arts and environmental wellbeing of communities in Buller District
  - i) Ensuring Buller is performing to the highest standard in the area of civil defence and emergency management through:
    - i) Implementation of Government requirements
    - ii) Contractual service delivery arrangements with the West Coast Regional Group Emergency Management Office
  - j) All other powers and responsibilities not specifically delegated to the Risk and Audit Committee, subcommittees, independent hearing panels or Inangahua Community Board.

# Buller District Council Extraordinary Meeting

Venue: Clock-tower Chambers, Westport. This meeting will be Live-Streamed on the Buller District Council YouTube Channel.



16 April 2025 03:30 PM

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**BULLER DISTRICT COUNCIL  
EXTRAORDINARY MEETING**

**16 APRIL 2025**

**AGENDA ITEM: 1**

**Prepared by** Simon Pickford  
Chief Executive Officer

**APOLOGIES**

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1. **REPORT PURPOSE**

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

**DRAFT RECOMMENDATION**

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

**OR**

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

**BULLER DISTRICT COUNCIL  
EXTRAORDINARY MEETING**

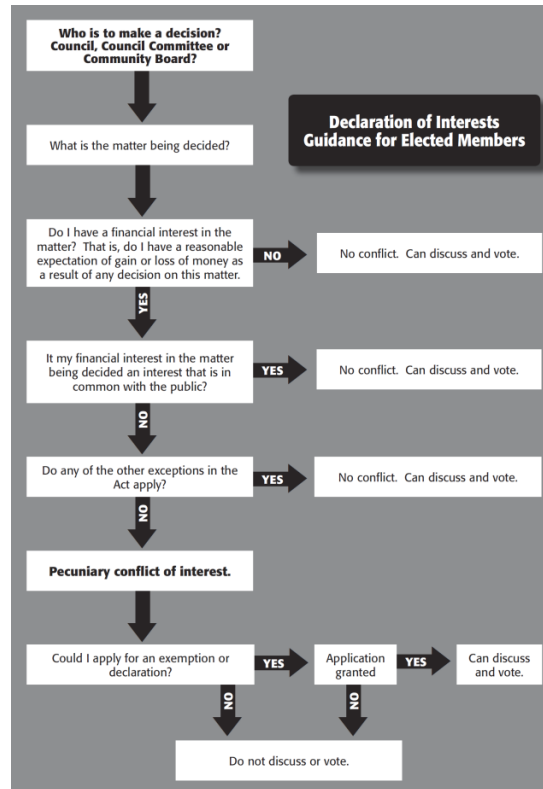
**16 APRIL 2025**

**AGENDA ITEM: 2**

**Prepared by** Simon Pickford  
Chief Executive Officer

**MEMBERS INTEREST**

1. 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.
2. Councillors are encouraged to advise the Governance Secretary, of any changes required to their declared Members Interest Register.
3. The attached flowchart may assist members in making that determination (Appendix A from Code of Conduct).



4. **DRAFT RECOMMENDATION:**

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

**BULLER DISTRICT COUNCIL**

**EXTRAORDINARY MEETING**

**16 APRIL 2025**

**AGENDA ITEM: 3**

**Prepared by** Simon Pickford  
Chief Executive Officer

**Public Excluded:** No

**ELECTION OF TEMPORARY CHAIR AND DEPUTY CHAIR FOR THE RISK AND  
AUDIT COMMITTEE**

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**1. EXECUTIVE SUMMARY**

The Independent Chair of the Risk and Audit Committee, Sharon Roche, has resigned with immediate effect. There is not sufficient time to allow to recruit and appoint a new independent chair. As a result, Council need to identify a temporary Chair for the Committee. It is also recommended that a Deputy Chair also be appointed. This report outlines options for addressing this issue and ensuring the continued functioning of the Committee.

**2. DRAFT RECOMMENDATION**

**That Council...**

- 1. Notes the resignation of Sharon Roche from the Risk and Audit Committee and thanks her for her service to the organisation in her role as Independent Chair.**
- 2. Elect Councillor Reidy, Councillor Sampson, Deputy Mayor Basher or another councillor as temporary Chair and Councillor Reidy, Councillor Sampson, Deputy Mayor Basher or another councillor as temporary Deputy Chair for the Risk and Audit Committee until a permanent Independent Chair is appointed.**
- 3. Confirms the temporary appointments should be for a period not exceeding the end of the current triennium.**
- 4. Decide whether to start the recruitment of an Independent Chair for the new triennium immediately or wait until the start of the new triennium.**



3. **ISSUES & DISCUSSION**

4. **BACKGROUND**

The resignation of the Independent Chair of the Risk and Audit Committee has left the Committee without a Chair. The Risk and Audit Committee plays a vital role in overseeing financial statements, risk management processes, and internal controls, and its effectiveness is heavily dependent on strong leadership.

5. In the absence of an Independent Chair, the Council must act to ensure the Committee continues to function effectively during this interim period. The election of a temporary Chair and Deputy Chair is required to maintain governance standards and ensure the Committee's work continues without interruption.

6. **OPTIONS**

7. **Option 1 – Status Quo**

This option involves leaving the Risk and Audit Committee without a temporary Chair or Deputy Chair, therefore not allowing the Committee to function without designated leadership until a permanent Independent Chair is appointed.

8. **Advantages**

- There are no identified advantages to this option.

9. **Disadvantages**

- Loss of leadership and direction for the Committee.
- Risk of delays in decision-making and oversight functions.
- Potential damage to governance and compliance standards.

10. **Option 2 – Elect a Temporary Chair and Temporary Deputy Chair**

11. **Advantages**

- Provides leadership and direction to the Committee.
- Ensures continuity in oversight of risk, financial matters, and audits.
- Maintains governance integrity and compliance with best practices.

12. **Disadvantages**

- Requires re-evaluation and further appointments once a permanent Independent Chair is appointed.

13. **Option 3 - Elect a Temporary Chair Only**

14. **Advantages**

- Streamlined process with only one leadership position to fill.

15. **Disadvantages**

- Increased workload on the temporary Chair, who may struggle with the full responsibilities of the role.
- No immediate backup for the temporary Chair if unavailable.
- Risk of decisions being delayed or less effective without a Deputy Chair.

16. **RECOMMENDNED OPTION**

It is recommended that Option 2 be adopted, with the election of both a temporary Chair and temporary Deputy Chair. This option ensures the continued effective functioning of the Risk and Audit Committee, maintains a robust governance framework, and avoids operational delays. While this option involves appointing two interim leaders, it ensures the Committee will have both leadership and support to effectively oversee critical risk and audit functions.

17. **NEXT STEPS**

These temporary appointments should be made for a period not exceeding the end of the current triennium, at which point the Council will assess the need for a permanent Independent Chair.

18. If the need for a permanent Independent Chair is identified, a process for the recruitment of a permanent Independent Chair should be initiated by the incoming Council as soon as possible.

19. **CONSIDERATIONS**

20. **Strategic Impact**

This decision aligns with the Council's commitment to maintaining strong governance and risk management oversight, as outlined in the long-term strategic plan and annual plan.

21. **Significance Assessment**

Section 76AA of the Local Government Act requires the Council to adopt a policy on significance and engagement. The Council Policy on significance can be found by clicking the following link:

22. <https://bullerdc.govt.nz/media/f2ofzb4z/buller-district-council-significance-and-engagement-policy-2021-2031-ltp.pdf>

23. This report is assessed as being of medium significance due to the implications for governance, risk management, and the effective functioning of the Risk and Audit Committee. The appointment of temporary leadership ensures continued oversight of key financial and operational matters.
24. **Risk Management Implications / Opportunities**  
The following risks or opportunities are identified with the issues identified in this report.
- **Risks:** There is a risk of operational disruption and delayed decision-making if temporary leadership positions are not filled. Additionally, a temporary leadership structure may result in a lack of objectivity if not carefully selected.
  - **Opportunities:** By ensuring the Risk and Audit Committee maintains effective leadership, the Council can avoid potential gaps in oversight that could lead to operational or financial risks.
25. **Engagement – external:** No external engagement has been required for this decision.
26. **Engagement – internal:** Internal engagement has occurred with the Chief Executive Officer, Mayor and Governance team.
27. **Policy & Legislative Considerations**  
This decision adheres to the Council's governance policies, and there are no departures from current policy. There are no legal implications relevant to this decision.
28. **Māori Impact Statement**  
The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact Tangata Whenua, their culture and traditions.
29. **Financial Considerations**  
There is no financial implication relevant to this decision.
30. **Communication Internal / External**  
Internal communication will go out to the wider organisation and any resolution made will be advertised through the Buller District Council communications team.

# Risk and Audit Committee

<b>Reports to:</b>	The Council
<b>Independent Chairperson:</b>	<b>Sharon Roche</b>
<b>Membership:</b>	The Mayor, all Councillors and Māori
<b>Meeting Frequency:</b>	Representative Bi-Monthly
<b>Quorum:</b>	A majority of members (including vacancies)

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## GENERAL PRINCIPAL

1. The work of this Committee will be in accordance with the priorities and work programme agreed by the Council.
2. This Committee has 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.

## PURPOSE

The Risk and Audit Committee is responsible for:

1. Monitoring Council's financial strategy, and financial performance against the Annual and Long Term Plans.
2. Monitoring Council's interests in its Council Controlled Organisations (CCOs).
3. Reviewing the Council's risk register and associated process for managing current and emerging risk.
4. Ensuring the independence and effectiveness of Council's External and Internal Audit processes.
5. Monitoring existing corporate policies and recommending new or amended policies as required.
6. Ensuring that Council policies and practices will prevent unethical, questionable or illegal activities.
7. Providing a communication link between management, internal auditors/external auditors and Council.
8. Supporting measures to improve management performance and internal controls.
9. Ensuring Council's Polices and Bylaws are fit for purpose and comply with all relevant legislation.
10. Guiding the development of Council's Climate Change Adaptation Plan

## TERMS OF REFERENCE:

### General

1. To receive regular reports regarding Council's financial and non-financial performance against Annual and Long Term Plans.
  2. To consider reports related to significant expenditure outside of the Annual and Long Term Plans and make appropriate recommendations to Council.
  3. To develop and monitor policy related to the following matters:
    - a) Financial management;
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- b) Revenue generation;
  - c) Procurement and tendering; and
  - d) The appointment and remuneration of directors and CCOs
4. To monitor the probity of processes relating to policies developed by the Risk and Audit Committee.
  5. To provide clear direction to Council's CCOs on Council's expectations, including feedback on draft statements of intent.
  6. To receive Quarterly reports of Council's CCOs, including board performance.
  7. To undertake any reviews of CCOs and make appropriate recommendations for approval by Council.
  8. Review CCO requests for major transaction approval and recommend appropriate actions to Council.
  9. To monitor Council's debt and investments to ensure compliance with Council policy.
  10. To monitor the Council's outstanding debtors' positions.
  11. Engage with Council's external auditors regarding the external audit work programme and agree the proposed terms and arrangements of the external audit.
  12. Assess management response to audit reports and the extent to which external audit recommendations concerning internal accounting controls and other matters are implemented.

#### **Internal Audit**

13. Agree the scope of internal audits.
14. Monitor the delivery of the internal audit work programme and results
15. Assess whether Internal Audit's recommendations have been properly implemented by management.
16. Review the annual Internal Audit Plans to ensure appropriate organisational structures, authority, access, independence, resourcing and reporting arrangements are in place.

#### **Strategy, plans and policy**

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

#### **Bylaws**

20. Develop and agree to the statement of proposal for new or amended draft bylaws for consultation.
21. Recommend to Council new or amended bylaws for adoption.

#### **Consultation and engagement**

22. Ensure appropriate, effective and transparent engagement with the community, tangata whenua and other stakeholders.
  23. Conduct any public engagement required on issues before the Committee, in accordance with Council's Significance and Engagement Policy.
  24. 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.
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**Submissions and legislation**

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

**Contracts**

28. 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.

**Reserves and Halls Subcommittees**

29. Monitor and oversee the Reserves and Halls Subcommittees.

**Creative Communities Subcommittee**

30. Monitor and oversee the Creative Communities Subcommittee.

**Other Matters**

31. Review the effectiveness of the risk control environment established by management to safeguard Council's financial and non-financial assets, including the adequacy and appropriateness of insurance policies in place and management's actions to mitigate risks
32. Review the effectiveness of the systems for monitoring the Council's compliance against legislation, regulation, policy, and guidelines (including health and safety).
33. Conduct and monitor special investigations in accordance with Council policy and approved budget or in response to material matters raised by staff or committee members, including engaging expert assistance, on matters within its Terms of Reference.
34. Provide an annual review of Council's risk management framework and amend as required.
35. Review and monitor business continuity planning.
36. 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.
37. 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.
38. Commission new Committee reports and work required to respond to significant or compliance issues, or to complete the agreed programme of Council.
39. Monitor Audit recommendations and ensure completion.

**The Committee is delegated the following powers:**

- The Committee may make recommendations to Council.
- The Committee will provide three-monthly reports to Council on its activities with appropriate recommendations.

**Special Notes:**

- In fulfilling their role on the committee, members shall be impartial and independent at all times.
- The Chairperson will be an independent appointment, not an elected member, to strengthen the independent nature of the Committee's monitoring responsibility of Council activities.
- Members are appointed for an initial term of no more than three years that aligns with the triennial elections, after which they may be eligible for extension or reappointment.
- The Chief Executive Officer and Chief Financial Officer are required to attend all meetings but are not members and have no voting rights. Other Council officers may attend the Committee meetings, as required.
- The Chairperson of the Committee shall review the travel and other reimbursed expenses of the Chief Executive Officer and confirm compliance with Council policies and practice. This information will be provided to the Chairperson on a monthly basis.
- The Chairperson shall review the travel and other reimbursed expenses of the Mayor and confirm compliance with Council policies. This information will be provided to the Chairperson on a monthly basis.
- The Chief Executive Officer (Principal Advisor) shall be responsible for drawing to the Committee's immediate attention to any material matter that relates to the financial condition of Council, any material breakdown in internal controls, and any material event of fraud or malpractice.
- The Chairperson shall present an annual Audit and Risk Self Review to Council summarising the Committee's activities during the year and any related significant results and findings.

**BULLER DISTRICT COUNCIL**

**EXTRAORDINARY MEETING**

**16 APRIL 2025**

**AGENDA ITEM: 4**

**Prepared by** Jess Curtis  
Manager Capital Works

**Reviewed by** Anthony Blom  
Group Manager Infrastructure Services

**Public Excluded:** No

**WESTPORT STORMWATER / WASTEWATER SEPARATION OPTIONS, FUNDING AND CONSULTATION**

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1. **EXECUTIVE SUMMARY**  
Council is currently in the process of renewing its resource consent for wastewater pump station overflows, which expired in 2023. A plan for the reduction of volume and duration of overflows needs to be in place during the next consent term prior to the consent being renewed.
2. During investigations in 2022, at least 611 private properties in Westport with stormwater/wastewater cross-connections were identified and these cross connections need to be separated to reduce overflows.
3. A report to the 26 March 2025 Council meeting with an options assessment paper identified five scenarios for managing and funding the separation of storm water and water for those properties connected to the Westport Wastewater Network.
4. Council resolved to put the issue and three of the scenarios out for consultation in the draft Long-Term Plan process.
5. After further consideration, this report recommends that Council undertake the work and only the rates based funding scenario (a targeted or general rate) be considered in the draft Long-Term Plan consultation document with a brief discussion around the other three scenarios.



6. **DRAFT RECOMMENDATION**

**That Council resolves to:**

**1. Receive the report.**

**2. Rescind the following resolution of the Council meeting 26 March 2025 for Item 14:**

Approve inclusion of Westport stormwater/wastewater separation options of a regulatory compliance or a rate-funded approach and how this should be recovered (targeted or general rates) as a Long-Term Plan key consultation topic.

**3. Approve Westport/Carter’s Beach stormwater / wastewater separation as the key consultation topic in the draft Long-Term Plan 2025/2034 with the rate- funded scenarios of targeted rates and general rates as matters for consideration in the consultation.**

**4. Note that the consultation document will include reference to other identified scenarios which have been considered and the reasons why they have been discounted.**

7. **ISSUES AND DISCUSSION**

8. **BACKGROUND**

9. At the meeting of 26 March 2025 Council received the report ‘Westport Stormwater/Wastewater Separation Consultation’ (Item 14). The report outlined the process of renewing Council’s resource consent for wastewater pump station overflows, which expired in 2023. The new consent was applied for in April 2023, after which the West Coast Regional Council (WCRC) issued a request for additional information emphasising the need to significantly reduce the volume and duration of overflows during the next consent term.

10. To address this, Buller District Council (BDC) has made progress in installing new backflow devices to stop river water surcharging into pump stations and separating network cross-connections in the streets, with final completion expected by the end of June 2025. However, the impact of this work is expected to be minimal, as it does not address private property cross-connections. Investigations in 2022 identified in Westport at least 611 properties with cross-connections to be remediated. Additional sources of inflow, such as low and broken gully traps and faulty laterals, also remain unaddressed.

11. To achieve a noticeable reduction in overflows requires targeting private property inflow and infiltration of stormwater into the wastewater system. An options assessment paper was included with the 26 March 2025 report (attached as **Attachment 1**) which outlined all the delivery and funding options (referred to as scenarios in this report) available for addressing the issue as follows:
- Do nothing.
  - Do minimal – voluntary compliance (funding by property owners)
  - Regulatory compliance (funding by property owners)
  - Rate-funded response.

12. After consideration of the report and attached assessment paper Council resolved that two of the scenarios regulatory compliance and rates funded – both targeted and general rates should be the matter should be a key topic for consultation in the draft Long-Term Plan process. The resolution reads as follows:

*'2. Approve inclusion of Westport stormwater/wastewater separation options of a regulatory compliance or a rate-funded approach and how this should be recovered (targeted or general rates) as a Long-Term Plan key consultation topic.'*

13. **Further Consideration of Delivery and Funding Scenarios:**  
Discussion at the Council meeting prompted staff to further review the delivery and funding scenarios for feasibility and inclusion in the consultation document for discussion. The rate-funded approach has been divided into two separate scenarios to differentiate clearly between the targeted and general rates funding.
14. The following scenarios were again considered by staff:
- i) Do nothing.
  - ii) Property owner compliance and funding – voluntary.
  - iii) Property owner compliance and funding – regulatory.
  - iv) Council delivered programme - targeted rates funded.
  - v) Council delivered programme - general rates funded.
15. The following scenarios i) to iii) have now been discounted as they are not considered to be feasible - as explained below:

**i) Do Nothing**

This scenario continues with uncompliant discharge into the Buller River. As this would be unlawful and result in considerable penalties and enforcement actions under the Resource Management Act 1991 (RMA), this is not considered feasible.

## **ii) Property Owner Compliance and funding – Voluntary**

BDC would issue notices to property owners to fix cross-connections in their private wastewater systems, allowing homeowners to complete and fund the work voluntarily with compliance officers engaged to ensure the work is completed.

Voluntary compliance minimises costs for BDC but shifts the burden to homeowners, potentially leading to affordability challenges and inequities. While cheaper for ratepayers in the short term, it risks future costs associated with poor-quality repairs or incomplete work should penalties be applied for consent condition breaches.

This scenario carries significant risks such as low participation, poor-quality repairs, and insufficient success rates, making it less effective for achieving long-term compliance and environmental goals. Costs to Council would include administration, monitoring compliance, enforcement actions and legal costs.

It has been unsuccessful in other districts in New Zealand and could also be costly for Council. It would therefore fail to address the issue within an acceptable timeframe.

## **iii) Property Owner Compliance – Regulatory**

Allowing homeowners two years to complete and fund the work themselves before Council would undertake any uncompleted work and recover the costs from homeowners.

As for ii) above this scenario shifts the burden to homeowners, potentially leading to affordability challenges and inequities. High upfront costs to Council are expected for inspections, enforcement, and cost recovery, along with increased staffing requirements, particularly for enforcement and debt collection. Legal costs may also arise if property owners challenge notices.

This scenario also carries significant risks such as low participation, poor-quality repairs, and insufficient success rates, making it less effective for achieving long-term compliance and environmental goals. These challenges may result in increased future costs from legal or regulatory non-compliance.

As for ii) above this has not been a successful approach in other districts in New Zealand and could be costly to Council. It would also therefore fail to address the issue within an acceptable timeframe.

16. The two delivery and funding scenarios considered to be viable are therefore:

**iv) Council Delivered Programme – via Targeted Rates**

BDC would assume full responsibility for completing the separation of stormwater from wastewater systems on private properties connected to the Westport Wastewater Network.

Costs would be incurred over a ten-year period and funded through targeted rates levied against all properties connected to the Westport network (all property owners in the Westport and Carters Beach area connected to the Westport wastewater treatment plant). Council would need to raise a loan to pay for the costs of this project.

**Costs:**

- Full implementation \$5.7m from 2026-36 (10-year period)
- Ongoing operational costs \$0 after ten years
- Targeted Rates increase of 13.32%, approximately \$162 per targeted property commencing 1 July 2026.

**Advantages:**

- Quicker time to complete the work programme as an operational lead would be employed to begin delivery at the start of the 25/26 FY.
- Progression of work underway to meet RMA compliance and timeframes.
- Only ratepayers connected to the Westport wastewater treatment plant will be paying through their rates.
- Decreased wastewater overflows on private properties and less disruption for household utilities (e.g., ability to flush toilets) during heavy rain.

**Disadvantages:**

- Higher rates impact as council would fund and deliver the whole work programme.
- High rates burden on Westport and Carters Beach ratepayers over 30-year period.

- v) Council Delivered Programme – via General Rates  
BDC would assume full responsibility for completing the separation of stormwater from wastewater systems on private properties connected to the Westport Wastewater Network.

Costs would be incurred over a ten-year period and funded from general rates levied against all properties in the Buller District as a mechanism for sharing the burden of compliance costs. Council would need to raise a loan to pay for the costs of this project.

**Costs:**

- Full implementation \$5.7m from 2026-36 (10-year period)
- Ongoing operational costs \$0 after ten years
- General rates increase of 2.77% per property commencing 1 July 2026 for all BDC ratepayers. Each property would be rated differently through differential rates. The average amount would be \$62.45 per property.

**Advantages:**

- Quicker time to complete the work programme as an operational lead would be employed to begin delivery at the start of the 25/26 FY,
- Progression of work underway to meet RMA compliance and timeframes.
- Rates impact spread over larger rate payer base so impact less on Westport and Carters ratepayers.

**Disadvantages:**

- Higher rates impact as council would fund and deliver the whole work programme.
- Ratepayers not connected to Westport wastewater treatment plant would be paying higher rates over 30-year period.

17. **Summary:**  
It is therefore proposed that, as scenarios i), ii) and iii) are not considered viable for delivery and funding, only two delivery and funding scenarios (Council delivered/funded by targeted rates and Council delivered/funded by general rates) should be matters which are consulted on through the Long-Term Plan 2025/2034 process.
18. The next section of this report covers the matters for consideration at this meeting – which of the delivery and funding options should be consulted on during the Long- Term Plan 2025/2034 process.
19. It should be noted that a similar issue will be raised for the Reefton township in future years.
20. **CONSULTATION OPTIONS –DRAFT LONG-TERM PLAN 2025/2034**  
The options outlined below relate to which of the above delivery and funding options.  
i) to v) should be matters for consultation for the Long-Term Plan 2025/2034.
21. It should be noted that the resolution from the last Council meeting was to include iii) and v).
22. **Consultation Option 1 – Do nothing, retain resolution 26 March 2025**  
Continue with the current LTP consultation scenarios as resolved at the meeting of 26 March 2025 iii) regulatory compliance, iv) targeted rates and v) general rates.
23. **Advantages**
- Consultation can be completed in the 24/25 FY through the Long-Term Plan.
  - Once approved, operational activities can be programmed in for the 25/26 FY.
24. **Disadvantages**
- Scenario iii) is not considered feasible therefore submissions supporting this approach would not be meaningful and confuse the consultation outcome.
  - Risk of confusion by the public and lack of meaningful submissions.

25. **Consultation Option 2 – Consultation on iv) and v) with discussion only on other options**

Consultation on the Council delivered scenarios funded by either targeted rates or general rates for Westport stormwater / wastewater separation as a Long-Term Plan key consultation topic with scenarios i), ii) and iii) being briefly outlined with reasons why each is not viable.

26. **Advantages**

- Consultation can be completed in the 24/25 FY through the Long-Term Plan
- Once approved, operational activities can be programmed in to start from the 25/26 FY.
- Clear and easily comparable options under consideration.
- Options not considered viable will still be outlined for the community to understand.

27. **Disadvantages**

- Risk of concern by the public with compounding rate impacts for homeowners
- Submissions may still be received on options i), ii) and iii).

28. **PREFERRED OPTION**

The preferred option is to consult with the community through the Long-Term Plan 2025/2034 on Consultation Option 2 above i.e., consultation on Council completing the work and recovery of costs by either a targeted or general rates. Limiting consultation to these two delivery and funding scenarios will provide the community with the choice between two feasible scenarios that fulfil the requirements for the renewal of the Westport Wastewater resource consent.

29. This will also show a commitment to resolving the current Resource Management Act breach and limit the risk of penalties to Council. The Council-delivered scenarios provide a planned, deliverable pathway to compliance and improved network performance.

30. **NEXT STEPS**

The next steps for the recommended choice are:

- 1) Include delivery and funding scenarios iv) and v) above in the draft Long-Term Plan 2025/2034 consultation document as matters for consideration with discussion on those scenarios not considered to be viable.
- 2) Council considers submissions as part of the Long-Term Plan process.
- 3) After deliberation on submissions Council makes a decision on funding for the work to be undertaken by Council.

31. **CONSIDERATIONS**

32. **Strategic Impact**

The report proposes that consultation be undertaken in the Long-Term Plan 2025/2034 before a final decision is made.

33. **Significance Assessment**

Undertaking the separation of stormwater from wastewater systems on private properties connected to the Westport Wastewater Network is a significant decision and as such it is being considered during the Long-Term Plan 2025/2034 process as required.

34. **Risk Management Implications / Opportunities**

The following risks or opportunities are identified with the matters discussed in this report.

35. **Engagement - external:**

Full consultation under the Long-Term Plan 2025/2034 process is recommended and will be undertaken as the key topic for consultation.

36. **Engagement – internal:**

The options assessment report (**attachment 1**) has been shared internally with key team members. All groups within Council have been involved in the preparation of this report.

37. **Legal:**

The options assessment paper (**attachment 1**) identifies significant risk to Council should the outcome not allow for compliance with the RMA, leaving Council exposed to RMA penalties. Prior to final decision making, this matter requires full community consultation as it has high significance.

38. **Policy & Legislative Considerations**

The options assessment paper (**attachment 1**) identifies significant risk to Council should the outcome not allow for compliance with the RMA, leaving Council exposed to RMA penalties.

39. **Māori Impact Statement**

Ngāti Waewae is being regularly updated on the discharge overflow consent application. For Ngāti Waewae, the health of local waterways holds significant cultural and spiritual value. Even in the absence of clear evidence of environmental harm to date, iwi have expressed concerns over the long-term effects of wastewater overflows and measurable (in a scientific sense) environmental harm is not always required to demonstrate harm to cultural values.



40. Reducing these discharges is not only crucial for maintaining water quality but also for preserving the cultural values associated with water, as emphasized by Ngāti Waewae. A commitment to reducing overflows aligns with BDC's broader goals of environmental stewardship and respect for iwi concerns.
41. **Financial Considerations**  
Costs are described within the options assessment report (**attachment 1**), and above in this report, with different costs associated with each scenario and the associated funding required from rates.
42. **Communication Internal / External**  
The options assessment report (**attachment 1**) has been shared internally with key team members. All communication will be managed in accordance with the Long- Term Plan process outlined in the Local Government Act 2002.

**BULLER DISTRICT COUNCIL**

**EXTRAORDINARY MEETING**

**16 APRIL 2025**

**AGENDA ITEM: 5**

**Prepared by** Simon Pickford  
Chief Executive Officer

**PUBLIC EXCLUDED REPORT**

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1. **REPORT SUMMARY**

Subject to the Local Government Official Information and Meetings Act 1987 (LGOIMA) 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 under LGOIMA</b>
PE 1	Anthony Blom - Group Manager Infrastructure Services	Waste Management Contract Service Extension	<b>(s 7(2)(b))</b> - protect information where the making available of the information would i. Disclose a trade secrete ii. Be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.