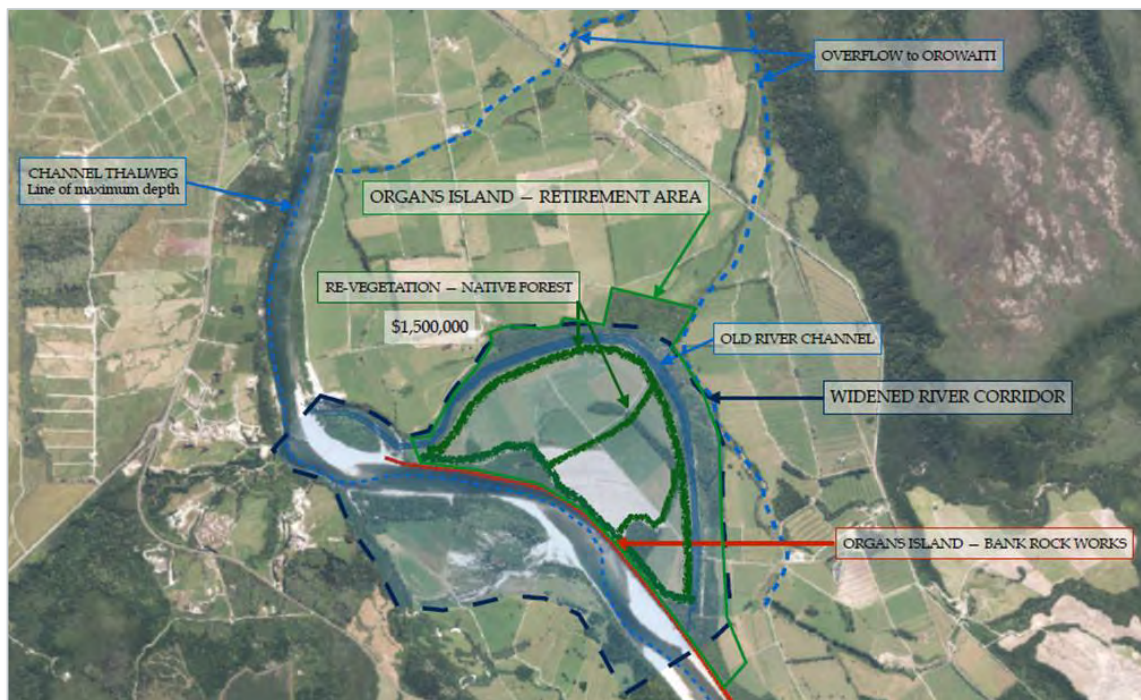


Figure 18 - Revegetation at Organs Island



Re-alignment of Abattoir Creek

The current alignment and grade of Abattoir Creek contributes to the unwanted re-direction of flood and storm water flows toward urban areas of Westport. We propose to re-grade the bed of Abattoir Creek to enable more flow to be diverted away from this 'at risk' area of urban development.

Flood risk mitigation options not favoured

Details about the risk mitigation options not favoured by the TAG – and the reasons why these were not favoured, are provided in Appendix five. These not favoured options included:

- Dredging of the Buller River.
- Direct cut to the sea from the Orowaiti estuary.
- Flood risk mitigation structures at the Snodgrass peninsula.
- Excavating a causeway on the Snodgrass peninsula.
- Constructing culverts at the railway embankment at Stephen Road.
- Constructing culverts on the embankment adjacent to the Orowaiti State Highway Bridge

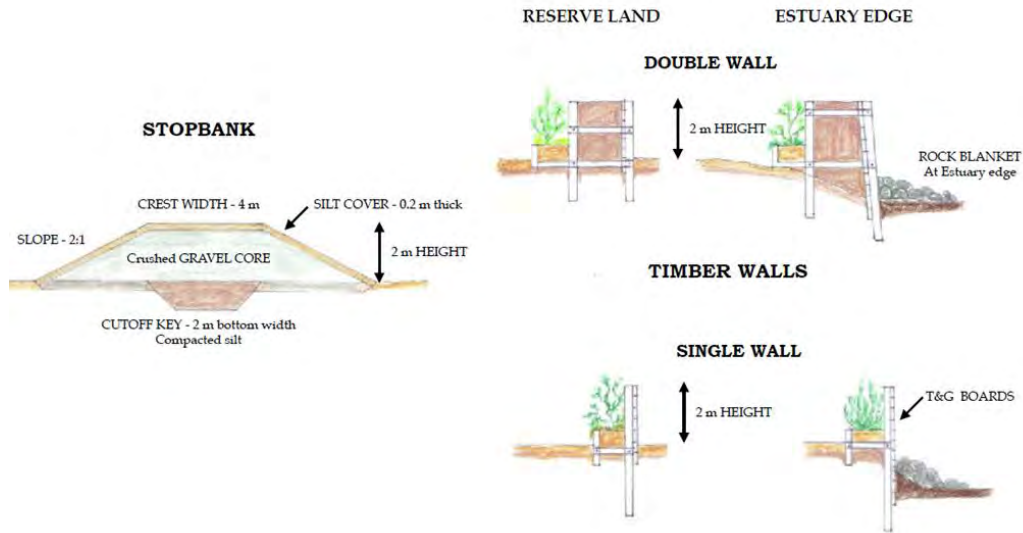
Design, construction. and maintenance

We commissioned a report⁶⁵ covering general concept designs for the Westport flood risk mitigation embankment and wall construction. The sketches below (Figure 19) show the likely appearance and proposed location (Figure 20) of the concrete, single board-wall, and double earth-filled walls. Additional information about the constructability of the proposed scheme, its physical and carbon footprint,

⁶⁵ G & E Williams Consulting Ltd

maintenance, structural failure implications, and the adaptability of the proposed structures⁶⁶, were also addressed in the report.

Figure 19 - Design of preferred embankment structures



⁶⁶ To accommodate more resilience against future climate change scenarios

Figure 20 - Location of different structural options



Resource consent, environment, and property

Resource consents and environment effects

We sought advice from the TTPP team, the TAG, and external experts⁶⁷ about resource consent and environmental matters. Key issues and potential mitigations identified within this advice included:

- Under the current Buller District Plan the scheme would be a permitted activity.
- Under the WCRC's Regional Land and Water Plan, earthworks and vegetation removal in the riparian area is a restricted discretionary activity. In other areas, earthworks are a controlled activity. With appropriate offsets and careful management, consent should be grantable.
- Under the Regional Coastal Plan, any activity falling within the Coastal Marine Area is a discretionary activity. In all but two small areas, the proposed embankment is likely to avoid the Coastal Marine Area. The toe of the proposed embankment provides an opportunity to plant reeds and other vegetation suited to extending the area available for inanga spawning.
- An area defined as a 'regionally significant wetland' is located near the proposed embankment at Carters Beach. Activities within 100 metres of this wetland are discretionary. Refined alignment of the embankment at this location will reduce the effect and risk of encroaching on this protected wetland.
- Several properties on the true left bank of the Buller River may be 'affected' by flood level increases because of the embankment. These 'effects' require consideration of the length and height of the Buller River embankment located on the true right of the Buller River, as a discretionary activity. The agreement of affected property owners at this location will need to be sought – with appropriate amelioration before works are undertaken.
- Some minor earthwork areas may have contaminated soil. Careful site management should be applied at these locations.

In summary, the advice provided to us on resource consent and environmental matters suggests that, with careful site management practices, additional design refinements and strong consultative processes, there is a low risk of our preferred proposal not receiving resource consent.

In addition to the above resource consent matters we note:

- Preliminary discussions have taken place with Waka Kotahi about the effects of the embankment on peak flood flows on State Highway bridges. As part of their future asset management planning, we have encouraged Waka Kotahi to give a higher priority to the works required to increase the clearance height at the Buller River State Highway bridge.
- Embankment design and construction between the Toki Poutangata and State Highway bridges will need to be integrated with the design and construction of the proposed enhancements to the Westport cycleway. Similarly, further discussions will be required with Westport Harbour operators and users to ensure the embankment is well integrated into other proposals for this area.
- As noted elsewhere in this report, amenity considerations have been considered as part of the process of selecting the alignment, height, and construction (concrete, single wall, or double wall) of the proposed embankment. At some locations, it is intended to include viewing platforms and other measures to enhance appreciation of the Orowaiti Estuary and Buller River.
- Protection of the lifeline utility value of the airport is a consideration for the extension of the Carters embankment to the Buller River. There is a proposal at some stage to relocate the airport to higher ground. The airport is jointly owned by the BDC and the Ministry of Transport. When detailed planning occurs, we will be aligning the investment in the Carters embankment with the plans for the airport.

⁶⁷ Landmark Lile Ltd

Property

The total length of the proposed Westport flood risk mitigation embankment and walls (Option B) is approximately 18 km. Around 50% of this is on public / reserve land, 44% is on private property and 6% is on KiwiRail property (Figure 21).

Most of the private property length of the embankment traverses six farms. In addition, up to 12 lifestyle blocks may be affected. The relatively small remaining length of the embankment will affect 7 properties which are primarily used for residential purposes. A further 15-20 properties will have the embankment or walls on reserve land adjacent to their properties.

Figure 21 - Location and ownership of affected properties



We acknowledge the agreement of all parties affected by the proposed structures will be required before construction can commence. This agreement will need to be formally recorded for resource consent, asset management, occupation, and access purposes.

The consultation challenge we currently face, is that the flood risk mitigation scheme can only be viewed as a proposal. This status will prevail until such time as funding is secured. Westport flood risk mitigation options will then move from a scheme proposal to become a scheme project. An active consultation process will be undertaken with both directly and indirectly affected parties as soon as the project and its funding are confirmed.

The significance of the project is such that the special consultative procedures defined in the Local Government Act 2002 will be triggered. This requires formal processes to be applied by the WCRC before

the project proper commences. In the shorter term, we intend to provide appropriate information to both the community and directly and indirectly affected property owners. This will include those located at Snodgrass, those located immediately inland of the Westport ring-bank and those affected parties located on the true left of the Buller River.

Estimated costs

Overview of scheme costs

Table 2 displays the cost of the various ring-bank scheme sections and the reforestation proposal. Of importance, we note:

- The uncertainty currently troubling all capital works and supply chains in New Zealand, and for Local Government especially.
- Costs have been estimated on a contract schedule basis, with a preliminary estimate of unit costs and volumes, not as an engineer's estimate for tendering purposes.
- Costs include a percentage for engineering fees.
- Consent and other approval costs are not included.
- Costs for the Buller River rock works are based on a final design with a 10% contingencies allowance.

Operational costs

Provision will need to be made for the cost of interest and maintenance of the flood risk mitigation structures. Excluding interest, these add between 1% to 3% per annum to the final cost of the structures.⁶⁸ Based on expert advice, we are recommending provision be made for \$350,000 per annum for the maintenance of the ring-banks at Westport and Carters Beach.⁶⁹

Government co-investment to the tune of 75% is requested to assist Westport ratepayers to meet these costs. This would amount to \$262,500 pa. This is too big a cost burden for Westport ratepayers to meet given their deprivation status. We request Central Government provide for the first ten years of this expense (\$2.62m).⁷⁰

Process costs and contingency

Preliminary work has been undertaken to estimate the cost of community engagement, acquire resource consents, negotiate property agreements, and put in place WCRC and BDC project management. These costs may total \$1m. A further \$1m should be allowed as a contingency against unforeseen costs.

Stormwater

The cost summary below includes \$0.5m for the cost of the use of flap-gates and improved culverts, to better control the interface between the proposed flood risk mitigation scheme and stormwater culverts and pipes.⁷¹

⁶⁸ Less maintenance expenditure will be required early in the life of the proposed structures. More expenditure will be required as they age.

⁶⁹ As noted earlier in our report, an additional \$300,000 pa will be needed for operational expenditure to maintain Buller riverbank protection.

⁷⁰ We believe this is a preferable approach to waiting for the structures to deteriorate during a flood event and then claiming for 'recovery' expenses from NEMA at the current 60:40 rate.

⁷¹ We provide additional information about other stormwater / groundwater concerns later in our report.

Total cost of 'protect.'

The total cost of the 'protect' elements of flood risk mitigation is estimated to be approximately \$33m (Table 2).

Table 2 - Total cost of protection

SCHEME COMPONENTS	COST	CENTRAL GOVERNMENT CO-INVESTMENT
Westport ring-bank, Carters Beach, Option B (urban area inland alignment)	\$19,550,000	\$14,662,500
Organs Island reforestation (3 x five years @ \$500,000)	\$1,500,000	\$1,125,000
Immediate works on the Buller Riverbank	\$3,300,000	\$3,300,000
Operational expenditure over ten years on Buller Riverbank	\$3,000,000	\$3,000,000
Operational expenditure over ten years on Westport ring-bank and Carter's Beach	\$3,500,000	\$2,625,000
Resource consents, owner agreement, Council project management, final design etc.	\$1,000,000	\$750,000
Contingency	\$1,000,000	\$750,000
Total cost @ Option B	\$32,850,000	\$26,212,500

Cost benefit

NIWA Analysis

WCRC commissioned NIWA to apply the RiskScape model to analyse the direct damage of flooding effects on Westport arising from several climate change and flood magnitude scenarios.⁷² NIWA's report concludes that under an ARI100 / RCP6 flooding scenario⁷³ approximately \$400m⁷⁴ of damages is estimated to occur to Westport buildings (the cost of the July 2021 flooding was estimated at \$88m). The work of NIWA thereby confirms significant cost benefits will arise from the investment of \$33m in the proposed Westport flood risk mitigation scheme.

Table 3 - Cost benefit

Model Scenario	Buildings: Sum of Building \$Loss (\$NZ)	Roads: Sum of Exposure Costs (\$NZ)	Rails: Sum of Exposure Costs (\$NZ)	Scenario Total (\$NZ)	Description of Flood Hazard Model Scenario
Base_ARI100_RCP6 (status quo)	404,927,949	\$77,426,220	113,254,863	\$595,609,033	Future Climate, 100-year ARI event (RCP6 2100) - no protection
OpB_ARI100_RCP6 (preferred option)	\$15,490,025	\$66,665,094	\$26,956,520	\$109,111,640	Future Climate, 100-year ARI event (RCP6 2100) all at this level of protection

⁷² 'Direct Damage Analysis for Scenario Flooding in Westport', NIWA, May 2022

⁷³ This is the scenario recommended and used by TAG to guide the design of its preferred flood risk mitigation scheme

⁷⁴ These damage curves are generic, and the damage estimates can be refined upon detailed design

Infometrics Analysis

The work undertaken by NIWA was further confirmed in a report prepared for WCRC by Infometrics.⁷⁵ Infometrics applied a slightly different approach, but their results were similar to those generated by NIWA. With no flood risk mitigation structures, Infometrics calculate damages of \$264m if an ARI 100 flood was to occur in 2022. If an RCP6 climate change scenario is applied, then these damages would be \$488m by 2072 and \$596m in 100 years' time (Figure 22).

Figure 22 Residual loss with no flood risk mitigation protection

ARI	AEP	2022	2072	2122
		\$m	\$m	\$m
20	0.0488	50	74	84
50	0.0198	106	231	286
100	0.0100	264	488	596
200	0.0050	462	615	682

The Infometrics report concludes by stating...

... (p4) the analysis in this report, although based on rather patchy data, clearly shows that (the) stopbank option recommended by the Technical Advisory Group...is highly cost effective...(p15)... the case for pursuing (this option)...could not be clearer.

Precedent

In the past, Central Government has applied a generous approach toward co-investing in flood risk mitigation at locations such as Westport:

- The 55 'Shovel Ready' flood risk mitigation projects funded⁷⁶ in 2021 by Central Government, as part of their Covid recovery programme, received a cost share of between 60% (for comparatively wealthy regions) and 75% (for less wealthy regions).
- The financial assistance rate (FAR) provided to BDC by Waka Kotahi for road projects is 72%.
- Prior to the early 1990s, the capital cost of substantial river management and flood protection schemes put in place by Catchment Boards was commonly supported at levels of 50% to 75% by Central Government.^{77 78 79}
- The Te Uru Kahika⁸⁰ report calls for co-investment of up to 75% toward the cost of whole of catchment climate change adaptation approaches.

These precedents suggest there is more than adequate grounds for WCRC and BDC to seek a 25:75% co-investment with Central Government (75% from Central Government) to improve the resilience of the Westport community against flood risks. Normally, when the cost of mitigation or recovery exceeds the ability of a community to manage, Central Government provide assistance. Matata and Christchurch are examples of where this has occurred to varying degrees.

⁷⁵ 'Real Options Analysis of Strategies to Manage Risks to Westport from Climate Change', Infometrics, May 2022

⁷⁶ A total of \$217m of funding was provided toward 55 projects with a total cost of \$313m.

⁷⁷ The higher level was applied to less wealthy regions.

⁷⁸ The difficult financial period in the 1980's dealt a blow to this necessary investment.

⁷⁹ A review of documents from the time suggests this national support typically amounted to over \$114m per annum in today's dollars.

⁸⁰ Central Government Co-Investment in Flood Protection Schemes', Te Uru Kahika, January 2022

Summary

Our favoured Westport flood risk mitigation scheme strongly satisfies the assessment criteria described previously. When all likely costs are factored in, the approximate cost of our preferred scheme is \$33m. Given the affordability challenge faced by Westport residents, the local ratepayer contribution towards this *protect* part of the challenge will be around \$7m.

Table 4 - Satisfying the assessment criteria

ASSESSMENT CRITERIA	HOW THE SCHEME WILL SATISFY THE ASSESSMENT CRITERIA
Reduce extent and frequency of flooding	Flood risks associated with storms with a RCP6 / 1:100 magnitude and frequency will be strongly mitigated
Reduce long term burden on the Westport community	The anxiety and uncertainty currently felt by the residents of most of Westport toward flood risk will be significantly reduced. Furthermore, financial stress will be mitigated, relieving long term monetary concerns
Sensitivity to Te Ao Māori	Scheme reflects a balanced approach toward Te Ao Māori
Integrated package	'Protect' is a strong component but just one of the four PARA elements reflected in the multi-tool approach proposed for contributing to Westport's resilience against flood risks. Nature-based solutions are an integrated part of the scheme
Consider options	Seven base options – with permutations and four climate change scenarios were considered
Cost share / co-investment / affordability	A 75% share from Central Government reflects the comparatively high level of deprivation experienced in the Westport community
Robust costing process	Well proven costing practices have been applied
Value for money / cost benefit	Two independent assessments have confirmed the overwhelming cost benefit of the proposal
Staging / phases / timeframe for construction	Works to protect the Buller Riverbank from further erosion are required immediately. Consultation, resource consent and project management matters for the ring-bank portion of the scheme will take 8-10 months. Construction will proceed in stages over a three-year period
Providing for climate change	Historic and RCP 4.5, 6.0 and 8.5 climate change scenarios have been applied to scheme option and cost assessment
Providing for Westport's hazard scape	Coastal erosion / accretion, tectonic movement and liquefaction have been considered as part of scheme design
Avoid transferring risk elsewhere	Flood protection structures have not been supported at the Snodgrass area primarily because of the effect they would have on the increased height of flood water for a distance of up to 6kms.
Consent-ability	There is a high likelihood of all parts of the scheme receiving consent
Environmental impacts	Sensitive wetlands and the coastal marine area will be avoided in all but minor ways
Constructability / capacity / capability / achievability	Scheme design reflects the availability of local construction skills and materials. WCRC systems provide for reliable asset management
Impacts on landowners	Scheme design and community benefits are such that no out-of-the-ordinary problems are expected in securing landowner endorsement / consent

Construction disruption	Some disruption is expected but no more than would be usual for a construction project of this type
Co-benefits	Amenity and ecological benefits will accrue. Certainty about the future resilience of the Westport community and economy is a significant benefit

The Ask

In this section we are asking for...

COMPONENTS	COST	CENTRAL GOVERNMENT CO-INVESTMENT
Structural and nature-based works	\$33m	\$26m

Avoid

Ensure new development of property and vulnerable assets are not exposed to the hazard

Avoid



Westport cannot be fully protected. The proposed Westport flood risk mitigation scheme will not provide complete protection on its own. We are therefore keen that residents understand and continue to prepare for future vulnerabilities and risks. As mentioned earlier, New Orleans provides us with some salutary lessons (Figure 23). Before Hurricane Katrina in 2005, the presence of an embankment, pumping systems and the availability of federal insurance led to New Orleans households and businesses being constructed in flood prone areas. Inevitably lower income people were living in the low-elevation areas at the greater risk of flooding and subsidence. Citizens earned on average, 30% less than the US median household income.

Hurricane Katrina killed 1,200 people and cost around US\$106bn. It was acknowledged that in some parts of the city, embankments (levees) and walls were not tall enough to hold back the water; some floodgates did not close properly, and some structures collapsed entirely. Since then, the New Orleans flood-protection system was [bolstered](#) by expenditure of \$15bn in federal funds, but in truth New Orleans has never fully recovered. Before Katrina, New Orleans provided the US with more oil and gas than was imported from Saudi Arabia. Thousands of Louisiana families who had relied on jobs in the oil and gas industry left for Houston. Post-Katrina, tourism is the main economic activity.

Figure 23 - New Orleans following Hurricane Katrina



For Westport, like New Orleans we know there is residual risk. Even with the ring embankment, we cannot guarantee there will not be flooding. Sooner or later there will be an 'overdesign' or extreme event. If the climate warms more quickly than expected, this will happen sooner. We think it would be a mistake to allow for uncontrolled intensification and development behind the embankments. We do not wish to place more people and property in harm's way, now or into the future. We want Westport to grow in areas that are outside the flood hazard zone.

We realise that this is a long-term goal. While it doesn't need to happen tomorrow, it does need to happen. It is not the right thing to do to do nothing. The longer we fail to act, the greater the risk. We do not wish to become New Zealand's New Orleans.

While this might seem sensible, in truth this is difficult to achieve under the current legislative settings.

The instrument for restricting development is the Buller District Plan prepared under the Resource Management Act. On the West Coast, the statutory obligations for preparing district and regional plans have been transferred from the three West Coast District Councils to the West Coast Regional Council. The statutory obligations are delegated to a joint committee comprising all four councils and local iwi, with an independent chair. Te Tai o Poutini Plan (TTPP) Committee is responsible for preparing and approving a combined District Plan covering the whole of the West Coast⁸¹.

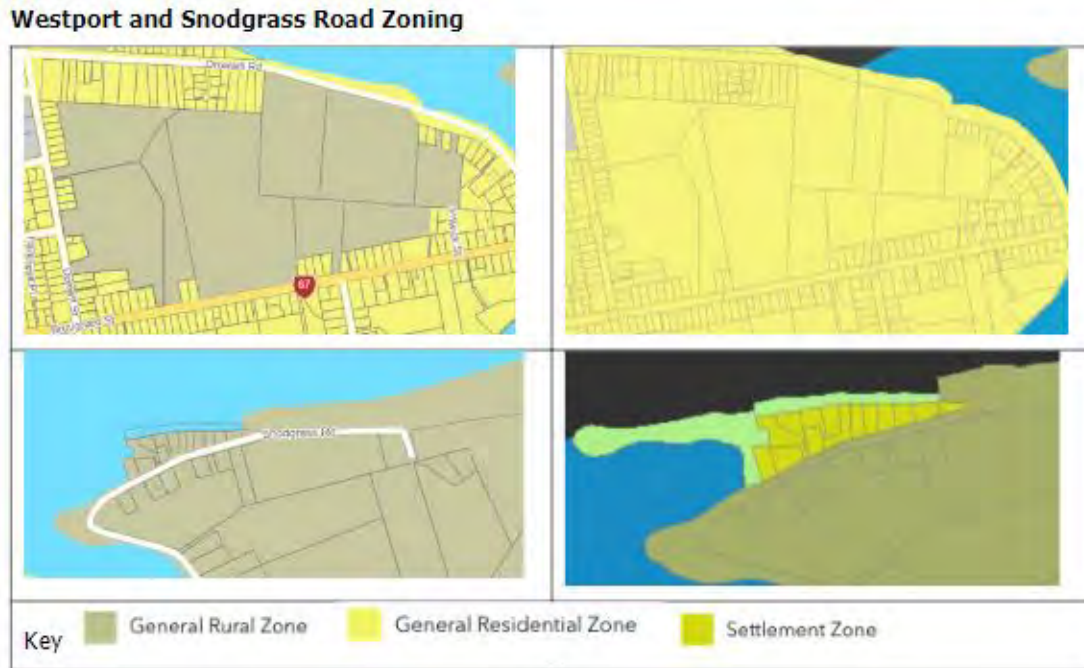
Westport's hazardscape has been the subject of discussion and consultation for many years. Westport 2100 was convened jointly between the WCRC and BDC following Cyclone Fehi in 2018. This led to a community development process (Westport 2100) ahead of TTPP looking at the major hazards in Westport and how to develop a resilient community into the 22nd century.

There was range of recommendations from this process, including specific hazard related recommendations. Provisions for long term managed retreat were also made.

A special rating district was established in 2019, driving the decision in the WCRC's Long-term Plan to construct a ring embankment. Detailed modelling was undertaken to inform protection options and to identify areas exposed to severe flooding and areas that are susceptible to flooding in the Proposed Plan. The TTPP team has applied the hazard overlays to Westport and drafted re-zoning to reflect the risk (Figure 24).

⁸¹ An Order in Council detailing the formal scheme came into force on 19 July 2019 and the West Coast Regional Council through the TTPP Joint Committee, is legally required to prepare Te Tai o Poutini Plan.

Figure 23 - Example of proposed rezoning in draft TTPP



In response to feedback on the draft Plan, the Proposed Plan zoning provisions have been amended. The ring embankment will reduce the risk for many parts of urban Westport. It is difficult to show this when the funding remains unsecured, and the final design is not yet settled. Furthermore, this cannot be progressed until there is certainty with funding.

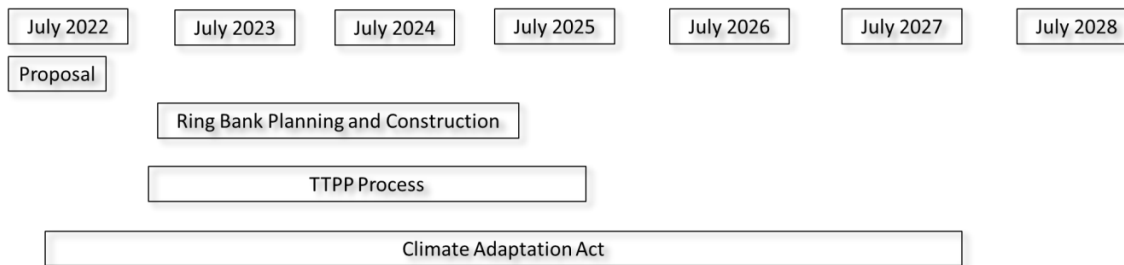
Currently, it is assumed a response from the Government on this co-investment proposal will be available in about September. Hearings on the Proposed Plan are likely to be held in mid-2023, so it is hoped that a government decision around the ring embankment will be available by then so that submissions can be made on TTPP with certainty.

As it stands, under the Proposed Plan, it is proposed to limit subdivision and intensification in high-risk areas through planning provisions that:

- Permit new buildings and alterations where these are protected by an embankment designed around a 1% event (1:100) plus a 1m sea level rise.
- Where new buildings are not protected, they must have a finished floor level of 1% plus 1m sea level rise plus 500mm freeboard for residential, or 300mm for commercial. Unoccupied buildings (such as garages) would require 200mm.
- Subdivision in the Westport Hazard Overlay is discretionary.

While these rules are far from perfect, we think this is a sensible step to prevent uncontrolled intensification and subdivision, and inappropriate development.

Figure 24 – High level timeframes



Prior to those provisions becoming operative,⁸² we do not have the regulatory ability to prevent buildings being constructed in flood hazard zones. We cannot stop more people being put in harm's way. We are very keen that people are made aware of the risk when they come to live, work, and play in Westport. With a growth rate of 15% to the year to March 2022, there is a very real risk that many people and much property will end up being in harm's way.

We are very keen to educate people about this risk (see the *Avoid* section for our approach on this). Knowledge of flood risk must not be, in any way, withheld from owners and prospective owners. We think that Land Information Memoranda should explicitly link flood risk and mitigation to a property. But we think this needs regulatory backing.

Additional regulation is necessary to prevent a rush on applications for resource consent in flood prone areas. We are requesting a special order (or other fast track mechanism) to be enacted that allows appeals on the Westport hazard provision of TTPP to be limited to points of law only. A similar initiative has been taken in the past in other regions for required plan rules. We are aware Section 86D of the RMA enables us to apply to the Environment Court for a rule giving legal effect to specified provisions from a specified date. Such applications are problematic.

The alternative is waiting until the Climate Change Adaptation Act is passed and to renotify the provisions after the Climate Change Adaptation Act is passed. While the Bill is expected to be introduced by the end of 2023, there is naturally some uncertainty around the RMA reforms, and it is not yet clear if natural hazard provisions can or cannot be appealed under this legislation.

We are also frustrated with the Building Code and more specifically, finished floor levels. Clause E1.3.2 of the Code says *Surface water, resulting from an event having a 2% probability of occurring annually, shall not enter buildings*. This applies only to housing, communal residential and communal non-residential buildings. 2% does not help to protect the people of Westport. All our modelling and planning are based around 1%. We are seeking your assistance either to urgently amend the Code, or to otherwise give flexibility to apply an appropriate standard for the area concerned. This would be of enormous assistance for Westport, and possibly other settlements.

In essence we believe the current building code provisions are not adequate for the hazard in Westport and would like them to be able to apply an appropriate standard sooner rather than later.

We believe there is merit for some property owners assessing the feasibility of raising their houses to provide some freeboard. This is reasonably common in the United States, although there is debate as to whether this is the best use of public money. We think this would need to occur on a case-by-case basis (see Adaptation Relief Fund) under Relocate/Retreat.

⁸² This may take several years to work through the process outlined in Schedule 1 of the RMA.

Figure 25 House being raised in New Orleans



Finally in this section, we would like to bring a human element to bear. It is easy to overlook landowners who wish to subdivide or develop their land. These landowners are ordinary people who have aspirations, values and hardships and opportunities. In feedback on the draft TTPP, one submitter asked that financial hardship and mental anguish were taken into account. These dry discussions about planning rules and provisions can sometimes mask the impact they can have on people and their lives.

The Ask

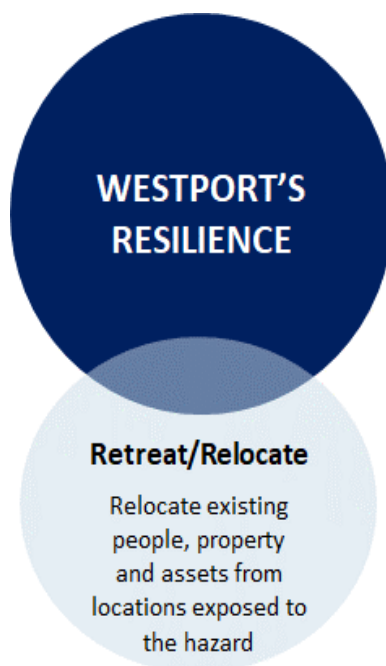
In this section we are asking for:

- An Order in Council or other fast-tracking mechanism for TTPP resilience provisions
- Ability for BDC in its role as a Building Consent Authority to align the Building Code provisions with sensible flood resilience within the TTPP

Retreat / Relocate

Relocate existing people, property and assets from locations exposed to the hazard

Retreat/Relocate

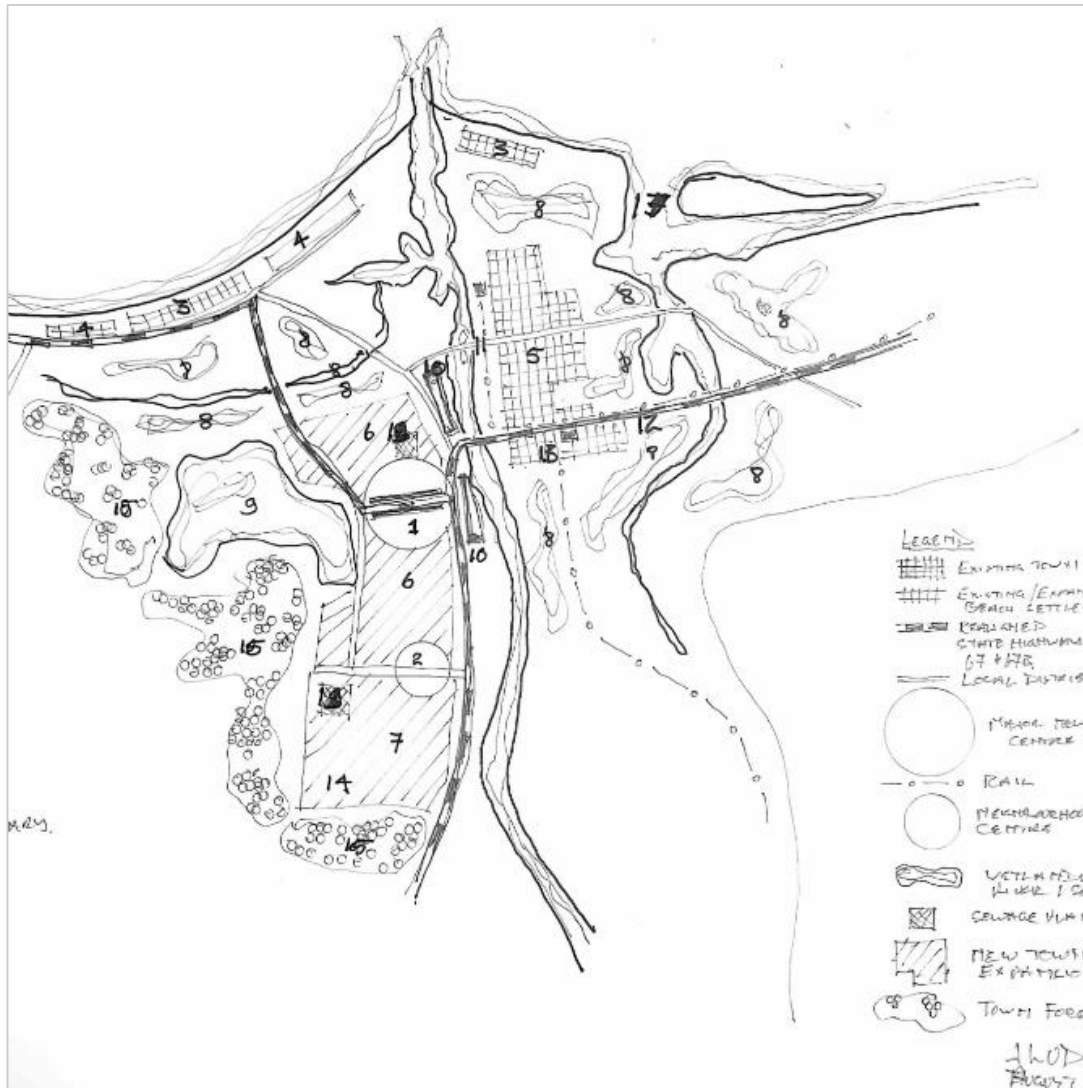


Managed retreat has long been the subject of speculation and unofficial analysis in Westport. It feels as though retreat is likely to happen at some unspecified time in the future. The draft National Adaptation Plan (NAP) outlines a proposal to develop legislation to support managed retreat over a three-year timeframe (2022–25). This will be an approach to *reduce or eliminate exposure to intolerable risk, which enables people to strategically relocate....* The problem for us is the risk in Westport is already unacceptable, and some in the community have already been forced to retreat from high-risk areas.

Westport is a real life, real time example for climate adaptation. All the ingredients are here. We have a burning platform of elevated flood risk. We have a town that needs to grow. We have land that could be available outside the hazard zone, and we have Councils that are willing to collaborate with Central Government, and to transition from forced retreat to *strategic* relocation based on future growth. Instead of focussing on the *'retreat'* we are keen to focus on the *'managed'*, and to do this hand-in-hand with the community.

There is risk to this approach. Together we will be breaking comparatively new ground even though Edgecombe, the Christchurch red zone, rock fall areas in Christchurch and Kaikoura and Whakatane have faced similar challenges. There is always a chance that something might not work. With sound advice and analysis, we believe the risk of failure can be diminished and, if there is residual risk, we need to fail fast, learn, and share the lessons. Westport, in partnership with Government, can be used as a model for the preferred strategy going forward.

Figure 26 - Unofficial blue skies thinking around relocating parts of Westport



Zoning

There are several areas of land outside the flood zones where Westport might grow in future. Alongside the Alma Road location other sites were looked at including the Sergeant's Hill area and Cape Foulwind. While these other locations were seen as being suitable for additional development, the Alma Road location was generally considered the best option for large scale managed retreat, due to its proximity to the existing town, the ease of servicing by infrastructure, the elevated location away from coastal and flood hazards and its proximity to the main transport links.

Early in the TPP development process, BDC staff and elected representatives identified that the Alma Road area was a preferred candidate for managed relocation. Some analysis on its suitability for this purpose was subsequently undertaken following the July 2021 storm. This was when locations for a temporary accommodation village were being investigated.

The temporary accommodation village is being established by MBIE's Temporary Accommodation Service (TAS). Funding for this initiative has been used to temporarily relocate some of the most vulnerable residents in Westport to an area that is not subject to flood risk. The intent of the village is to enable households to stay in their community and allow a more efficient repair programme to proceed. In the past, when TAS villages are no longer required, a community led review has been undertaken to consider repurposing as social or affordable housing.

Under the current TAS proposal, 20 newly constructed houses will be deployed on Council owned land to temporarily rehouse displaced residents. The general Alma Road location has been identified as suitable, and a consent for a temporary village has been lodged, and construction of supporting infrastructure to the site is underway. In addition, BDC currently has a \$18m bid with the Infrastructure Acceleration Fund for continuing infrastructure past the village site, to enable further residential development in this area. We are keen to pursue this with vigour.

While the analysis referred to above was undertaken on the suitability of the Alma Road area for residential growth, as well as a *blue sky thinking* exercise and draft concept plans to ensure the area could accommodate growth prior to proceeding with the Infrastructure Acceleration Fund (IAF) application, there has been no formal development, spatial or structure plan developed for the area.

As an interim planning measure, and to seek community feedback on the proposal, a large part of the Alma Road terrace was identified in the draft TTPP as General Residential Zone. The intention is that details about the exact nature of the rezoned area be refined once more information on constraints and servicing capacity is available

It is planned that an area of approximately 80 ha will be rezoned in the TTPP to General Residential, with a small area of 2.4ha zoned as Commercial. The area that will be rezoned is shown below. Buffer zones have been identified to avoid reverse sensitivity issues with nearby industrial activities.

Figure 27 - Proposed Alma Road Development Area



BDC does not have the resources to draft a development plan – let alone a ‘structure plan’ for the Alma Road area. Nor does the Council have the resources to undertake the level of infrastructure planning necessary for a high quality, resilient and sustainable ‘community-centred’ development, broader than providing the basic infrastructure needed to enable the level of residential development already under consideration. This means that in reality, spatial planning is required to ensure development at Alma Road is strategically merged with the existing Westport township and areas within the Westport Flood Risk Mitigation Scheme.

We want a more ‘integrated’ approach to prevail. Our view is this is too good an opportunity to miss. Westport provides opportunities to become a model district within which to apply the provisions of the proposed Strategic Spatial Planning Act.

We are keen to discuss the resourcing required to achieve this objective with Government. We believe a relatively modest investment in a feasibility study around Alma Road (or other sites) could set the scene for Westport 2100. We think this would cost in the vicinity of \$250,000. If we do not do this now, we will probably never do it.

Figure 28 - Earthworks for Temporary Accommodation Service at Alma Rd (photo courtesy Pam Johnston)



If the village is already viewed as sustainable for temporary accommodation, we are asking ourselves why it cannot be sustainable on a more permanent basis? Could we grow the village and its infrastructure for the benefit of the long-term resilience of Westport? Could we put infrastructure development on steroids. Could we incentivise relocation by making housing development at Alma Road more competitive than development within the current town? We think the answer to these questions is 'yes'.

Further, if previously vulnerable people can live in houses that are warm, safe, and dry, might this be an opportunity to build a more fulsome and resilient community in an area that will not flood?

Westport is going to grow in the coming decades. In our view, growth ought to be accommodated in areas like Alma Road and Sergeant's Hill. These are lower risk areas that avoid the hazard rather than trying to accommodate it. Alma Road already has significant costs sunk into it. It has been selected because of its location and geographic characteristics. It seems like an ideal opportunity to give effect to the government's intentions.

Strategic Land Purchase

Bearing this in mind, in our view one of the most sensible, proactive, and long-term actions available is for a public agency to strategically secure and repurpose additional land to enable Westport to grow in a lower-risk area. While the Alma Road terraces are an obvious candidate for this, there are other areas that should also be considered.

Realistically, this will be achieved through a Crown agency, or by iwi, unless the Crown provides funding for BDC to acquire land. This would align well with the NAP.

If the agency were to be Kāinga Ora, Alma Road could become a model for building community resilience through social cohesion and resilient public housing, with dwellings built well away from areas prone to climate hazards. Modern homes would be low maintenance, carbon sensitive, safe, warm and dry with commensurate health co-benefits. We think this is a wonderful opportunity, and indeed we have already spent time with Kainga Ora discussing workshopping what this might look like.

Infrastructure would also be resilient with pipes and pumps designed and specified to accommodate growth, to avoid flooding and to endure a seismic event such as AF8.

We propose that a business case be constructed in FY 22/23 by BDC, supported by Kāinga Ora and Kanoa, with a view to securing further land parcels in order to sustain a growth zone for Westport that is in a low-risk area.

We think this would cost \$250k next year for detailed analysis, including a detailed spatial study, with a likely capital land purchase value of \$3m-\$5m, in out years. We do not recommend providing anything other than a provisional sum for infrastructure until the IAF funding decisions are finalised.

We propose to augment our request by setting aside some of our 'better off' funding from the Three Waters reform into a related area. In passing we note that currently we are considering improvements to our stormwater and sewerage separation, climate change preparedness and planning, airport relocation feasibility study and supporting development of the community resilience hub.

We are excited about the prospect of relocating parts of Westport, and we think that there could be merit in the Crown looking at other flood-prone towns with a view to Crown purchase of tracts of land that might be suitable for relocation. Westport's very real experience could be ideal intelligence to inform the NAP.

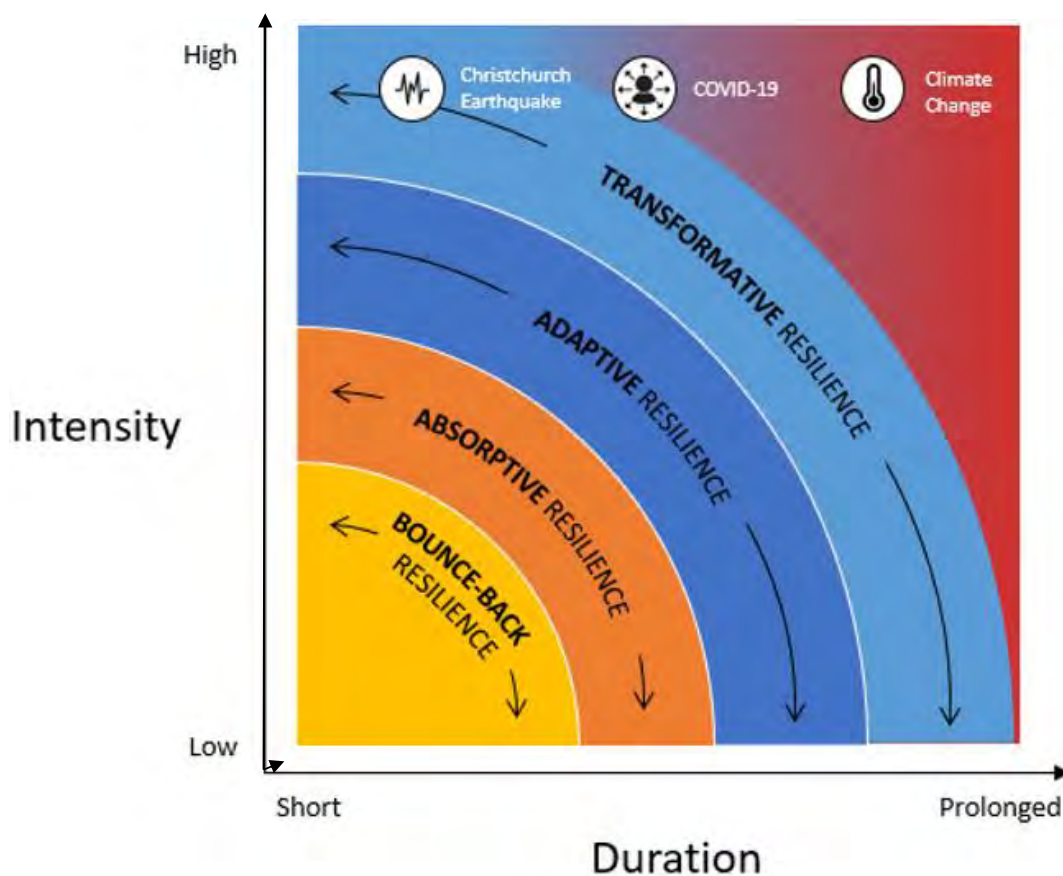
Adaptation and resilience

Because Snodgrass and other parts of the wider Westport area are unprotected, the area will continue to be more vulnerable than urban Westport. Technically, the level of service for Snodgrass will not be the same as the rest of Westport, and it is more likely this area, compared to other parts of Westport, will be subject to flooding. In all likelihood, this means that Snodgrass will be affected by climate change earlier. In addition, in other parts of Westport there will be effects from a degree of ponding or diverted flow as a consequence of the embankment and walls.

It is not our way on the West Coast to do nothing when communities are faced with this type of challenge. We realise that neither the Government nor Councils can undertake a full buyout. But we think it is reasonable to advocate for some level of assistance for people in this predicament.

What we need to head for is long-term 'transformative resilience'. While the intensity is similar, the scale of necessary change may need to occur over a longer period than that for the Christchurch earthquake and that experienced with Covid-19. To state the obvious, we know that responding to climate change-induced flooding presents significant community challenges (Figure 30).

Figure 30 - Climate change induced flooding and transformative resilience⁸³



We are proposing establishing an Adaptation Relief Fund of \$10m to allow for some local relief for Snodgrass property owners, and for others who might be affected downstream and upstream by the embankment and walls. The purpose of the fund will be to support people who are disadvantaged or unprotected, and who wish to take steps to adapt their circumstances as a result, for example:

- Independent advisory services, along the lines of the Residential Advisory Service in Christchurch.
- A subsidy where owners wish to raise their building's floor level.
- A subsidy where owners wish to relocate to a site outside the hazard zone.
- A subsidy where owners wish to undertake minor earthworks to manage water.
- Conveyancing, consenting or other legal advice.

We envisage this Fund will have a high degree of rigour around eligible candidate criteria and will be overseen by the 'reset' Steering Group⁸⁴. The Fund would be used to partially fund owners who wish to help themselves – we envisage this Fund might cover up to half the cost of specified actions that align with the overall intent of achieving a more 'Resilient Westport'. There would be a cap on the fund.

⁸³ Source: HenleyHutchings – as adapted from the handbook of regional economic resilience.

⁸⁴ More details about the proposed reset of the Steering Group are provided later in our proposal.

It is easy to view seaside communities as places for affluent property owners with financial resilience. We think this is unfair. The Snodgrass community is at the forefront of New Zealand's adaptation effort. Every hazard risk and climate resilient policy quandary is captured in this small settlement. We appreciate that the Government will not wish to set a precedent, but we feel we have an ethical obligation to provide some measure of assistance.

The Ask

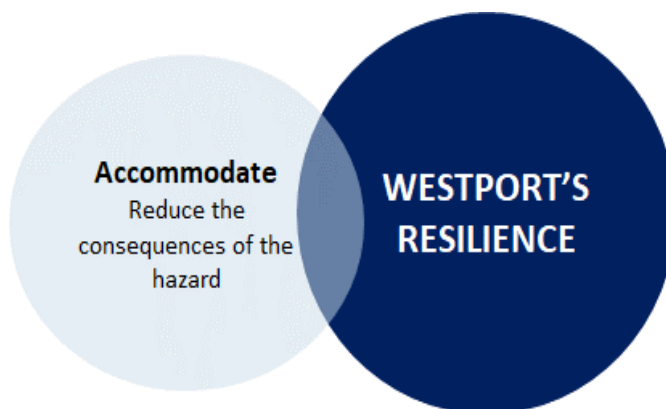
In this section we are asking for:

Initiative	Total Cost	Our Ask of Government	Comments
Invest in infrastructure at Alma Road			Live \$18m IAF application
Development plan at Alma Road to ensure positive community outcomes	\$250,000	\$250,000	
Feasibility study into strategic land purchase at Alma Road or another resilient site	\$250,000	\$250,000	
Adaptation Relief Fund to provide assistance to owners in areas like Snodgrass	\$10,000,000	\$10,000,000	Evaluation criteria to be refined

Accommodate

Reduce the consequences of the hazard

Accommodate



West Coast CDEM Group

The West Coast is one of the most hazardous places in New Zealand, but with the lowest rating base and very high levels of deprivation. The result of these conditions is that Westport, as part of the West Coast CDEM Group, has the least means to invest in strong CDEM systems and structures. We have formally reviewed the CDEM capability and capacity and have identified areas that could be further enhanced.

Of course, it is not unusual for Civil Defence Emergency Management Groups to have competing pressures and tensions. They also attract fairly regular reviews and restructurings, in an effort to address perceived performance issues, in between events.

We appreciate Government is currently looking to address some of these issues through the 'trifecta' of changes to the CDEM framework. However, while this takes place, we have the existential threat of flooding right here and right now.

The fact is, on the West Coast we have four Councils with too few resources. Reviews have pointed out the need for stronger leadership and culture change, but the West Coast is currently reliant on outside resources to deliver their obligations under the CDEM Act.

We were grateful to receive \$375,000 of shovel ready funding for the Westport Advanced Flood Warning System. This has been integrated into the WCRC flood monitoring and response system. The data from the monitoring stations informs alert and flood modelling for the Westport community.

Ideally key CDEM staff would strategically support planners with reducing risk through better land use planning, and through community education based around risk reduction and readiness. However, the focus is almost invariably on response during and after the event and in the case of Buller, lack of infrastructure investment and planning makes our community vulnerable.

While flood hazard is currently front of mind, AF8 is like Damocles Sword hanging over Westport, and the same concerns apply. We believe the associated CDEM reforms will likely increase the demands on our Councils without providing the resource required to implement them. Any change is likely years away. We can't wait.

We have had Emergency Management Assistance Teams assist with developing flood evacuation plans, but we do not have the skills and resources to socialise these plans with our communities. Nor do we have the resources to raise awareness of the hazard and how to respond.

As part of developing this proposal, we invited river and flood modelling engineer Matthew Gardner to make a public presentation about the history and challenges of flooding from the Buller and Orowaiti Rivers. Despite having been flooded three times in eight months, this was the first time we had the resources to be able to provide the community with an overview of the hazard they face every day.

These problems cannot be solved overnight, and that there is never enough resources to do everything in emergency management. But we also know the status quo is indefensible should there be another flood or earthquake.

We would like to propose the Government assist West Coast CDEM to grow its capability through the funding of a secondment of a senior officer or official for two years, a Resilience Officer, based in Westport and linking in to the CDEM structures. Such an officer would pursue the following objectives:

- To educate, connect with and grow community network and neighbourhood awareness of flood and earthquake risk, helping people to help themselves – before, during and after an event. This includes the development and communication of community-based evacuation plans.
- To progress the existing Community Hub and Navigator program, including analysis supporting a permanent hub that incorporates evacuation planning and providing people with the support to connect with agencies that can provide welfare, financial and mental health support.
- To connect people with agencies and funds where communities wish to engage in afforestation or riparian planting activities that contribute to flood risk mitigation.
- To grow Westport-based organic CDEM capacity and leave a legacy of elevated levels of competence.
- To assist to develop GIS systems to provide public facing information to grow hazard awareness.
- To integrate the Advanced Flood Early Warning project into a 'business as usual' framework.
- To liaise with the CDEM Group to strengthen relationships and processes.
- To grow and enhance the West Coast Lifelines Group in and around Westport.
- To develop strong connections and trust with relevant Government agencies and stakeholders, such as MSD, Waka Kotahi, KiwiRail, DoC and NEMA.
- To assess the practicality of deploying planned relocatable temporary flood barrier devices and sandbags.

We think this would cost around \$250,000 per annum for two years. This would cover the key person's costs and provide them with a modest budget (for GIS, communications collateral) to achieve the above. By supporting Buller, this will in turn support the region as a whole as CDEM caters for the whole of the West Coast.

Figure 29 - Inflatable temporary flood barrier



Wave and sea level gauge



We have also become aware there is no accurate sea level gauge on the West Coast, nor an accurate wave height buoy. As a result, the coastal boundary conditions used in the modelling have significant uncertainty. We believe it would be prudent to invest in a more robust gauging station to inform future hazard management decisions. There is also significant uncertainty associated with local land movement - a land-based device would keep data relevant during and after an Alpine fault event. Local debate abounds about the balance between tectonic change and sea levels.

We have been told these gauges are installable for around \$80k inclusive of a radar sensor and dual communication systems. Annual maintenance would add \$10k to the cost. A co-located global navigation satellite system station would

also be an advantage as this would address the land movement issue. Without such technology, which is readily available and deployed in other parts of the country – the West Coast is flying blind. The total cost of establishing a fully operational wave and sea level gauge is therefore estimated to be \$250,000.

Stormwater and groundwater

The Westport rivers are one of three potential sources of flooding in Westport. Intense local rainfall, high water tables – and the influence of increased sea level heights on these water table levels will also contribute to the town's flood risks. A proposal for a flood resilient Westport would not be complete without addressing these other risks. Provision needs to be made for pumps to remove accumulated local stormwater. These would also provide for the removal of the additional groundwater that may accumulate in the lower parts of Westport because of sea level rise.

We propose that separate provision be made for these circumstances, at a cost \$12m. In addition, this investment is required to remove the excess stormwater that may build up when Westport's rivers are at peak flow, the flap-gates are closed and – at the same time, Westport is receiving significant localised rain.⁸⁵ We recommend that detailed modelling be undertaken to estimate the circumstances, quantity, timeline and area of effect of sea level rise-induced effects more accurately on Westport's groundwater.

Accommodating through Insurance

Like most New Zealanders we have become accustomed to using insurance as a way of transferring risk. We appreciate this only works where the risks posed by a hazard can be quantified, and traded efficiently, to reduce potential financial impacts. Where hazards are either too frequent, or too rare and uncertain to price efficiently, they cannot be quantified and traded, and insurance may become uneconomic.

⁸⁵ Storm water Pumping Proposal. Technical report to the TAG, Buller District Council, 9 May 2022.

There are suggestions Westport is becoming uneconomic to insure. The Insurance Council reports that the estimated cost of the damage to Westport property from the July 2021 flood event at \$88m.⁸⁶ The allied suggestion is that the industry is not willing to risk a repeat pay-out of this magnitude.

Exacerbating this view, in relation to Westport, Tower announced late in 2021 that it would be increasing premiums in high flood risk areas. Tower stated that: *it did not want to see those who lived in low flood risk areas subsidising those who had homes in high flood risk areas.*⁸⁷

This has caused some community consternation, although insurers themselves report that insurance is still readily accessible in Westport.

There is an abundance of anecdotal but little concrete evidence available to verify the veracity of these stories, or to undertake analysis. However, it is widely expected that insurance in places like Westport will start to become either unavailable or very expensive. The insurance sector itself has signalled that in coming years, future insurers are not likely to take on customers in areas prone to flooding.

This does not come as a surprise. We have been watching developments with *Flood Re* in the United Kingdom.⁸⁸ Equal developments are occurring with the National Flood Insurance Program in the USA. Ultimately insurance withdrawal seems inevitable in high-risk locations.

For some years now, Treasury has been assessing options for the future of the market in New Zealand. This is for the benefit of places like Westport, but we are not aware that this is likely to be of much immediate help to Westport.

To be fair to the Insurance Council, for many years it has been strongly advocating for Local Government to take a long-term view on resilience and to not consent to developments in high-risk areas.

If parts of Westport are to become uninsurable, this will be distressing for many West Coasters. There is no silver bullet to fix this issue. In truth it is difficult to even find evidence of insurability, due to commercial sensitivity around that sector. This is difficult for Councils, as we have no wish to consent land use or buildings in uninsurable areas.

Eventually, we think there will be insurance retreat from parts of Westport and other at risk areas. This mirrors what has happened overseas. Inevitably, this means low- income households are increasingly exposed to the full economic risk of climate-related natural hazard events, exacerbating inequalities.

We see the proposal outlined in our Business Case, as an opportunity to mobilise and realign effort to build confidence that Westport manages risks well, related investment and planning are credible, the community is resilient, and we have a very good handle on the climate change impacts we are facing.

Our proposal is informed by what we are hearing from insurers. However, we are realistic about how the insurance sector works. We anticipate a need for expanded future Government involvement. This will be required, at least on a transitional basis, as private insurers find that they can no longer make profit from the transfer of flood risk – mirroring in principle what has occurred with EQC and earthquake risk. We understand this. We are happy to be involved in Government planning and thinking around insurance. We understand that Treasury has been looking at this area for some years, however we have not yet been invited to participate in this analysis.

⁸⁶ ICNZ website 22 Mar 2022 *Cost of Natural Disasters*.

⁸⁷ 10 November 2021 [Residential Flood Risks Tool | Tower Insurance NZ](#)

⁸⁸ Flood Re is a joint initiative between the UK government and insurers. It's aim is to make the flood cover part of household insurance policies more affordable.

The Ask

In this section we are asking for:

Initiative	Total Cost	Our Ask of Government	Comments
CDEM capability	\$500,000	\$500,000	Over two years
Warning buoys and GNSS	\$250,000	\$250,000	Via GNS and NIWA
Stormwater	\$12,000,000	\$8,000,000	Opex @ 1-3%

The Ask

A summary of our request

The Ask – a summary of our request

To summarise our request to you Minister, we are asking for a mix of financial and non-financial support:

Initiative	Total Cost	Our Ask of Government	Comments
Protect			
Westport ring-bank, Carters Beach Option B	\$19,550,000	\$14,662,500	Year 1 (FY22/3)– planning and design Year 2-4 construction (75/25% split)
Organs Island reforestation	\$1,500,000	\$1,125,000	Years 2-17 – three x five yr phases
Immediate works on the Buller riverbank	\$3,300,000	\$3,300,000	
Operational expenditure Buller riverbank	\$3,000,000	\$3,000,000	Years 1 -10
Operational expenditure over ten years on Westport ring-bank and Carters Beach	\$3,500,000	\$2,625,000	Years 1 -10
Resource consents, owner agreement, Council project management, final design	\$1,000,000	\$750,000	Year 1
Contingency	\$1,000,000	\$750,000	
Avoid			
An Order in Council or other fast-tracking mechanism for TTPP resilience provisions			Minimal additional cost
Ability for BDC as a BCA to align the Building Code provisions with sensible flood resilience within the TTPP			Minimal additional cost
Retreat/relocate			
Invest in infrastructure at Alma Road			Live \$18m IAF application
Development plan at Alma Road to ensure positive community outcomes	\$250,000	\$250,000	
Feasibility study into strategic land purchase at Alma Road or other resilient site	\$250,000	\$250,000	
Adaptation Relief Fund to provide assistance to owners in areas like Snodgrass	\$10,000,000	\$10,000,000	Evaluation criteria to be developed
Accommodate			
CDEM capability	\$500,000	\$500,000	Over two years
Sea level monitor / tide gauge and GNSS	\$250,000	\$250,000	Via GNS and NIWA
Stormwater	\$12,000,000	\$8,000,000	Opex @ 1-3%
TOTAL	\$56,100,000	\$45,462,500	

How We Will Implement

Governance

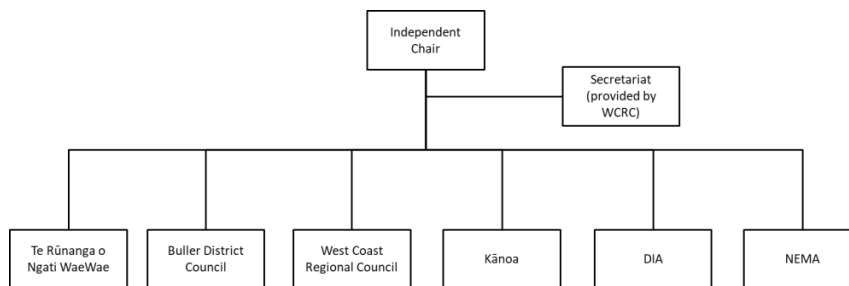
We propose to reset the Buller Flood Recovery Steering Group that has stood us in such good stead to date. The Group already has representatives from both Councils, NEMA, DIA, Ngāti Waewae and an independent chair. We would look forward to adding a representative from Kānoa or Kainga Ora as appropriate. One of the purposes of these additions is to ensure alignment between various governance interests.

We would also adjust the terms of reference to ensure the appropriate level of assurance, co-ordination and oversight for all four elements of the PARA framework was provided. In addition, we would revisit the strategic settings, including the Critical Success Factors. This would be to ensure the long-term purpose of the Steering Group was accurate and that the focus of the reset was clearly on benefits realisation.

We would be happy to invite a senior officer from the Ministry for the Environment to sit on the Steering Group as an observer, in order to provide living evidence of the challenges for those communities facing climate change. This would inform the National Adaptation Plan and the Climate Change Adaptation Act. We also believe we have some valuable insights that might inform the 'Future for Local Government' Review during their process.

We think the Steering Group structure could look like this:

Figure 30 - Proposed Steering Group structure



The costs of the Steering Group are capitalised programme management costs.

Asset Management

Once constructed, the new structural assets need to be properly maintained. WCRC are currently developing best practice Asset Management Plans (AMPs) to drive our future work programme. The AMPs are being designed so that they feed into our Infrastructure Strategies and Long-Term Plans. To help us do this, we have enlisted the assistance of Te Uru Kahika and Greater Wellington Regional Council. They are providing assurance we have the requisite people, systems, and processes in place.

As part of this work, we have adopted a comprehensive, risk-based framework. This is the system developed by New Zealand's River Managers to assess the performance of flood protection assets. This framework is known as the 'National Asset Performance Assessment Code of Practice'.⁸⁹ The Code aligns with the principles promoted within the International Infrastructure Management Manual (IIMM, 2015), and therefore also the requirements set out in the ISO 55000 (2014) international standards for asset management.

By applying the Code to Westport, the performance of all the flood protection assets along the river are assessed, with respect to required service levels, whilst considering the risks posed to communities. This system incorporates legacy assets handed down from the catchment board days. It also accommodates other assets (such as private assets) that contribute to flood protection. When completed, assessments produce a risk profile segmented into each distinct reach of a river. The asset performance assessments will enable the Council, on an annual basis, to:

- Identify critical assets and critical asset systems – including all assets established by the Catchment Board in the past, along the river scheme.
- Identify failure modes for particular assets and asset systems, in relation to the performance framework.
- Communicate risk to people.
- Undertake risk-based decision-making in relation to asset performance and flood risk.
- Prioritise remedial actions to the highest risk areas.
- Identify gaps in knowledge or lack of accurate data.

The performance assessments are undertaken by WCRC, but will be shared via the Steering Group, with Buller District Council and other stakeholders such as Waka Kotahi and KiwiRail. This is to ensure integration with other investments such as stormwater systems and bridges, and to ensure an abundance of clarity about who is responsible for managing which assets, both new and existing. Ultimately the AMPs will drive the capital investment and operating budgets in Long-Term Plans.

Programme Management

Given the size and complexity of the work programme described in our Business Case, we are adopting a programme management approach (alongside project-specific management for structural flood risk mitigation elements). This will enable a road map of all the PARA projects to be created with each area grouped into tranches and each able to be processed in tandem. Using this method, we expect increased compliance, decreased construction cycle periods, lower costs and – most importantly, measured progress toward more resilience in the Westport community.

⁸⁹ This was developed with support from Waugh Infrastructure Ltd for the Rivers Special Interest Group comprising river managers from across New Zealand's regional and district councils. The river managers sought a framework that would assess the overall performance of flood protection assets in a consistent manner across the country.

A Programme Manager will be appointed. Their role will be to regularly report to the Steering Group on progress on the projects falling within the program, including the basic elements of feasibility, planning, design, construction, risk, and closeout. Each project will be managed both individually and separately from projects in the same group.

We envisage a few of areas requiring specific focus. The Steering Group intends to give additional attention to these areas. They include:

- **Health and safety:** These are the responsibility of both Councils. This will be a standing agenda item for the Steering Group. It will cover mental well-being as well as physical safety. It will likely extend beyond the program itself and into the community.
- **Communications and engagement:** These are a very public-facing programme. At key times there will be a need for a concerted effort with landowner and members of the public. The Steering Group has already recognised this, and the Councils are resourcing this area.
- **Procurement:** The Programme Manager will be accountable for oversight of good procurement practice, ensuring that public sector processes are adopted and followed.

More generally, WCRC and BDC are currently investing in building the capability and capacity of their staff to ensure that programme management is adequate, strongly supported and enduring for the life of the resilience programme. WCRC is in the process of standing up a project delivery team that will resource key projects as required.

Procurement Strategy

The West Coast is challenged by current market conditions just like everyone else. We are experiencing a shortage of professional services, physical works delivery labour and there are delays and cost increases across key supply chains. Perversely, the Government's approach to Covid recovery gave rise to economic stimulation through investment in infrastructure projects. We are not alone in noting this has placed pressure on an already tight market.

While we have used robust engineering estimates for structural works, there is still a high degree of uncertainty. This in turn has driven our intention to take a proactive approach to procurement practices, program management and contract management to increase our ability to deliver. In an ideal world we would use a traditional two-tier tender process to secure a construction partner. We have not found this to be a very successful methodology in the current market. Today's abundance of work has discouraged businesses from entering expensive and sometimes protracted competitive tendering processes.

We are therefore proposing to use an early contractor engagement model. This involves us partnering with suppliers such as engineers, designers, consultants and physical works contractors. We will enter into contracts that allow for greater sharing of risk, and as described above we are already building internal capability to plan and deliver projects.

Phasing / staging of proposed construction

Thinking has already commenced around procurement for the ring embankment. We are proposing eight packages of work to be completed over three years:

Figure 31 – Staging of proposed construction

BULLER RIVER – WESTPORT FLOOD DEFENCES STAGING

RCP6 100 YEAR

FLOOD MITIGATION — Westport Ring bank + extended Carter's



A report⁹⁰ commissioned into concept designs also outlined a preliminary sequencing proposal for construction of the flood defences. This was based on the application of a qualitative assessment risk matrix. This matrix is made up of the variables such as: likelihood of flood occurrence; consequences of flood occurrence; constructability (relative ease of construction); and consent-ability.

With this risk matrix in mind, we are of the view that the first stage of construction should be focused on the inland portion of the scheme. The proposed embankment structure next to the Buller River is the number one priority. The 'phased' construction of the full proposed Westport flood risk mitigation scheme is expected to take three years.

Before construction can commence, we know there are many 'process' matters to be resolved. These include securing appropriate project management skills, confirming funding (including a decision from

⁹⁰ G & E Williams Consulting Ltd

Cabinet about our desired level of 'co-investment'), consultation with affected parties and landowners, acquiring resource consents, securing property access rights, confirming 'rights' for land occupation by scheme structures, completing final design, and tendering for the supply of services and materials. These processes may take 8-12 months.

Conclusion

We began developing this proposal with an honest conversation about the flood risks for Westport, and our ability to pay to mitigate them. We designed and followed a process that set out to satisfy the Better Business Case framework.

We convened a Steering Group that shepherded a work programme through that process to settle on the recommended package of options we have presented. The Steering Group ensured that our process had integrity, and assured buy-in from key stakeholders.

We have applied the PARA framework. The components of this framework are interdependent strategic packages of initiatives. Many of these initiatives have already been discussed with the people of Westport but have not previously been formally collated and articulated in this way.

The package does not all need to happen at the same time. But some work cannot wait. The Buller riverbank rock protection and the ring-bank cannot wait. If we wait, the cost of damage to buildings alone is likely to be \$400m. To us, this part of our proposal seems an obvious candidate for fast-tracking. The Crown itself has \$1bn of assets in Westport, many of these are at risk.

We acknowledge that the risk cannot be eliminated. There will always be a degree of residual risk. The ring-bank does buy us valuable time so that we can deploy some of the *Avoid* and *Retreat / Relocate* strategic initiatives.

We feel that these initiatives are all strategically aligned with the Government's direction of travel, and we are pleased to be able to work alongside you as a case study.

On the following page we have summarised how our proposal aligns with the Better Business Case framework.⁹¹ We are comfortable that we have managed to bridge Local and Central Government processes. We think that local and central collaboration is essential if we are to successfully rise to the challenge of climate adaptation, and we are happy to be at the forefront of thinking and action.

Finally Minister, we wish to conclude by thanking you again for your support and the support of your officials to date. They have been superb to work alongside.

⁹¹ Framework provided by Morrison and Low.

Indicative Business Case

Strategic Case:

Need to Invest

- Westport is situated on a floodplain, between two rivers and the sea. It is one of the most flood-prone communities in New Zealand.
- In July 2021 and February 2022 Westport experienced two very large flood events. The community will struggle to sustain another event, social-psychologically and financially.
- Westport also has a very low rating base and one of the highest levels of deprivation in New Zealand. Without government co-investment the community can not afford future-proof flood protection measures
- There is strong community agreement that 'doing nothing' is not an option

Strategic Context

- 'PARA' framework – international framework developed for climate change adaptation planning
- Buller DC and WCRC Long Term Plans
- Local Government Act 2002
- RMA reform
- CDEM Act 2002
- Three Waters reform

Investment Objectives and Case for Change

Objective 1:	Reduce the extent, frequency and consequences of flooding from severe weather events on the Westport community
Existing arrangements	Flooding has occurred throughout Westport's history and the district is at risk of further flooding events. Climate change will substantially increase the severity and frequency of the risk of Westport flooding.
Business Needs	Our aim is to reduce the probability of flooding causing damage and disruption to people and property in Westport and its surrounds, taking into account what is needed to adapt to the effects of climate change.
Objective 2:	To improve the ability of the Westport community to prepare for, continue functioning during and after, and recover quickly from flooding events
Existing arrangements	The community is fatigued by recent flooding events and frustrated with the lack of direct action taken to mitigate future risk.
Business Needs	To make sure the Westport community is more resilient and prepared, recognising that 'absolute protection' is not possible and that there will be some level of residual risk of flooding.
Objective 3:	To Reduce undue long-term financial burden on the community
Existing arrangements	Westport's low ratepayer base cannot afford a future-proofed flood protection scheme.
Business Needs	The cost of building and operating flood interventions and of flood response strategies is financially sustainable for both current and future residents.

Economic Case:

Initial Options Analysis

NIWA analysis confirmed that significant cost benefits would arise from the investment into the proposed Westport flood risk mitigation scheme...

Model Scenario	Buildings: Sum of Building Loss (\$NZ)	Roads: Sum of Exposure Costs (\$NZ)	Rails: Sum of Exposure Costs (\$NZ)	Scenario Total (\$NZ)	Description of Flood Hazard Model Scenario
Base_ARI100_RCP6 (Status quo / no protection)	\$404,927,949	\$77,426,220	\$113,254,863	\$595,609,033	Future Climate, 100-year ARI event (RCP6 2100)
OpB_ARI100_RCP6 (Preferred option)	\$15,490,025	\$66,665,094	\$26,956,520	\$109,111,640	Future Climate, 100-year ARI event (RCP6 2100)

Infometrics calculated the discounted costs (investment cost plus residual loss) compared to Do Nothing, which further validated NIWA's findings...

Action	No Climate Change (\$m)	RCP6 Climate Change (\$m)
Do nothing	169	213
Preferred Option	36	50

The Preferred Way Forward: Our proposal combines a mix of structural solutions and adaptive pathways. The former provides Westport some security in the short-term, whilst buying some time for preparation of adaptive solutions over the longer-term, such as moving to higher ground.

Commercial Case:

The Potential Deal: Our intention is to take a proactive approach to procurement practices, program management and contract management in order to increase our ability to deliver.

We are proposing to use an early contractor engagement model. This involves us partnering with suppliers such as engineers, designers, consultants and physical works contractors. We will enter into contracts that allow for greater sharing of risk, and we are already building internal capability to plan and deliver projects.

Financial Case:

Indicative Costs

	Total Cost	Govt Co-Investment
Opex	\$8.3m	\$7.35m
Capex	\$39.1m	\$29.9m
Total	\$47.4m	\$37.3m

Affordability and Funding:

Investment in flood protection can be expensive, but not investing in flood protection can be much more expensive, as evidenced by NIWA and Infometrics' analysis.

Ratepayers are willing to fund a fair proportion of the required works but the full costs are too big a burden for Westport, especially given its low ratepayer base and deprivation status.



Appendices

Appendix one: Correspondence from the Minister of Local Government



It is important to note, however, that I cannot guarantee Crown funding or financing for any co-investment proposal. The Minister of Finance's expectation is that proposals with financial implications should generally be considered in a Budget process, unless there is a compelling case for urgency. As such, for the co-investment proposal to be successful it should be well-developed, demonstrate value for money, be robustly costed and accompanied by detailed next steps.

So that I can present the strongest case to Cabinet it would be helpful if the proposal could set out:

- why current policy and funding levers are insufficient to result in the best long-run risk reduction package for the community. This means the proposal should be clear about what Crown support can achieve over-and-above what is possible given your respective financial capacities;
- what makes Buller an urgent and compelling case, given the number of other communities in New Zealand that are exposed to natural hazards that would also benefit from central government support;
- how the proposal supports the government's broader policy goals in areas such as climate adaptation, community resilience, and resource management reform. Department officials can support you to identify these goals and contribute their knowledge on relevant Government policy and directions.

I have asked my officials to support you in developing the broad set of options for future flood resilience but I note the development of the co-investment proposal will need to be driven by your respective councils according to your existing roles and responsibilities.

I look forward to reviewing your proposal in due course.

Nāku noa



Hon Nanaia Mahuta
Minister of Local Government

Copies to:

Hon Kiritapu Allan, Minister for Emergency Management, k.allan@ministers.govt.nz

Francois Tumahai, Chairman Ngāti Waewae Arahura, francois@ngatiwaewae.org.nz

Heather Mabin, Chief Executive of West Coast Regional Council, heather.mabin@wrc.govt.nz

Sharon Mason, Chief Executive Buller District Council, sharon.mason@bdc.govt.nz

Richard Kempthorne, Independent Chair, Buller Recovery Steering Group, kempthorne.randj@outlook.com

Paul Barker, Partnership Director, Department of Internal Affairs, Paul.Barker@dia.govt.nz

Appendix two: Buller Recovery Steering Group Terms of Reference

Terms of Reference for the Buller Recovery Steering Group

Background

On 23 August 2021 the Government agreed to provide additional assistance of \$8 million in 2021/22 to enable the Buller District Council to meet its immediate operating shortfalls and start a recovery programme of works following the July 2021 flooding event. It was noted that the National Emergency Management Agency (NEMA) and the Department of Internal Affairs (DIA) would develop a governance structure in consultation with local government to oversee and monitor the Buller District Council's (BDC) use of available funding, inform regular reporting to the Minister of Finance, Minister of Local Government and Minister for Emergency Management and seek draw down of funds in monthly instalments.

A Steering Group was established in September 2021 comprising BDC, the West Coast Regional Council, iwi, DIA and NEMA chaired by an independent Chairperson. The Steering Group has overseen the allocation of most of the \$8 million appropriation to support the BDC's flood recovery activities. A Funding Agreement has been established between the BDC, DIA and NEMA which provides the specific arrangements for payment of Crown funding to support the BDC's recovery efforts.

Given the progress achieved with the immediate response and recovery led by the BDC, a review of the focus and operation of the Steering Group was undertaken at the end of 2021 to consider:

- The increasing shift of focus from flood response and immediate recovery to longer term flood resilience for the Buller district;
- The need to review representation from the West Coast Regional Council given the increased focus on flood protection measures as part of the longer-term flood resilience work; and
- The need to continue the role of the Steering Group to provide assurance to Ministers for the remaining allocation of the \$8 million appropriation as well as to provide advice on further funding assistance that may be needed.

Accordingly, the Buller Recovery Steering Group's focus and membership have been amended and supersede previous terms of reference.

Purpose and Term

The Purpose of the Steering Group is to:

- provide effective guidance and oversight of the financial assistance appropriated by Cabinet in August 2021 to support the Buller Recovery including related matters set out in the Funding Agreement between BDC and DIA and NEMA;
- identify and recommend longer term flood recovery priorities for the Buller District including options to increase resilience to future flood events;
- provide advice to the Crown¹ and elected Council's members on future funding that may be sought from the Government to support the Buller flood recovery and increase resilience to future flood events.

The Group will continue to meet until 30 June 2022 when its role and purpose will be reviewed.

¹ Noting that NEMA and DIA officials will absent themselves from decisions for funding requests to the Crown

Membership and Chair

Membership of the Steering Group will include:

- The Chief Executive and Deputy Chief Executive of the Buller District Council
 - The Mayor and Deputy Mayor of the Buller District Council
 - The Chief Executive and a designated member of the Executive of the West Coast Regional Council
 - Two elected representatives from the West Coast Regional Council
 - A representative of iwi
 - A representative of the Department of Internal Affairs (DIA)
 - A representative of the National Emergency Management Agency (NEMA)
 - An independent Chair
- Each organisation shall nominate a specified alternate to the permanent appointee being a person who is mandated to speak on their behalf.
 - A quorum for a Steering Group meeting shall be five members (or their alternates).
 - The Chair will be nominated by the Government representatives in consultation with the Steering Group. This position will be funded by the Department of Internal Affairs.
 - The Steering Group may invite other organisations or individuals to attend meetings as appropriate.

Role of the Steering Group

The Steering Group will:

- Provide oversight and guidance of work streams needed to give effect to the funding appropriated by Cabinet.
- Approve (or agree on) the work programme priorities and key milestones noting that a work programme and work streams will be developed alongside these terms of reference.
- Provide advice on key components of the workstreams including where financial assistance is sought from central government.
- Provide recommendations to the Chief Executives of the Buller District Council and the West Coast Regional Council in respect of findings and conclusions arising from the work programme noting authority rests with the Chief Executive and ultimately the Council.
- Support work stream leaders.
- Provide assurance over the progress of the work programme to the Mayor/Chair and Councils, iwi and, through Government department representatives, to the Minister(s).
- Monitor performance and report progress to the Council (via the Chief Executives), Iwi and the Crown (via Government Department representatives) on:
 - Risks and issues
 - Progress against budget
 - Progress against time lines
 - Performance against quality standards
 - Cashflow.

- Initiate and manage any independent audits or reviews requested.
- Assess and support the effective working relationship with key parties with interests in the work streams, including iwi and local stakeholders.

Steering Group Undertakings

Members of the Steering Group undertake to:

- work in a collaborative 'no surprises' way, and strive for consensus on desired outcomes for and projects to achieve them and related matters in order to achieve a 'best for recovery/work stream' outcome;
- create a high trust environment based on respect for each other and the agencies represented;
- support the respective organisations to achieve the best outcomes for the people of the Buller District affected by the July 2021 flood event; and
- ensure that public information and communications enable consistent and timely information on progress and agency roles and responsibilities. The Chair is responsible for all media releases.

Steering Group Administration

- The agendas for the Steering Group will be approved by the Chair, in consultation with the Chief Executives of the Buller District Council and the West Coast Regional Council.
- The Steering Group will collectively determine the meeting frequency, although the Chair may schedule additional meetings of the Steering Group, if required.
- A Secretariat will support the Steering Group by preparing papers and supporting analysis/documentation.

Approved by Steering Group 3rd March 2022

Appendix three: Flood Risk Management Legislative Framework

Legislation	Relevant Flood risk management purpose	Agencies/local authorities responsible
Resource Management Act 1991	<ul style="list-style-type: none"> Management of significant risks from natural hazards (including floods) Identification of hazards and control of land use and subdivision 	<ul style="list-style-type: none"> Ministry for the Environment Regional councils Territorial authorities
Building Act 2004 (and Building Code)	<ul style="list-style-type: none"> Manages natural hazards in relation to construction and modification of buildings Restricts building on land subject to natural hazards Allows councils to set finished floor levels in relation to flood risk 	<ul style="list-style-type: none"> Ministry of Business, Innovation and Employment Regional councils Territorial authorities
Local Government Act 2002	<ul style="list-style-type: none"> Local Government is responsible for the avoidance and mitigation of natural hazards Long term plans provide for natural hazard management activities, flood protection and urban stormwater infrastructure. 	<ul style="list-style-type: none"> Department of Internal Affairs Regional councils Territorial authorities
Land Drainage Act 1908	<ul style="list-style-type: none"> Allows land to be drained, contributing to modifying flood events Powers to take and maintain land for drainage Powers for new drains across private land 	<ul style="list-style-type: none"> Regional councils Territorial authorities
Soil Conservation and Rivers Control Act 1941	<ul style="list-style-type: none"> Powers to prevent flooding and soil erosion Powers for general maintenance and works to water courses to avoid flooding/erosion 	<ul style="list-style-type: none"> Regional councils
Rivers Board Act 1908	<ul style="list-style-type: none"> Control of rivers and powers to carry out works to prevent or lessen flood damage. 	<ul style="list-style-type: none"> Regional councils
Civil Defence and Emergency Management Act 2002	<ul style="list-style-type: none"> Manages hazards across the 4Rs – reduction, readiness, response and recovery Responsible for local level hazard management 	<ul style="list-style-type: none"> National Emergency Management Agency Regional councils Territorial authorities
Earthquake Commission Act 1993	<ul style="list-style-type: none"> Provides insurance for land damage from flooding (if an insurance policy with fire cover is held) Can decline a claim if the property has a s74 Building Act notice on it and the listed hazard occurs 	<ul style="list-style-type: none"> Earthquake Commission

Climate Change Response (Zero Carbon) Amendment Act 2019	<ul style="list-style-type: none"> Requires preparation of a National Climate Risk Assessment and a National Adaptation Plan Provides for reporting requirements on climate change adaptation 	<ul style="list-style-type: none"> Ministry for the Environment
Public Works Act 1981	<ul style="list-style-type: none"> Enables compulsory acquisition of land for flood management schemes 	<ul style="list-style-type: none"> Land Information New Zealand
Local Government Official Information and Meetings Act 1987	<ul style="list-style-type: none"> Provides for natural hazard information (including flood hazard) to be included on Land Information Memoranda 	<ul style="list-style-type: none"> Department of Internal Affairs Territorial authorities
Taumata Arowai – the Water Services Regulator Act 2020	<ul style="list-style-type: none"> Functions relating to establishing benchmarks for environmental performance of stormwater networks 	<ul style="list-style-type: none"> Taumata Arowai
Three Waters service delivery Reform (proposed)	<ul style="list-style-type: none"> Will contribute to resilience and crisis response to proactively minimise the risk of flooding ahead of forecast events (e.g. hot-spot maintenance) and work with Regional Councils to co-ordinate CDEM response to flood events. New water service entities will be lifeline utilities. 	<ul style="list-style-type: none"> New water entities will be established under three waters service delivery reform

Appendix four: Better Business Case Framework

In preparing this report we have we have embraced the principles of Treasury's Better Business Case (BBC) framework. However, given the unique nature of this project, we have chosen to structure this report in a way that provides more narrative than the traditional BBC structure allows for. The table below outlines the requirements of the BBC framework and where in this work they have been considered. The final table of the report (page 85) summarises the core content of the Better Business Case elements of this proposal.

Strategic Case		
<u>Strategic Context</u>	<u>Investment Objectives</u>	<u>Exploring the preferred way forward</u>
Pg 8 Context – big picture Pg 11 About Westport Pg 16 Flooding and Westport Pg 21 Strategic alignment Pg 27 The Story so Far	Pg 27 Matters addressed	Pg 33 Our Proposal – the PARA model Attached Report: <i>Real Options Analysis of Strategies to Manage Risks to Westport from Climate Change</i> , Infometrics, May 2022
Economic Case		
<u>Critical Success Factors</u>	<u>Long list options and initial options assessment</u>	<u>Recommended preferred way forward</u>
Pg 41 Challenge to be resolved	Attached Report: <i>Direct Damage Analysis for Scenario Flooding in Westport</i> , NIWA, May 2022 Attached Report: <i>Buller River Westport Flood Mitigation Engineering Report</i> , G & E Williams Consultants, June 2022 Attached report: <i>Westport Options Report</i> , Land River Sea Consulting Ltd, June 2022	Pg 18 Our Proposal – the PARA model Attached Report: <i>Real Options Analysis of Strategies to Manage Risks to Westport from Climate Change</i> , Infometrics, May 2022
Commercial, Financial and Management Cases		
<u>Procurement strategy</u>	<u>Funding Requirements</u>	<u>Planning for successful delivery – project management planning</u>
Pg 80 Procurement Strategy	Pg 78 Summary of funding request	Pg 80 How we will implement

Appendix five – Options not favoured by the TAG

Dredging of the Buller River

Some of our residents suggested that flood risks to Westport could be mitigated by carrying out more extensive dredging of the bed of the lower Buller River. This option has been investigated.⁹² Our experts have reported, based on their review of decades of experience in managing gravel riverbeds, that:

- The Buller River has the power, in large flood events, to determine its own bed levels and bed profile. It will scour and deposit the considerable volume of bed material available within the catchment to suit its very high magnitude sediment transport capacity. Even comparatively small river floods could replace extracted gravel overnight.
- The Buller River channel, along its lower reaches and extending out to the river mouth bar, has been dredged for harbour development and for maintenance purposes for many years. This work has had little effect on the bar or on channel depths compared to that created by the power of the river.
- Dredging / gravel extraction is costly. There is no substantial commercial demand for aggregate in the Buller. Dredging will therefore come at significant ongoing cost.

With the above points in mind, we do not believe dredging can contribute to flood risk mitigation solutions in Westport.

Direct cut to the sea from the Orowaiti Estuary

An 'overflow cut' option was put forward for our consideration. The proposed cut was suggested as best located where the Orowaiti Estuary bends to the east. The cut was envisaged as allowing flow to go directly out to the sea, through the spit⁹³ thereby preventing higher than wanted ponding of upriver flood water flows.

The advice⁹⁴ received was that the long length of a cut between the estuary and the current coastline, and the lack of hydraulic grade at this location, would make any overflow cut option inefficient. Further:

- The cut would have to be wide and shallow to have sufficient capacity while still fitting the level limitations of the estuary and sea.⁹⁵
- Maintenance of the cut would need to be relatively constant, with associated costs.
- An opening in this area would increase the risk of sea surge and tsunami hazards to residents of Westport.

Flood risk mitigation structures at Snodgrass

We fully explored the option of providing flood mitigation structures at Snodgrass. After deep consideration and despite having notified an initial intent to construct flood risk mitigation walls at Snodgrass,⁹⁶ we reluctantly no longer see favour in this option (Figure 19). Our reasons are that the:

⁹² 'Buller River Gravel Extraction Recommendations,' Matthew Gardner 2020.

⁹³ The changes in the profile of the coastline and in the Orowaiti estuary over time, because of the coastal protrusion of the harbour moles, were demonstrated in slides presented by Matthew Gardner at the Councillor briefing held on 26 May 2022. The complexity of Orowaiti 'cut' options are summarised in a report commissioned by WCRC in 2015.

⁹⁴ G & E Williams Consulting Ltd.

⁹⁵ The tidal range i.e. the difference between the height of the water in the estuary and the sea level at MHWS at this location, gives rise to a small useable height range across the spit.

⁹⁶ This was in the WCRC 2021-31 LTP.

- Construction of flood risk mitigation structures at Snodgrass would significantly increase water levels for upstream properties over a length of 6km.⁹⁷ This would require higher structures for the Westport ring-bank on the other side of the Orowaiti estuary, as well as increasing flood depths on land within the (unprotected) Orowaiti overflow area upstream.⁹⁸ The higher structures would have further adverse amenity impacts on affected landowners, and it may be difficult to gain resource consent.⁹⁹
- Snodgrass area is inherently vulnerable, under present climatic conditions – and even more so, under climate change-induced sea level rise and groundwater inflow conditions. Coastal flooding and groundwater ponding are likely to occur more frequently in the future even if flood risk mitigation structures were to be put in place.
- Cost benefit of investment is not as attractive as the investments in the Westport ‘ring-bank’ or at Carters Beach.¹⁰⁰
- Resource consents for structural solutions may be difficult to obtain because the:
 - Toe of many parts of the embankment would extend into the estuary.
 - Public access would become increasingly constrained.
 - Structures may need to be of significant height thus creating unwanted amenity impacts for residents and visitors to this area.
- There are likely significant constructability issues which are yet to be investigated in detail, including complex road crossings.

Figure 34 - Location of proposed Snodgrass bank flood risk mitigation structures



⁹⁷ We note that one of the objectives set by the Steering Group was ‘avoiding the transfer of any negative effects both downstream and upstream’

⁹⁸ These structures would need to be around 0.6m higher because of the constriction created by the construction of the Snodgrass walls.

⁹⁹ Landmark Lile Ltd Report

¹⁰⁰ The cost of the structures at Snodgrass has been estimated to be \$2.3m (1:100). The capital value of the 34 properties at Snodgrass has been calculated to be close to \$13m.

Excavating a causeway on the Snodgrass peninsula

Through the TAG, the effects of constructing a floodway along the lowest lying area of land in the Snodgrass area were investigated. The idea explored was whether this would provide relief from flood flows upstream of the State Highway 67 causeway. More particularly, we explored whether excavation of the causeway could eliminate the road flooding on the embankment access road to the State Highway, and whether an excavation could lower upstream flood levels, and hence lower the cost of flood defences at other locations.

Despite these potential benefits, this option would be difficult to operationalise. The reasons for this include the:

- Benefits in terms of lower flood levels in the Orowaiti are relatively small.
- Costs would be high because:
 - Bridging or constructing a set of box culverts would be required for floodwaters to pass under the State Highway.
 - There is a substantial area immediately downstream of the State Highway that has been filled. This fill would have to be removed at considerable cost.
 - There are several homes located on or near the proposed causeway and these would need to be relocated at considerable expense.

Constructing culverts at the Railway embankment at Stephen Road

The railway embankment across the Orowaiti river at Stephen Road is viewed by some residents as a weir control on overland flood flows. This railway embankment was severely damaged by flood flows in the recent flood events. In addition, existing bridge/culvert openings are small compared to the length of the embankment restriction.

Despite these factors, constructing culverts at the railway embankment at Stephen Road should not be an integral part of Westport's flood protection scheme. This is because:

- Flood impacts of the small existing openings are localised due to the poor hydraulic linkage across Stephen Road to the low wetland area below the railway line.
- An enlarged waterway capacity could have significant long-term benefits for KiwiRail, but they would neither hinder nor significantly benefit broader flood risk management.
- KiwiRail may see fit to apply, at its own discretion, for a resource consent to enlarge the opening at Stephen Road sometime in the future.

Despite these findings, we think that further discussions should take place with KiwiRail about the net benefit of the weir-type role played by the embankment. The question to address is whether joint investment should be made to enhance the resilience of this embankment.¹⁰¹

¹⁰¹ At this stage, the costs of adding resilience to this structure have not been provided.

Constructing culverts on the embankment adjacent to the Orowaiti State Highway bridge

The possibility of removing the hydraulic restriction caused by the Orowaiti embankment was assessed by the TAG. We agree with the TAG's recommendation that this should not be pursued. This is because it would:

- Have little flood mitigation effect as the causeway was mostly 'drowned-out' in large flood events.
- Not generate sufficient cost / benefit.
- Need to take place in a sensitive area of estuarine mud flats thereby likely making resource consent for this work difficult to acquire.

BULLER DISTRICT COUNCIL

18 DECEMBER 2024

AGENDA ITEM: 7

Prepared by Tracy Judd
Compliance Manager

Reviewed by Simon Bastion
Group Manager Regulatory Services

Attachments 1. Annual Statistical Information
2. What Your Registration Pays For
3. Extract From Dog Control Act 1996
4. Policy s10a(1)(a)

Public Excluded: No

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

1. **EXECUTIVE SUMMARY**

The report is an overview of Animal Management practices and statistical information pursuant to s10A of the Dog Control Act 1996 relating to the 2023 / 2024 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. 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.

3. **DRAFT RECOMMENDATION**

1. That Council adopts the Buller District Council Annual Report on Dog Control Policy and Practices for the 2023/2024 financial year.

2. That the Secretary for Local Government is advised that it has been published in accordance with Section 10A of the Dog Control Act 1996, and Section 5(1) of the Local Government Act 2002.

4. **ISSUES & DISCUSSION**

5. **BACKGROUND**

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.

6. The majority of the known dog owners within the district 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.

7. 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.

8. Current activities include recognition for dog owners displaying positive behaviour and provision of information about responsible dog ownership.

9. 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.

10. Social media remains an effective communication platform for delivering consistent messaging. Our posts highlight dogs available for adoption, registration date reminders etc. Notably social media has reunited lost dogs with owners.

11. Animal Management will be holding another Mutt dog show in 2025, as part of the annual A & P show. This event is always immensely popular and positive. Classes such as the obstacle course always attract a big crowd.

12. **OPTIONS**

There is a legislative requirement for Council to adopt an Annual Report on Dog Control Policy and Practices and make the report publicly available in the same year. This report is submitted for adoption in accordance with those legislative requirements

13. **Advantages**
Council meets its obligations of the Act by adopting the Annual Report on Dog Control Policy and Practices thus maintaining legislative requirements.
14. **Disadvantages**
Failure to adopt the report would mean council breaches the ACT.
15. **PREFERRED OPTION**
Adopt the report as per the recommendations.
16. **NEXT STEPS**
The Secretary for Local Government is advised that it has been published in accordance with Section 10A of the Dog Control Act 1996, and Section 5(1) of the Local Government Act 2002.
17. **CONSIDERATIONS**
18. **Strategic Impact**
The adoption of the attached Annual Report is an administrative function required of Council under the Dog Control Act 1996 and is therefore of low significance in accordance with Council's Significance and Engagement Policy.
19. **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:
20. <https://bullerdc.govt.nz/media/f2ofzb4z/buller-district-council-significance-and-engagement-policy-2021-2031-ltp.pdf>
21. As this item does not trigger Council's Significance and Engagement Policy, public consultation is not required. It is a legislative requirement under the Dog Control Act 1996, that following adoption, must be notified and made publicly available online
22. **Risk Management Implications / Opportunities**
The following risks or opportunities are identified with the issues identified in this report:
23. If Council does not adopt a report on its Dog Control Policy and practices for the 2023/2024 financial year, it will not meet the requirements of section 10A of the Dog Control Act 1996.
24. **Engagement - external**
No external engagement has been conducted.

25. **Engagement – internal**
The Senior Leadership Team has reviewed the report and approved the release to council for consideration
26. **Policy & Legislative Considerations**
The Report can be used to measure the effectiveness of Council's Dog Control Policy and practices, and to inform their review.
27. 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
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**
As this item does not trigger Council's Significance and Engagement Policy, public consultation is not required. It is a legislative requirement under the Dog Control Act 1996, that following adoption, must be notified and made publicly available online.

ANNUAL STATISTICAL INFORMATION - Attached 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	
	2022/23	2023/24
Number of registered dogs	2,210	2,245
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	3	2
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)	3	3

Number of infringement notices issued for - S10A (2)(e):	Year	
	2022/23	2023/24
Failing to register a dog	4	8
Failure to comply with menacing classification	0	1
Failure to comply with dangerous classification	0	0
Failure to keep dog under control	8	11
Failure to comply with Bylaw	0	0
Falsely notifying death of dog	0	0
Total Infringement Notices	12	20

Number of dog related complaints - s10A(f)(g)	Year	
	2022/23	2023/24
Barking complaints	60	57
Wandering dogs/impounded	88/19	99/34
Dog/s aggressive behaviour including rushing	26	49
Dog/s attack	28	26
Miscellaneous (including lost, found, neglected, information related enquiries, & defecating dogs)	228	184
Prosecutions	1	0
Total Dog Related Complaints	430	415

WHAT YOUR REGISTRATION PAYS FOR:**Personnel**

Council employs one full-time Warranted Compliance Officer (CO), Appropriately warranted Compliance Officer Personnel may also be rostered to cover dog control functions when primary personnel are on leave.

Hours of Operation

The Compliance Officer works from 8:00am to 4:30pm, Monday to Friday and responds to all dog complaints. CO's respond to complaints 24 hours a day on rostered days, weekends, and statutory holidays, ensuring Council has appropriate cover to deliver service delivery expectations throughout the year.

Dog Pound

Council is responsible for the maintenance and management of its own pound assets and facilities, and the stewardship and nourishment of any dogs impounded in its care. The pound operates 24/7 with public access by appointment only via the on-duty Compliance, to claim any dog/s under their ownership that have been impounded. Dogs are only released to owners on full payment of due fees. Any dog not claimed within seven days, if not suitable for rehoming is euthanised, All dogs are assessed by an Compliance Manager to determine suitability for rehoming.

Registration Fees

Responsible dog owners will be charged the following registration fees:	
Approved dog owners - entire dogs	Non-Working Dogs \$89.50 Working Dogs \$67.50
Approved dog owners - de-sexed dogs	Non-Working Dogs \$69.50 Working Dogs \$52.50

PRIMARY TASKS:**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
- Re-Homing of dogs
- Destruction of unwanted dogs

- Catching equipment and safety equipment

Enforcement Activity

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

Annual Costs

- Two officers covering the Buller District
- 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
- Officer education
- Public information

DOGS NEED TO BE REGISTERED BEFORE 12 WEEKS OF AGE

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.

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

18 DECEMBER 2024

AGENDA ITEM: 8

Prepared by Paul Numan
Group Manager Corporate Services

Reviewed by Simon Pickford
Chief Executive Officer

Attachments 1. Revised Buller District Council Procurement Policy

Public Excluded: No

BULLER DISTRICT COUNCIL PROCUREMENT POLICY - REVISION

1. **EXECUTIVE SUMMARY**

The purpose of this report is to provide a revised Buller District Council Procurement Policy for Council consideration and adoption. This policy has been updated to has a strong focus on underlying rules and principles with operational procedures captured separately in the Contractor Procurement and Management Manual on the Buller District Council website.

2. **DRAFT RECOMMENDATION**

That the Council:

- a) **Review the revised Procurement Policy as per Attachment 1.**
- b) **Note the operational manual for conducting Contractor Procurement and Management Manual at Buller District Council is accessible on the Buller District Council website.**
- c) **Note that the financial limits from the 2019 Procurement Policy are unchanged and in line with limits set by other Local Government organisations.**
- d) **Notes that the Risk and Audit Committee has recommended to Council that they adopt this policy**
- e) **Adopts the Buller District Council Revised Procurement Policy as per Attachment 1.**

3. **ISSUES & DISCUSSION**

4. **BACKGROUND**

As part of a larger look into procurement and contractor management at Council, a review of the Procurement Policy has been completed. The new Policy focuses on the rules and underlying principles of procurement.

5. Although the Government Procurement Rules are not mandatory for local authorities, the Council has regard for these practices as a framework to ensure good procurement practices are adopted. This policy has regard for the [Government Procurement Charter](#)

6. The policy refers to broader outcomes and states that “Where practicable, procurement activities must prioritise opportunities for local suppliers and Council Controlled Organisations, provided they meet the requirements of value for money, quality, and sustainability.”

7. The revised policy document sets out the underlying rules and principles. The operational processes that ensure transparency, fairness, consistency and accountability when acquiring goods and services along with guidelines for procurement and managing contracts have been included in the recent Contractor Procurement and Management Manual. This information has been uploaded to the Buller District Council website for public awareness.

8. Under Section 5 – Full Procurement Process of the Contractor Procurement and Management Manual a definition is given to local suppliers with a mandatory non-price attribute given to broader outcomes and local suppliers
Local suppliers are defined as businesses owned, operated and located within the Buller district boundaries that ensures that the economic benefits directly support the local economy. Secondary local benefits include businesses that source goods and services predominantly from the Buller District.

9. This Policy was presented to the Risk and Audit Committee at its meeting on Wednesday 11 December 2024 and the following resolutions were passed (subject to confirmation of minutes at the February 2025 Risk and Audit Committee Meeting):

Recommends to the Council that it adopt the revised BDC Procurement Policy.

Cr P Grafton/Mayor J Cleine

10/2

Cr C Reidy against

MOTION CARRIED

10. **OPTIONS**

11. **Option 1 – Status Quo**

Do not adopt the revised policy and recommend that staff continue research into a final document.

12. *Advantages*

- No further changes in the organisation that is currently going through a high level of change.

13. *Disadvantages*

- Further work still to be undertaken to finalise the Procurement Policy.
- Actions resulting from recent audits are not able to be closed off.

14. **Option 2 – revised Policy adopted**

Adopt the revised Buller District Council Procurement Policy. This Policy was developed by IQANZ ([Independent Quality Assurance New Zealand](#)) in line with [New Zealand Procurement Rules](#).

15. *Advantages*

- Continues to work towards a consistent and mutually understood standard operating procedure for contractor procurement and management within Council,
- Aims to close out actions resulting from recent audits.

Disadvantages

- Procurement practices are ongoing with the staff with more time required to imbed.

16. **PREFERRED OPTION**

The preferred option is Option 2 (adopt the revised Procurement Policy) as it is in line with New Zealand Procurement Rules and compliments the Buller District Council Contractor Procurement and Management Manual.

17. **NEXT STEPS**

Should the preferred option be adopted, the revised Procurement Policy will be uploaded to the Buller District Council website (and the previous version removed). There will be a roll out of training to all relevant Buller District Council in the new calendar year and Buller District Council contractors will be informed of the revised policy.

18. **CONSIDERATIONS**

19. **Strategic Impact**

This supports the work that is proposed in the Long Term Plan and Enhanced Annual Plan

20. **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:

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

21. There are no significant environmental, risk or financial matters within this document.

22. **Risk Management Implications / Opportunities**

The following risks or opportunities are identified with the issues identified in this report:

23. *External Engagement*

IQANZ (Independent Quality Assurance New Zealand) was engaged to prepare this document in line with the New Zealand Procurement Rules.

24. *Internal Engagement*

This document was reviewed and endorsed by the Senior Leadership Team prior to presenting it to the Risk and Audit Committee.

25. **Policy & Legislative Considerations**

There is no legal context, issue or implication relevant to this decision.

26. **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.

27. **Financial Considerations**

There is no financial implication relevant to this decision.

28. **Communication Internal / External**

There has been Internal Engagement with Infrastructure Services as the attached Procurement Policy Document compliments the Buller District Council Contractor Procurement and Management Manual.

29. There may be Media may be interest in this report after recent audits showing a need for improvement in the Procurement and Contractor Management at Buller District Council . These will be referred to the Capital Works Manager for response.



BULLER
DISTRICT COUNCIL
Te Kaunihera O Kawatiri

PROCUREMENT POLICY

Date adopted by Council:		Date for Review:	
Policy Owner	Group Manager Corporate Services	Policy Authorised by:	Chief Executive Officer
Version:	1		
Also, Refer to:	Contractor Procurement and Management Manual Minor Contractors Procurement and Management Manual		

1. INTRODUCTION

OVERVIEW

Buller District Council procures significant goods and services that impact on the local community from lawn mowing services to public convenience upgrades and IT services to roading maintenance works. Public services are widely delivered by private businesses as suppliers, so choosing and managing these relationships well is critical to achieving the best results.

The Council needs to be confident that staff, suppliers and contractors working on behalf of the Council are complying with the law and considering the NZ Government Procurement Charter, Principles and Rules during its procurement activities.

PURPOSE AND SCOPE

The purpose of this Procurement Policy is to ensure the Council achieves optimal value through ethical, transparent, fair, and robust procurement practices. These activities support sound decision-making and are conducted efficiently and effectively across the Council.

OBJECTIVES

Having and delivering a consistent procurement practice benefits the Council's long-term plan and wellbeing of its community. The procurement policy objectives of the Council are:

- **Achieve the Council's strategic vision:** Ensure procurement activities, principles and processes are in alignment with the Council's vision, community outcomes and strategic priorities.
- **Local recognition:** The Council recognises the capability and resourcefulness of local companies. The Council's procurement planning is fair and transparent to local suppliers and provides them with an opportunity to become a viable and cost-effective provider.
- **Ethical and fair dealing:** The Council are committed to applying ethical considerations and provide standards based on honesty, integrity and transparency.
- **Sustainability:** Procurement sustainability ensures today's needs are met without compromising future generations' ability to meet theirs.

LOCAL GOVERNMENT ACT 2002

The [Local Government Act 2002](https://www.legislation.govt.nz/act/public/2002/0084/latest/DLM170873.html)¹ outlines specific responsibilities for local authorities, which applies to the procurement of goods, services and works. Below are key provisions and principles related to procurement under the Act:

- Local authorities must act in ways that contribute to the social, economic, environmental, and cultural well-being of their communities. The Council will consider opportunities for local suppliers and encourage equitable access to contracts.

¹ <https://www.legislation.govt.nz/act/public/2002/0084/latest/DLM170873.html>

- Local authorities must take a sustainable approach when procuring goods and services. The Council will consider strategies to avoid unnecessary consumption, minimise environmental impacts and supplier's socially responsible practices.

GOVERNMENT PROCUREMENT CHARTER, PRINCIPLES AND RULE

Although the Government Procurement Rules are not mandatory for local authorities, the Council has regard for these practices as a framework to ensure good procurement practices are adopted. This policy has regard for the following:

[Government Procurement Charter](#)² which directs agencies to:

- Seek opportunities to include New Zealand businesses
- Undertake initiatives to contribute to a low emissions economy and promote greater environmental responsibility
- Look for new and innovative solutions
- Engage with businesses with good employment practices
- Promote inclusive economic development within New Zealand
- Manage risk appropriately
- Encourage collaboration for collective impact

[Government Procurement Principles](#)³ which are the overarching values that apply to Government procurement:

- Plan and manage for great results
- Be fair to all suppliers
- Get the right supplier
- Get the best deal for everyone
- Play by the rules

[Government Procurement Rules](#)⁴. The Government Procurement Rules covers the following:

- Procurement planning
- Market research
- Approaching the market
- Evaluating responses
- Negotiating and awarding the contract

POLICY

PRINCIPLES

1. All procurement decisions **must** seek to obtain value for money, taking into account the Total Cost of Ownership (TCO), appropriate quality, fit for purpose and management of risk.

² <https://www.procurement.govt.nz/principles-charter-and-rules/government-procurement-charter/>

³ <https://www.procurement.govt.nz/principles-charter-and-rules/government-procurement-principles/>

⁴ <https://www.procurement.govt.nz/principles-charter-and-rules/government-procurement-rules/>

2. Procurement **must** be conducted in an ethical and transparent manner, free from unmanaged conflicts of interest, to ensure the quality and integrity of the decision making process, and to meet the accountability requirements of public entities.
3. The procurement processes and methodologies applied **must** match the level of value, complexity and risk to the Council. Refer to the Council's [Contractor Procurement and Management Manual](#) for detailed guidance.
4. Where practicable, procurement activities **must** prioritise opportunities for local suppliers and Council Controlled Organisations, provided they meet the requirements of value for money, quality, and sustainability.
5. Procurement activities **must** consider the secondary benefits that are generated from the procurement activity, i.e. the [Broader Outcomes](#)⁵ ([Rule 16](#)⁶). They can be environmental, social, economic or cultural benefits prioritise.

OPERATIONAL REQUIREMENTS

6. All Procurement Activity **must** be authorised by a staff member with the appropriate financial delegation in accordance with the Financial Delegations Policy.
7. The following good practice principles **must** be adhered to throughout all stages of the procurement process, including the evaluation, negotiation, execution, and management of any associated contract. These are:
 - Use of a competitive process wherever possible
 - Transparency of the process
 - Identification and resolution of Conflicts of Interest
 - Fairness and impartiality
 - Privacy and confidentiality
8. Where the Council has entered into Contracts with Preferred Suppliers and/or Panel Agreements, these providers must be used in the first instance for all procurement within that category.
9. Where a Preferred Supplier or Panel Agreement cannot fulfil the necessary requirements, or where there is no Preferred Supplier or Panel Agreement in place for a particular category, steps outlined in Section 3 of the [Contractor Procurement and Management Manual](#) must be followed.
10. Exemptions from the requirement to openly advertise **must** be in accordance with Section 5 of the [Contractor Procurement and Management Manual](#) written approval **must** be obtained from the Chief Executive prior to any Procurement Activity commencing.
11. The Council's approved RFx templates **must** be used unless otherwise approved in the Procurement Plan.

⁵ <https://www.procurement.govt.nz/guides/broader-outcomes/>

⁶ <https://www.procurement.govt.nz/principles-charter-and-rules/government-procurement-rules/planning-your-procurement/broader-outcomes/>

12. The Council **must** keep records of each procurement for at least seven years from the date all parties signed the Contract. The records must document the procurement process (including all decisions); the Contract awarded and include all recommendations.

EMERGENCY PROCUREMENT

13. An emergency is when there are genuine unforeseen and urgent circumstances. An urgent situation that has occurred because of a lack of planning, or a failure to mitigate a known risk, is not a genuine emergency. Emergency situations can include but are not limited to:
 - Natural disasters
 - Failure of critical infrastructure
 - Health emergencies
 - Security emergencies
14. In the event of a genuine emergency the Council will need to be flexible in how they procure goods and services that are required for their response. In these situations, rapid procurement may mean it is not possible or prudent to satisfy all requirements of this policy.
15. When making emergency procurement decisions the Council must act lawfully and with integrity.
16. Once the situation is stabilised and there is no risk to human life, the environment or critical infrastructure, a recovery plan must be established to authorise necessary procurement activity.
17. The Council must document and account for all emergency procurement activity, including decisions made, to safeguard against the high risk of corruption.

POLICY EXEMPTIONS

18. Written approval must be obtained from the Chief Executive for any deviations from this policy.

POLICY REVIEW

19. This policy will be reviewed every two years.

APPLICABLE TO:

- ✓ All employees, suppliers and contractors of Buller District Council who undertake procurement and contract management activities on behalf of the Council and Council Controlled Organisations.

BULLER DISTRICT COUNCIL

18 DECEMBER 2024

AGENDA ITEM: 9

Prepared by Jamie Cleine
Mayor

Attachments 1. Mayors Correspondence

Public Excluded: No

MAYORS REPORT

1. **REPORT PURPOSE**

This report is to provide commentary of significant events and meetings attended by the mayor. The Mayoral inwards and outwards correspondence is provided for information and discussion.

2. **EXECUTIVE SUMMARY**

A brief report this month due to the shorter than usual interval since our last meeting.

3. I want to thank elected members for your commitment through out the 2024 calendar year as we have navigated challenges. We must continue to find ways to work collaboratively and respectfully to guide our District. As we look towards 2025, we will see significant decisions required in Local Water Done Well, Long Term Plan 2025-34, waste and storm water policy and Council's share of Resilient Westport projects, to name a few.

4. Together with our regional partners, we also aim to maximise opportunities for Regional Infrastructure Fund projects and navigate longer term opportunities via Central Government Regional Deals policy, all of which will require long term strategic thinking by elected members if or when these applications gain traction.

5. As a council we should also reflect on the good progress achieved in the successful recruitment of our permanent CEO Simon Pickford. Simon has settled in well and created stability in the broader Buller District Council staffs team. The recent key appointments into the Senior Leadership Team also creates a fully staffed and capable leadership across portfolios, an exciting space for Council to be after a long period of uncertainty during recruitment.

6. I encourage all elected members to engage in your various portfolios as we work into 2025. The portfolio appointments are intended to give you space to provide governance leadership and innovation, working alongside the relevant senior staff. This will help Council be productive and effective in working through a very busy and important final 10 months of the triennium.
7. Finally, I would like to thank our Buller District Council staff and other staff working across WestReef, Buller Holdings, and Buller Recreation for their efforts throughout 2024.
8. I wish all of you, our elected members, and your families a safe and happy Christmas, New Year period and I look forward to working with you all in 2025.

9. **DISCUSSION**

10. **MAYORS TASKFORCE FOR JOBS (MTFJ)**

- I attended the mining and excavation jobs expo in Westport. This sector is so positive with opportunity for growth and a genuine commitment from these employers to make a lasting contribution to our region.
11. I recently met with my MSD contact and received an update on a growing number of jobseekers that are not “work ready” due to mental health issues, some of which are in the “NEET” target range. This reinforces the need and value of the MTFJ Buller initiatives to build confidence in our young people to be successful in the employment market.
 12. As we head into the holiday season the mood of employers to hire for the long term is subdued until the new year. However, shorter term opportunities often hold great experiences and builds confidence for young jobseekers, sometimes this is a start to something more.
 13. **MTFJ Buller Coordinator Julie Moore:**
I met with the Buller District Council Manager of Community Engagement to discuss our challenges facing job seekers and the lack of entry level jobs in the district.
 14. Really positive engagement with mines and those contracting to mine sites. Though entry level jobs are slow now, most are looking at opening up opportunities in the new year for those that are inexperienced once shifts have been established.
 15. Building and construction sector is still slow and very few apprenticeships are being offered. Again, this should improve after the Christmas break.

16. There have been few opportunities within the farming sector for anyone that has no experience, or work is seasonal and only offered for a limited time.
17. Another Dress-to-Improve short course was held for our male job seekers. It showed them how to present for job interviews with confidence and guidance in wearing and buying the correct clothing.
18. November was a quieter month for MTFJ Buller, we have 3 sustainable outcomes, and 9 placements made. Only one was an apprenticeship (plumbing).
19. A positive turnout for the Mining Expo, showcasing mines and contractors in the Buller district. Exhibitors had a number of job vacancies and people were able to leave CV'S. Discussions are now being held between MTFJ, MSD and Development West Coast on taking the event to Reefton where there has been huge development, and a lot of the mining is based.

20. **EXTERNAL MEETINGS**

At the time of writing this report I had external meetings pending. These include Te Tai Poutini Plan Committee and Mayors Chairs & Iwi Forum. I will provide a verbal update at this meeting on any matters of interest.

21. **LOCAL EVENTS & OTHER RELATIONSHIP MEETINGS**

I have attended various local events and relationship meetings over the period:

- The Punangairi Visitor Experience Centre, a key component of the Dolomite Point re-development in Punakaiki, is now officially open to the public. I attended the official opening ceremony alongside Cr Joanne Howard who has represented Buller District Council on the project reference group since inception.
- Chats with the Mayor Reefton. I was available at the Reefton Visitor and Service Centre. No members of the public took the opportunity to discuss issues with me this month.
- Rotary Westport Christmas Meeting, I thanked the members for their dedication to serving the community. I spoke to the group on the year in reflection and opportunities for the Buller district into 2025.

22. **DRAFT RECOMMENDATION**

That Council:

1. **Receives the Mayors Report dated 18 December 2024.**
2. **Notes Inwards and Outwards Correspondence and provides direction for any responses required.**

23. MAYORS CORRESPONDENCE

Incoming Correspondence 2024	From	Subject
27 November 2024	Hon Erica Stanford	Royal Commission of Inquiry into Historical Abuse in State Care
28 November 2024	John Currie	Coal Trucks & TTPP Industrial Zone Submission
4 December 2024	St Canice's School	Sports Tasman Funding Allocation
9 December 2024	Buller High School	Certificate of Appreciation
10 December 2024	Hon. Simeon Brown	Local Government (Water Services) Bill Intro to Parliament
Outgoing Correspondence 2024	To	Subject
29 November 2024	Charlie Elley	Public Forum Response
29 November 2024	Lee Harris	Public Forum Response
29 November 2024	Lee Scanlon	Public Forum Response
29 November 2024	Ray Curnow	Public Forum Response
29 November 2024	Shannon Hollis	Public Forum Response
29 November 2024	Sheree Cargill	Public Forum Response
2 December 2024	Matiu Manuel	Public Forum Response
2 December 2024	Garry Howard	Public Forum Response
2 December 2024	Pauline Hamill	Public Forum Response
2 December 2024	Rae Reynolds	Public Forum Response
2 December 2024	Sean Judd	Public Forum Response
2 December 2024	Pat O'Dea	Public Forum Response
4 December 2024	Lee & Kevin Scanlon	Letter of Response

Office of Hon Erica Stanford

Minister of Education
 Minister of Immigration
 Lead Coordination Minister for the Government's Response
 to the Royal Commission's Report into Historical Abuse in
 State Care and in the Care of Faith-based Institutions



27 November 2024

Jamie Cleine
 Mayor
 Buller District Council
 jamie.cleine@bdc.govt.nz

Dear Jamie

As you will be aware, the final report of Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith based institutions (the Royal Commission), was released in July this year. It is titled *Whanaketia – Through pain and trauma, from darkness to light* (Whanaketia). These reports detail widespread and extreme abuse of vulnerable children, young people and adults across a range of care settings, including a number of medical and psychiatric care settings. The full reports are available on the Royal Commission's website: www.abuseincare.org.nz/reports/.

As Lead Coordination Minister Responsible for the Government's Response to the Royal Commission's Report, I encourage you to have your Council consider the recommendations set out in the Royal Commission's final report and to take action where it is appropriate. There is one recommendation in particular that I wish to bring to your attention, which is paraphrased below for simplicity.

Recommendation 5

Relevant entities should review the appropriateness of any streets, public amenities, public honours or any memorials named after or recognising a proven perpetrator of abuse in care, or an institution where proven abuse and neglect took place. Entities should then consider what steps may be taken to change the names and what else should be done to address the harm caused by the memorialisation of proven perpetrators and institutions.

I encourage you to work with the Crown Response Unit on this (www.abuseinquiryresponse.govt.nz), as they are coordinating the Government's response to Royal Commission and can offer advice as needed.

Yours sincerely

Hon. Erica Stanford

Lead Coordination Minister for the Government's Response to the Royal Commission's Report into Historical Abuse in State Care and in the Care of Faith-based Institutions

[REDACTED]
Westport. 7892

28/11/2024

Mayor and Councillors,
Buller District Council,
PO Box 21,
Westport 7866.

Dear Mr Mayor and Councillors,

This letter is in regards to the trucking of coal, from 65 Stafford Street. The noise and other matters that I raised in my previous letter have not been attended too and the problems have significantly increased with the trucking of coal.

Council has allowed the coal trucking from Stafford Street to happen without any consultation with local residents. The only notification I received was from an employee of the trucking firm who advised that there would be some noise from the trucking yard at night from the 24th June for about three months and to let them know if there was any problems. At no time was the loading and trucking of coal from this site mentioned. At the time I didn't consider that there was going to be a problem for myself, as 3 days later I left for three and a half months.

When I returned the coal trucking was still on going, pot holes and coal dust everywhere and the timetable to finish trucking the coal was around Christmas time, I now find that its most likely February 2025.

The noise from the trucking yard and the other industrial sites nearby is incessant for almost 24 hours. The only respite is maybe in the early hours of the morning when it might quieten for short periods and then I sometimes get some sleep. I'm currently averaging around two to three hours per night as the rest of the night time is taken up with noise from the trucking yard.

The continued lack of sleep is likely to impinge on my health. Who would ultimately be responsible for this?

When I returned to my residence on the 12th of October, I commenced keeping records of the noise created by vehicle movements and other activities. These records highlight the problems I have mentioned. I have attached these to this letter.

I understand that the trucking of coal from Ngakawau is prohibited between the hours of 2200 and 0600 the next day, my neighbours and I want the same privilege.

I'm requesting Council to immediately mitigate the noise and other problems by forcing these industries in the Robertson, Stafford Street Industrial Zone to comply with the Industrial Zone Rules in the Buller District Councils Plan.

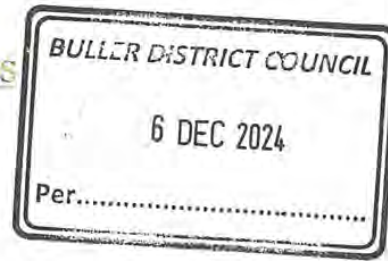
I have made a submission on the Industrial Zones, to the committee developing the New District Plan (s764). This submission outlines the history and also comments on the placement of the current Industrial Zones and there suitability under a new plan. I have included this for your perusal.

Awaiting your urgent and immediate action on this matter.

Yours Sincerely

A handwritten signature in cursive script, appearing to read "John Currie".

John Currie



4th December 2024

Buller District Council
6/8 Brougham Street
Westport
7825

Dear Council Members,

Subject: Inquiry Regarding Funding Allocation to Sports Tasman for Sport and Play Initiatives In Buller

On behalf of the Buller Principals Association, I am reaching out to inquire about the council's funding support for Sports Tasman, specifically for sport and play initiatives for tamariki and rangatahi in the Buller region.

Over the past couple of years, Sports Tasman has been unable to provide support to schools or run community sporting events in Buller due to challenges in recruiting staff locally. This issue may not have been brought to the council's attention, but it has significantly impacted the availability of opportunities for our children and young people to engage in sport and play.

We are concerned that this gap is leaving our tamariki and rangatahi without opportunities to participate in activities that support their physical and social well-being. If funding available, there is the potential for these initiatives to be delivered by local individuals or organizations who are currently active in the Buller community and aligned with the funding's objectives.

Could the council please provide clarification on:

1. Whether this funding has continued despite Sports Tasman's inability to recruit staff and deliver support in the Buller area.
2. The purpose of the funding allocated to Sports Tasman.

We believe there may be an opportunity to review the allocation of this funding to ensure it effectively serves our community. Redirecting it to a local organization or individual could help address the current challenges and ensure our tamariki and rangatahi have access to the enriching experiences they deserve.

I have included my phone number below so it is easier to kōrero about this, I am happy to feedback to the association. We look forward to your response and to exploring ways we can collaboratively support sport and play initiatives in Buller.

Yours sincerely,

Leah Marris

Leah Marris
President
Buller Principals Association

principal@stcanices.school.nz



Buller High School

Te Kura Tuarua o Kawatiri

Certificate of Appreciation

2024

This certificate is proudly presented to

Jamie Cleine
Westport Mayor

In recognition of your generous support and dedication to
Buller High School throughout 2024.

Your contributions have greatly enhanced our ability to provide high-quality opportunities and experiences for our students.

We are grateful for your continued commitment and partnership.

9 December 2024

Mr Andrew Basher
Principal/Tumuaki

Hon Simeon Brown

MP for Pakuranga

Minister for Energy
Minister of Local Government
Minister of TransportMinister for Auckland
Deputy Leader of the House

Dear Mayor / Chair

Local Government (Water Services) Bill introduced to Parliament

This week I introduced to Parliament the Coalition Government's third Local Water Done Well Bill.

When enacted, the Local Government (Water Services) Bill will be the central piece of legislation for New Zealand's water services system.

The Bill reflects key policy decisions shared with you in August this year, which give local government the tools required to address New Zealand's water services challenges.

It builds on the foundations already in place through the Local Government (Water Services Preliminary Arrangements) Act 2024, including the development of Water Services Delivery Plans (Plans) by councils.

About the Bill

The Bill is necessarily comprehensive. It sets out key details relating to the water services delivery system, the economic regulation and consumer protection regime for water services, and changes to the water quality regulatory framework.

The Bill gives effect to the policy decisions announced in August. While there are no changes to the information that has already been shared with you on these, the Bill sets out detailed information about the new water services delivery system that will be important for informing your consideration of future water services delivery arrangements.

This includes information about:

- Tax implications for water organisations
- Wastewater and stormwater standards
- Technical details about the implementation of the National Engineering Design Standards
- Bespoke requirements for the consumer trust model of water services delivery
- Arrangements for transferring responsibilities to water organisations
- The objectives, financial principles and other responsibilities that apply to water service providers (councils and water organisations)
- Contractual arrangements for water services delivery
- The new planning and reporting framework for water services.

Information and guidance available

I encourage you to visit the Department of Internal Affairs' website for further detailed information about key aspects of the Bill.

Private Bag 18041, Parliament Buildings, Wellington 6160 New Zealand
+64 4 817 6804 | s.brown@ministers.govt.nz | www.beehive.govt.nz

The Department has updated the Local Water Done Well factsheets that were shared in August and developed new factsheets, based on the provisions of the Bill as introduced and including further information.

This information is available at: www.dia.govt.nz/Water-Services-Policy-Future-Delivery-System.

Alongside the material that has been released to support the introduction of the Bill, the Department has developed additional guidance to help inform your consideration of future water services delivery arrangements as part of the development of your Plans. This information is also available on the Department's website.

Transforming water services infrastructure and delivery

The introduction of this Bill represents a significant milestone for Local Water Done Well, and for the delivery of local solutions for improved, financially sustainable and high-quality water services.

With the framework and settings now in place, it is now up to you to consider the best solution for your communities.

The Government's expectation is that councils will work together to establish joint water organisations for water services delivery, recognising the cost and operational efficiencies that come with greater size and scale.

A joint water organisation will enable councils to pool resources, improve access to financing via Local Government Funding Agency (LGFA), and reduce costs for ratepayers. It won't mean harmonisation of pricing and other key financial metrics from day one – that process can and should reflect the realities of each region.

While some councils may wish to continue with in-house delivery of water services, it's important to emphasise that the new framework and requirements under Local Water Done Well – such as ringfencing, planning and accountability, and economic regulation – means business as usual is not an option.

Under Local Water Done Well, water service providers will have to operate more like independent utility businesses, much like telecommunications or electricity utilities. They will be structured and operated differently, and they will be directly accountable to customers, regulators and shareholders (where relevant).

Progress on Water Services Delivery Plans

Finally, I want to acknowledge the progress councils are making with the development of your Water Services Delivery Plans – the centrepiece of financially sustainable and locally-delivered water services.

Plans provide a clear pathway for councils to assess their current water services arrangements and chart a course for improvement, using the tools and framework the Government has made available.

While you have until 3 September 2025 to develop your Plans, it's important to emphasise that this is just the start of a locally – or regionally – driven transformation. Laying the groundwork now is critical to shaping high-quality, cost-effective water services in future.

Crown Facilitators continue to be an option to support councils in navigating the complexities of preparing these Plans, and I really encourage you to take up that option if you are experiencing challenges.

Crown Facilitators can provide tailored guidance, facilitate collaboration among councils, or assist with joint planning efforts. These facilitators are not there to impose decisions but to help councils develop robust, achievable plans that meet their unique needs.

Next steps

Once the Bill has had its first reading it will be referred to a select committee, where you will be able to make a submission.

I encourage you to have your say to ensure the legislation provides an enduring framework for the delivery of financially sustainable water services to your communities.

Acknowledging that the submission period falls over the Christmas break, I will be writing to the select committee to request that submissions by councils be received until the end of February, to give councils time to meet in the New Year and consider their submission.

More detail on the timing of the select committee process can be found on the Parliament website at www.parliament.nz, following first reading.

Thank you for your continued engagement and support.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Simeon Brown', written in a cursive style.

Hon Simeon Brown

Minister of Local Government



OFFICE OF THE MAYOR
Jamie Cleine

29 November 2024

Charlie Elley
Via email: [REDACTED]

Dear Charlie

Public Forum Response

Thank you for speaking at public forum to share your thoughts on changes to Council's communication and engagement strategy. Councillors appreciated the additional information or context you were able to provide.

Please see below the resolutions that were approved in the formal part of the meeting.

RESOLVED

1. That Council thanks the management and staff for the work on improving community communications

Cr A Pfahler/Cr L Webb
11/0

CARRIED UNANIMOUSLY

2. That Council Acknowledges community concerns and want to ensure options are developed and come back to Council for consideration.

Cr A Pfahler/Cr L Webb
9/2

MOTION CARRIED

Best Regards,

Jamie Cleine

Buller District Mayor
Phone 027 423 2629 | Email jamie.cleine@bdc.govt.nz

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OFFICE OF THE MAYOR
Jamie Cleine

29 November 2024

Lee Harris
Via email: [REDACTED]

Dear Lee

Public Forum Response

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OFFICE OF THE MAYOR
Jamie Cleine

29 November 2024

Lee Scanlon
Via email: [REDACTED]

Dear Lee

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OFFICE OF THE MAYOR
Jamie Cleine

29 November 2024

Ray Curnow
Via email: [REDACTED]

Dear Ray

Public Forum Response

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OFFICE OF THE MAYOR
Jamie Cleine

29 November 2024

Shannon Hollis
Via email: [REDACTED]

Dear Shannon

Public Forum Response

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WEST COAST
UNTAMED NATURAL WILDERNESS



OFFICE OF THE MAYOR
Jamie Cleine

29 November 2024

Sheree Cargill
Via email: [REDACTED]

Dear Sheree

Public Forum Response

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WEST COAST
UNTAMED NATURAL WILDERNESS



OFFICE OF THE MAYOR
Jamie Cleine

2 December 2024

Matiu Manuel
Via email: [REDACTED]

Dear Matiu,

TUIA Presentation

Thank you for providing a presentation to the Council meeting on your experience with TUIA during 2024.

Councillors unanimously supported continuing in TUIA for 2025, that is a great outcome for our district's rangitahi.

I will begin a search for a new candidate soon so please share among your Buller connections if you have someone in mind that would benefit from the opportunity.

It has been fantastic getting to know you a little bit during 2024. You have been an outstanding ambassador for Buller, role model for other young maori and importantly, have grown as a person yourself.

Please feel free to stay connected as your career progresses. You have great skills and so much potential to explore further, I would be happy to help in any way I can.

Best Regards,

Jamie Cleine

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OFFICE OF THE MAYOR
Jamie Cleine

2 December 2024

Garry Howard
Via email: [REDACTED]

Dear Garry

Public Forum Response

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You also provided comment on the master planning project being led by Council as part of the greater Resilient Westport package of work. There has been significant media interest in this work and some outlets have incorrectly inferred Westport is to be picked up and moved. That has never been the plan and has never been considered as possible for obvious reasons of cost, complexity and equity. The flood protection work of the West Coast Regional Council, upgrades to stormwater by Council and improved emergency management resources are also continuing as part of the overall package of complimentary projects.

Master planning has focused on the opportunities to grow a new town in a safe location on the other side of the river, while ensuring that Westport continues to thrive in the meantime. The master plan will also be adaptable to respond to changes as Westport evolves over many years, (perhaps inter-generationally) while helping avoid ad-hoc development.

The idea is to start preparing for the future now because we need to get the land ready. It can seed opportunity for Westport to grow and prosper, and it can offer choice for relocation over time, as needed.

Master planning is looking to lower risk development areas, so that we are ready if an event were to occur that requires relocation (such as a major weather event or liquefaction from an earthquake).

The master planning process has been guided by consultants Isthmus working with approx. 150 local stakeholders over 8 months to produce a draft Master Plan. This is still receiving it's final tweaks in response to input from the final design workshops held a fortnight ago. The draft will then be shared for wider public engagement early in 2025. Once this process is complete and the plan finalised, it will be presented to Council elected members in April 2025. It is likely that some elements of the plan will also be included in the formal consultation undertaken for Councils Long Term Plan 2025-34.

Best Regards,



Jamie Cleine

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WEST COAST
UNTAMED NATURAL WILDERNESS



OFFICE OF THE MAYOR
Jamie Cleine

2 December 2024

Pauline Hamill

Westport 7891

Dear Pauline

Public Forum Response

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OFFICE OF THE MAYOR
Jamie Cleine

2 December 2024

Rae Reynolds

Via email: [REDACTED]

Dear Rae

Public Forum Response

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TTPP

Council acknowledges your concerns about hazard identification being included in the Te Tai Poutini Plan (TTPP). Unfortunately, this work is required by national policy direction, however it is accepted that communication of this complex issue has been confusing and upsetting to our community. Council supports the full TTPP work as essential, however we acknowledge that some aspects are challenging to various communities across Buller and will need our ongoing advocacy to government on the effects of national policies on communities.

Best Regards,



Jamie Cleine

Buller District Mayor
Phone 027 423 2629 | Email jamie.cleine@bdc.govt.nz



OFFICE OF THE MAYOR
Jamie Cleine

2 December 2024

Sean Judd
Via email: [REDACTED]

Dear Sean

Public Forum Response

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WEST COAST
UNTAMED NATURAL WILDERNESS



OFFICE OF THE MAYOR
Jamie Cleine

2 December 2024

Pat O'Dea

Westport 7866

Dear Pat

Public Forum Response

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Jamie Cleine

Buller District Mayor
Phone 027 423 2629 | Email jamie.cleine@bdc.govt.nz



OFFICE OF THE MAYOR
Jamie Cleine

4 December 2024

Lee & Kevin Scanlon
Via email: [REDACTED]

Hi Lee & Kevin,

I am writing in response to your letter to Mayor and Councillors dated 20 November. I have separately replied to you in response to your public forum submission.

Council acknowledges the high level of community interest and the strongly held views by some, including the differing views around the Council table. The points you have highlighted are important and will be considered as part of the next steps in line with what Council resolved.

The debate around the Communications & Engagement strategy should not be considered in any way as a slight on the work of you and the team at The News. The majority of Councillors support and value The News as part of any communications and engagement work. I apologise if you and the team have felt undervalued, that is not the view of Council.

The Council debate on the issue highlighted some matters that Councillors wanted a greater understanding of and an opportunity to provide feedback to BDC staff. There was a general feeling expressed that the local knowledge around the governance table could have been better utilised in developing the options and, more importantly, how those options are utilised. The communication and engagement strategy includes a broad range of publications and tools both online and across the district, all of which have a place in an effective communications effort.

The next step will be a workshop with Councillors in early 2025 to provide an opportunity to capture the feedback as described above.

The workshop output will inform an options paper that will come to Council, this is inline with the resolution made on 27 November.

The current strategy does not mean Council stops advertising in The News, and you will remain an important part of our communications.

Council did not resolve to end the use of the Messenger, nor was there any majority support to suspend the Communications and Engagement Strategy. I acknowledge that was not the outcome you were hoping for.

Councillors and BDC staff have certainly heard your point of view and acknowledge you disagree with some elements of the strategy and how it has been developed. Print media is one element of a broader strategy that Councillors need to explore and consider via a workshop. I anticipate the workshop will also explore ways to measure and monitor the strategy over time. This is a requirement to properly inform any formal decision making at the governance table, your advocacy has been influential in this regard.

Modern communications and engagement is a rapidly changing space and council will continue to work hard to improve what we do whilst remaining cognisant to the wide and varied expectations of our community.

Please feel free to make contact to discuss any of these issues further.

Best Regards,

A handwritten signature in blue ink, appearing to read 'Jamie Cleine', is positioned below the 'Best Regards,' text.

Jamie Cleine

Buller District Mayor
Phone 027 423 2629 | Email jamie.cleine@bdc.govt.nz

BULLER DISTRICT COUNCIL

18 DECEMBER 2024

AGENDA ITEM: 10

Prepared by Simon Pickford
Chief Executive Officer

Public Excluded: No

CHIEF EXECUTIVE OFFICER'S REPORT

1. **REPORT PURPOSE**

This report provides an overview of activities across the previous month and a 'horizon-scan' of upcoming strategic focus areas and opportunities. No decision is needed in relation to this information.

2. **EXECUTIVE SUMMARY**

This report provides an update on The Building (Earthquake-prone Building Deadlines and Other Matters) Amendment Act and Regulatory and Community Services.

3. **DISCUSSION**

4. **The Building (Earthquake-prone Building Deadlines and Other Matters) Amendment Act**

The Act, became effective from 26 November 2024 and introduced several key changes:

5. Remediation Deadlines Extension

The Act extends the remediation deadlines for earthquake-prone buildings by four years, except for buildings with notices that expired on or before 1 April 2024. This extension aims to provide clarity and certainty to building owners and territorial authorities while a review of seismic risk management in existing buildings is conducted. The extension applies to all earthquake-prone buildings with deadlines that had not lapsed before 2 April 2024. Earthquake-prone building notices must be re-issued and the EPB Register updated. Additionally, the Act introduces a one-off power to further extend remediation deadlines by up to two years, applicable until 2 April 2028.

6. Strengthening the Building Warrant of Fitness Scheme

The Act enhances the building warrant of fitness scheme to better protect building occupants' safety. It clarifies the obligations of independently qualified persons (IQPs) in issuing a certificate of compliance (Form 12A) if the inspection, maintenance, and reporting procedures stated in the compliance schedule have been fully complied with during the previous 12 months. The Act introduces an associated offence and increases infringement fees for building owners who fail to supply or display a building warrant of fitness from \$250 to \$1000. These changes ensure that IQPs fulfil their obligations and help protect the health and safety of building occupants.

7. Minor and Technical Changes

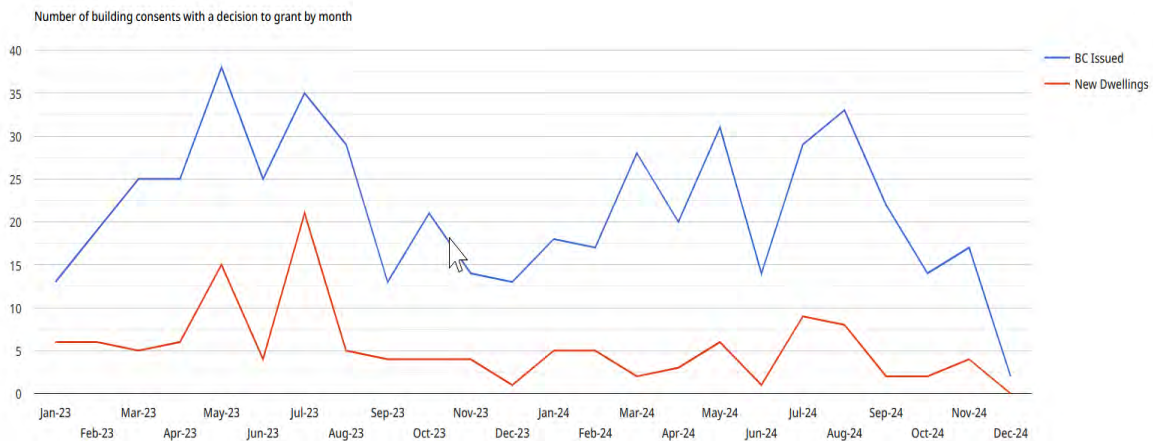
The Act includes several minor and technical changes:

- Clarifies exemptions for small, heated pools (e.g., spa pools) from periodic inspections if they have a compliant safety cover.
- A clause in s23 of Schedule 1 of the Building Act clarifies that building work related to a fence or hoarding to restrict access to a tank or pool is not exempt from requiring a building consent.
- Clarifies that if a certificate of acceptance for building work is issued by a territorial authority, a building consent is not necessary for that work.

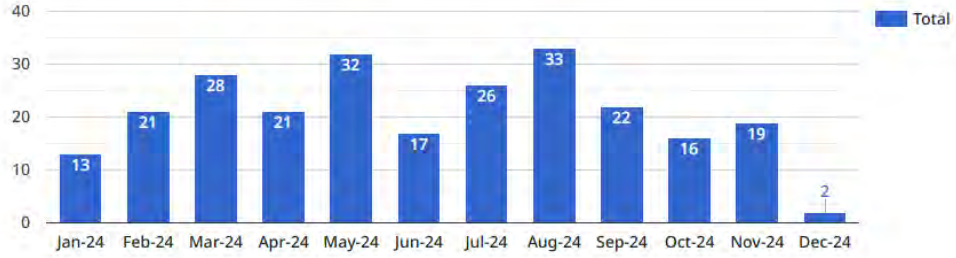
8. **Regulatory Services Update**

Building Control

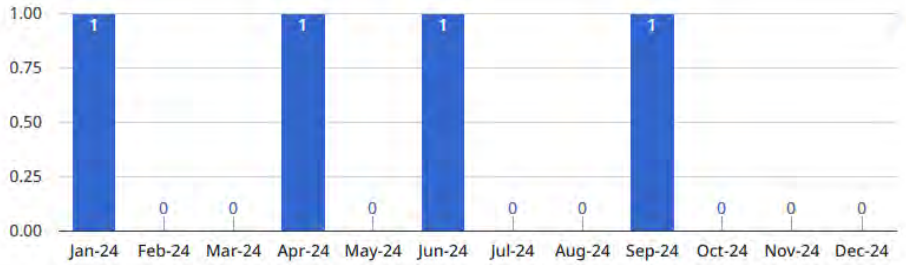
9. Granted 19 building consents in November – all within 20 working days.



× BC Granted/Issued
 Monthly for All Building Types and All Complexities

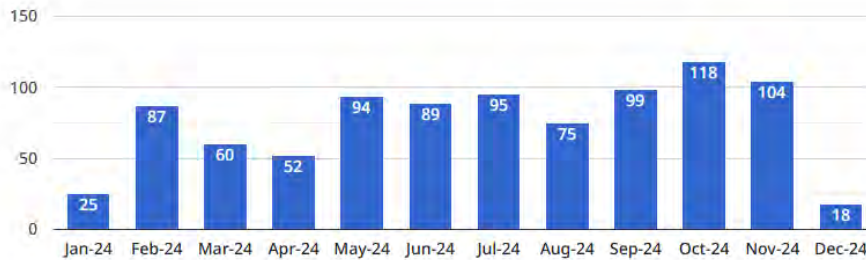


× BC Decision to Grant - 21 or More Stat Days
 Monthly for All Building Types and All Complexities



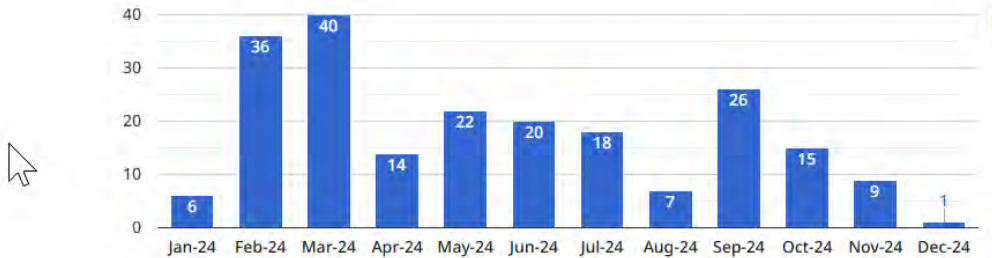
10. Inspections - 104 inspections have taken place

× Inspections Undertaken
 Monthly for All Building Types and All Complexities



11. Code Compliance Certificates - Issued nine CCC all within 20 working days

x CCC Issued
Monthly for All Building Types and All Complexities



12. Compliance Team

- A total of 83 service requests for the month.
- 34 animal-related
- 2 alcohol related.
- 15 proactive freedom camping checks at hot spots such as Fox River in Punakaiki, Westport North Beach and Tauranga Bay.
- 11 noise complaints which is higher than normal.

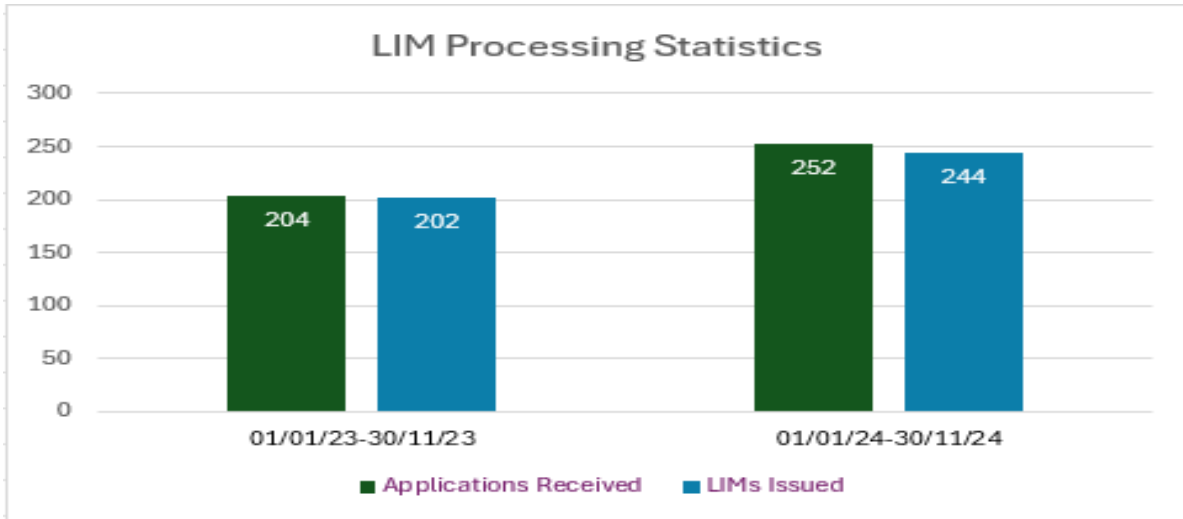
13. Planning Team

End of year workloads are high with challenging issues to work through when dealing with developments (particularly subdivisions) within the District. With the most recent meeting scheduled 12 December, the team is continuing to work with the West Coast Regional Council team for the Resilient Westport Flood Protection project.

14. The [Resource Management Act 1991](#) states that the period between 20 December and 10 January each year is excluded from the 'working days count' for all timeframes. A message has been placed on the website and Connect communicating that enquiries can be lodged until noon on 24 December 2024 and that enquiries received shortly before this date will be responded to after 6 January 2025. The team requests that planning enquires be emailed to planning@bdc.govt.nz.

15. On 6 October, the Government announced its decisions to list 149 projects in the Fast-track Approvals Bill's (FTA Bill) Schedule. It is intended that the projects be referred to Expert Panels for evaluation after the Bill becomes law. Buller has one major project on the Fast Track list in Schedule 2. This project is in the name of Bathurst Resources Limited/BT Mining Limited/Buller Coal Ltd/Bathurst Coal Ltd for the Buller Plateaux Continuation Project. The project is described in Schedule 2 as: *The Buller Plateaux Continuation project will expand the existing mining site on the Buller Coal Plateaux. It will utilise existing infrastructure facilities at Stockton mine to support and extend the mine life of the current Stockton Operations.* The Planning team anticipates receiving information relating to this project in the New Year.

16. Land Information Memorandum (LIM) processing stats for this time last year, versus now:
 01/01/23-30/11/23 204 received, 202 processed to 30/11/23
 01/01/24-30/11/24 252 received, 244 processed to 30/11/24



17. Planning department statistics:

	November 2024
Resource Consent Applications Received	
Subdivision - applications received	1
Land Use - applications received	6
Other - applications received	3
Total applications received	10
Resource Consent Decisions Granted	
Subdivision - Decision granted	1
Land Use - Decision granted	1
Other - Decision granted	4
Total Decisions granted	6
Planning Checklists	
Includes building consents and licensing checks	22
Form 4s issued for Building Consents (Possible forthcoming resource consent applications)	3
LIMS	
LIMs received	19
LIMs issued	26
Enquiries received	186

18. **Community Services**
Council facilities will close for the Christmas/New Year break at 12 pm Tuesday 24 December.
19. Council's Westport office at Brougham House will close at 12 pm on Tuesday 24 December 2024, reopening 8:30 am Monday 6 January 2025.
20. Buller District Libraries will close at 12 pm on Tuesday 24 December 2024, reopening 10.30 am - 1 pm on Saturday 4 January 2025. Normal hours resume from 9:30 am Monday 6 January 2025.
21. The Reefton Visitor and Service Centre will close at 12 pm on Tuesday 24 December 2024, reopening normal hours 9 am Monday 6 January 2025. Reduced hours and limited services (visitor information, NZ Post, NZTA) will be available between these dates.
22. **DRAFT RECOMMENDATION**
That the Chief Executive Officer's Report dated 18 December 2024 be received.

BULLER DISTRICT COUNCIL

18 DECEMBER 2024

AGENDA ITEM: 11

Prepared by Simon Pickford
Chief Executive Officer

PORTFOLIO LEADS VERBAL UPDATE

1. REPORT PURPOSE

A summary of updates is verbally provided by each of the new Portfolio Leads and Council Representatives listed below.

2. DRAFT RECOMMENDATION

That Council receive verbal updates from the following Chairs and Council Representatives, for information:

- a) Inangahua Community Board – Councillor Webb**
- b) Regulatory Environment & Planning - Councillors Neylon and Basher**
- c) Community Services - Councillors Howard and Pfahlert**
- d) Infrastructure - Councillors Grafton and Weston**
- e) Corporate Policy and Corporate Planning - Councillors Reidy and Sampson**
- f) Smaller and Rural Communities - Councillors O’Keefe and Webb**
- g) Iwi Relationships - Ngāti Waewae Representative Ned Tauwhare and Mayor Cleine**
- h) Te Tai o Poutini Plan – Mayor Cleine and Councillor Neylon**
- i) Joint Committee Westport Rating District – Mayor Cleine, Councillor Howard and Councillor Reidy**
- j) Regional Transport Committee – Councillor Grafton**

BULLER DISTRICT COUNCIL

18 DECEMBER 2024

AGENDA ITEM: 12

Prepared by Simon Pickford
Chief Executive Officer

PUBLIC EXCLUDED REPORT

REPORT SUMMARY

1. 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:

DRAFT RECOMMENDATION

2. 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 under LGOIMA
PE 1	Simon Pickford Chief Executive Officer	Confirmation of Previous Public Excluded Minutes	(s 7(2)(i)) - enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or (s 7(2)(j)) - prevent the disclosure or use of official information for improper gain or improper advantage.
PE 2	Paul Numan Group Manager Corporate Services	Insurance Cover Placement 2024-25	(s7(2)(i)) - enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)