



AGENDA

Ordinary Meeting of the
Buller District Council

Commencing at 3:30PM
Wednesday 27 August 2025

To be held at the
Clocktower Chambers
Palmerston Street
Westport



CORE COUNCILLOR ROLE AND RESPONSIBILITIES

The Governance role entails:

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

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

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

CLEAR AND RESPECTFUL COMMUNICATION

We are committed to:

Actively listening and not interrupting;

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

Responding/answering in a timely manner; and

Being honest, reasonable, and transparent.

TRUST AND RESPECT

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

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

CONTINUOUS LEARNING AND IMPROVEMENT

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

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

NONE OF US IS AS SMART AS ALL OF US

Council

Chairperson:	Mayor
Membership:	The Mayor and all Councillors
Meeting Frequency:	Monthly – or as required.
Quorum:	A majority of members (including vacancies)

Purpose

The Council is responsible for:

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

Terms of Reference

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

2. To exercise the following powers and responsibilities of Council, which the Council chooses to retain:
- a) Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
 - b) Approval of any changes to Council's vision, and oversight of that vision by providing direction on strategic priorities and receiving regular reports on its overall achievement.
 - c) Adoption of governance level strategies, plans and policies which advance Council's vision and strategic goals.
 - d) Approval of the Triennial Agreement.
 - e) Approval of the local governance statement required under the Local Government Act 2002.
 - f) Approval of a proposal to the Remuneration Authority for the remuneration of Members.
 - g) Approval of any changes to the nature and delegations of the Committees.
 - h) Approval of funding to benefit the social, cultural, arts and environmental wellbeing of communities in Buller District
 - i) Ensuring Buller is performing to the highest standard in the area of civil defence and emergency management through:
 - i) Implementation of Government requirements
 - ii) Contractual service delivery arrangements with the West Coast Regional Group Emergency Management Office
 - j) All other powers and responsibilities not specifically delegated to the Risk and Audit Committee, subcommittees, independent hearing panels or Inangahua Community Board.

Buller District Council

Venue: Clock Tower Chambers, Westport. Live streamed on Buller District Council YouTube Channel



27 August 2025 03:30 PM

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BULLER DISTRICT COUNCIL

27 AUGUST 2025

AGENDA ITEM: 1

Prepared by Simon Pickford
Chief Executive Officer

APOLOGIES

1. **REPORT PURPOSE**

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

DRAFT RECOMMENDATION

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

OR

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

BULLER DISTRICT COUNCIL

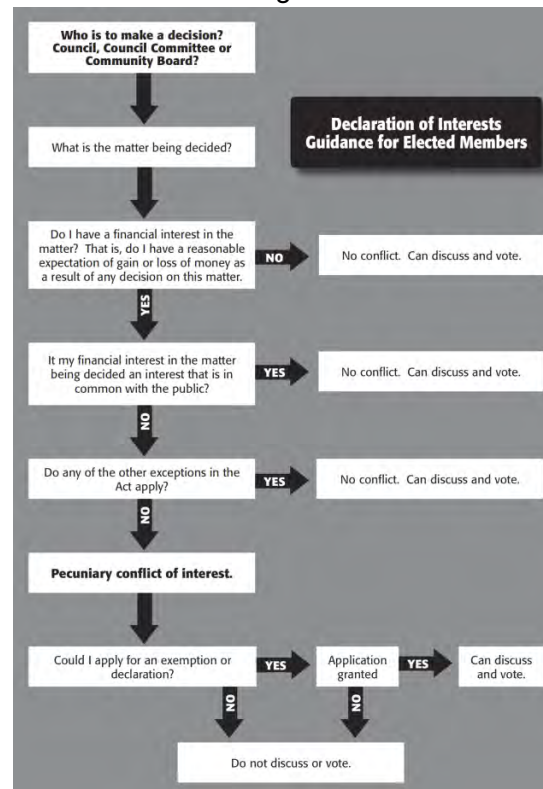
27 AUGUST 2025

AGENDA ITEM: 2

Prepared by Simon Pickford
Chief Executive Officer

MEMBERS INTEREST

1. Members are encouraged to consider the items on the agenda and disclose whether they believe they have a financial or non-financial interest in any of the items in terms of Council's Code of Conduct.
2. Councillors are encouraged to advise the Governance Secretary, of any changes required to their declared Members Interest Register.
3. The attached flowchart may assist members in making that determination (Appendix A from Code of Conduct).



4. DRAFT RECOMMENDATION:

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

BULLER DISTRICT COUNCIL

27 AUGUST 2025

AGENDA ITEM: 3

Prepared by Simon Pickford
Chief Executive Officer

Attachments 1. Council Extraordinary Meeting Public Minutes 30 June 2025 (Final Long-Term Plan Adoption)
2. Council Public Meeting Minutes 30 July 2025

CONFIRMATION OF MINUTES

1. **DRAFT RECOMMENDATION**

That Council receive and confirm the Public Minutes from:

- **Council Extraordinary Meeting Public Minutes 30 June 2025 (Final Long-Term Plan Adoption)**
- **Council Public Meeting Minutes 30 July 2025**



EXTRAORDINARY MEETING OF THE BULLER DISTRICT COUNCIL, HELD 3:30pm 30 JUNE 2025 AT CLOCKTOWER CHAMBERS, PALMERSTON STREET, WESTPORT.

PRESENT: Mayor J Cleine, Cr P Grafton, Cr J Howard, Cr C Reidy, Cr G Neylon, Cr R Sampson, Cr G Weston, Cr A Pfahlert

PRESENT VIA ELECTRONIC LINK: Cr L Webb, Cr T O'Keefe, Deputy Mayor A Basher

IN ATTENDANCE: S Pickford (CEO), A Blom (Group Manager Infrastructure Services), J Salmond (Corporate and Strategic Planning Manager), K Trigg (Group Manager Community Services), P Numan (Group manager Corporate Services), K Phipps (Manager Finance), C McDonald (Governance Secretary)

IN ATTENDANCE VIA ELECTRONIC LINK: J Collins (Revenue Officer), S Mutch (EY), S Firby (Management Accountant – Remote)

MEDIA: E Curnow (Westport News)

MEETING DECLARED OPEN: 3:31pm

1. APOLOGIES (Page 6)

Discussion:

N Tauwhare (Iwi Representative)

RESOLVED That Buller District Council receives apologies from N Tauwhare (Iwi Representative)

Mayor J Cleine/Cr P Grafton

11/0

CARRIED UNANIMOUSLY

2. MEMBERS INTERESTS (Page 7)

Discussion:

Cr R Sampson noted involvement with community groups who are recipients for funding in the Long-Term Plan.

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

Mayor J Cleine/Cr P Grafton

11/0

CARRIED UNANIMOUSLY



3. 2025-2034 LONG-TERM PLAN (LTP) ADOPTION REPORT (Page 8)

Discussion:

J Salmond spoke to the report and answered questions.

S Mutch spoke to the Long-Term Plan from the perspective of the auditors (EY) and answered questions.

Cr T O'Keefe departed the meeting at 3:40pm

Cr T O'Keefe returned to the meeting at 3:40pm

There was discussion around the percentage of rates rise.

RESOLVED That Council

1. Receives the Long-Term Plan 2025-2034 adoption report.

Mayor J Cleine/Cr G Weston

11/0

CARRIED UNANIMOUSLY

2. Approves and adopts the Revenue and Financing Policy, Rates Remission Policy, Financial Strategy, Financial Contributions Policy and the Significance and Engagement Policy, without amendment, as contained within the attached Buller District Council 2025-2034 Long-Term Plan; and

Mayor J Cleine/Cr G Weston

8/2/1

Cr C Reidy abstained

MOTION CARRIED

3. Adopts the 30 Year Infrastructure Strategy; and

Mayor J Cleine/Cr G Weston

9/1/1

Cr C Reidy abstained

MOTION CARRIED

4. Adopts the Fees and Charges Schedule that accompanies Buller District Council's 2025-2034 Long-Term Plan to come into effect from 1 July 2025 for the 2025-2026 financial year; and

Mayor J Cleine/Cr G Weston

10/1

MOTION CARRIED

5. As per Section 93 of the Local Government Act 2002, approves Buller District Council's 2025-2034 Long-Term Plan as refined through the public consultation process; and

Mayor J Cleine/Cr G Weston

8/3



**Cr C Reidy against
MOTION CARRIED**

6. Receives the Audit opinion from EY on the Long-Term Plan that is to be included within the Long-Term Plan; and

**Mayor J Cleine/Cr G Weston
11/0**

CARRIED UNANIMOUSLY

7. Adopt the Council's 2025-2034 Long-Term Plan noting a total rates increase of 6.43% for the next financial year commencing 1 July 2025; and

**Mayor J Cleine/Cr G Weston
8/3**

**Cr C Reidy against
MOTION CARRIED**

8. As per Section 93 of the Local Government Act 2002, adopts the Buller District Councils Long-Term Plan 2025-2034.

**Mayor J Cleine/Cr G Weston
8/3**

**Cr C Reidy against
MOTION CARRIED**

9. Approve the Chief Executive Officer or Mayor to sign off any grammatical or minor amendments to the Final Long-Term Plan document.

**Mayor J Cleine/Cr G Weston
10/1**

**Cr C Reidy against
MOTION CARRIED**

4. SETTING OF RATES FOR THE 2025-2026 FINANCIAL YEAR (Page 432)

Discussion:

P Numan and K Phipps spoke to the report.

RESOLVED That Council resolves the following:

- (a) That the rates listed in the attached Schedule 1 (being those listed in the Funding Impact Statement of the 2025-2026 financial year of the 2025-2034 Long-Term Plan), as adopted at the Council meeting of 30 June 2025 are set under the Local Government (Rating) Act 2002 ("the Act") on rating units in the district for the financial year commencing 1 July 2025 and ending on 30 June 2026.

**Mayor J Cleine/Cr A Pfahlert
10/1**

**Cr C Reidy against
MOTION CARRIED**



(b) That each of the rates for the financial year are set under the following sections of the Act:

1. General Rates
 - 1.1 General (differential) Land Rate – Section 13
 - 1.2 Uniform Annual General Charge – Section 15
2. Water Supply Rates
 - 2.1 Targeted Water Supply Rate(s) – Section 16 & Schedule 3
 - 2.2 Metered water rate – Section 19
3. Sewage Disposal Rates
 - 3.1 Targeted Sewage Disposal Rate(s) – Section 16 & Schedule 3
4. Waste Management Rates
 - 4.1 Targeted Waste Management Rate(s) – Section 16 & Schedule 3

(c) That all rates will be payable in 4 instalments with the due dates being:

1. Instalment 1 – 28 August 2025
2. Instalment 2 – 28 November 2025
3. Instalment 3 – 28 February 2026
4. Instalment 4 – 28 May 2026

(d) That rates for metered water will be payable by the 20th day of the month following the invoice date, sic:

1. July 2025 invoice – 20 August 2025
2. August 2025 invoice – 20 September 2025
3. September 2025 invoice – 20 October 2025
4. October 2025 invoice – 20 November 2025
5. November 2025 invoice – 20 December 2025
6. December 2025 invoice – 20 January 2026
7. January 2026 invoice – 20 February 2026
8. February 2026 invoice – 20 March 2026



9. March 2026 invoice – 20 April 2026

10. April 2026 invoice – 20 May 2026

11. May 2026 invoice – 20 June 2026

12. June 2026 invoice – 20 July 2026

(e) That all unpaid rates will incur penalties on the penalty dates being:

1. Instalment 1 – 28 August 2025

2. Instalment 2 – 28 November 2025

3. Instalment 3 – 28 February 2026

5. Instalment 4 – 28 May 2026

6. Any year's rates struck prior to 1 July 2025 – 1 September 2025

(f) That all unpaid balance of metered water rates will incur penalties on the penalty dates being:

1. July 2024 invoice – 21 August 2025

2. August 2024 invoice – 21 September 2025

3. September 2024 invoice – 21 October 2025

4. October 2024 invoice – 21 November 2025

5. November 2024 invoice – 21 December 2025

6. December 2024 invoice – 21 January 2026

7. January 2026 invoice – 21 February 2026

8. February 2026 invoice – 21 March 2026

9. March 2026 invoice – 21 April 2026

10. April 2026 invoice – 21 May 2026

11. May 2026 invoice – 21 June 2026



12. June 2026 invoice – 21 July 2026

(g) That Council apply the following penalties in terms of Sections 57 & 58 of the Act:

1. On the penalty date a ten percent (10%) charge to be added to the balance of rates (excluding metered water rates) left owing of the instalment due on that date.
2. A charge of five percent (5%) be added on 1 September 2025 to any balance owing from any year's rates struck prior to 1 July 2025.
3. On the 21st day of each month, a charge of 10% to be added to any balance of the metered water rates owing from that total amount invoiced in the previous month (as set out in Section (D) above).
4. That rates shall be payable at Council's main office, Brougham Street, Westport (open 8:30am-4:30pm, Monday to Friday), or the Visitor & Service Centre at 67-69 Broadway, Reefton (open 09:00am- 4:30pm), or by using on-line banking, or through direct credit, direct debit, or credit card.

Mayor J Cleine/Cr A Pfahlert

11/0

CARRIED UNANIMOUSLY

Cr C Reidy departed the meeting at 4:34pm

MEETING DECLARED CLOSED: 4:34pm

Next Meeting: Wednesday 30 July, 3:30pm, Clocktower Chambers,
Palmerston Street, Westport



**ORDINARY MEETING OF THE BULLER DISTRICT COUNCIL, HELD AT 3:30PM
ON WEDNESDAY 30 JULY 2025 AT CLOCKTOWER CHAMBERS, PALMERSTON
STREET, WESTPORT.**

PRESENT: Mayor J Cleine, Cr P Grafton, Cr A Pfahlert, Cr L Webb, Cr C Reidy, Cr R Sampson, Cr T O'Keefe, Cr G Weston.

PRESENT VIA ELECTRONIC LINK: Cr G Neylon, Deputy Mayor A Basher, Cr J Howard

IN ATTENDANCE: P Numan (Group Manager Corporate Services), J Curtis (Manager Capital Works), A Blom (Group Manager Infrastructure Services), B Little (Senior Policy Advisor), B Oldham (Manager Infrastructure Planning), K Trigg (Group Manager Community Services), D Venz (Harbour Master), S Pickford (CEO), C McDonald (Governance Secretary)

IN ATTENDANCE VIA ELECTRONIC LINK: Nil.

MEDIA: E Curnow (Westport News)

PUBLIC FORUM:

Chris Russell – Speaking to Council about pre-election port tours and access to operational staff for election candidates. Advice around legal and financial risks to elected members.

MEETING DECLARED OPEN: 3:41pm

1. APOLOGIES (Page 7)

Discussion:

N Tauwhare (Iwi Representative)

RESOLVED That Buller District Council receives apologies from N Tauwhare (Iwi Representative)

Mayor J Cleine/Cr P Grafton

11/0

CARRIED UNANIMOUSLY

2. MEMBERS INTERESTS (Page 8)

Discussion:

Nil.

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

Mayor J Cleine/Cr A Pfahlert

11/0

CARRIED UNANIMOUSLY



3. **CONFIRMATION OF PREVIOUS MINUTES (Page 9)**

Discussion:

30 June 2025 (LTP adoption) Page 24. Adopt fees and charges. These minutes will be brought back to council in August once confirmation is received around the Karamea Transfer Station Fees and Charges.

RESOLVED That Council receive and confirm the Public Minutes from:

- Council Meeting Public Minutes 25 June 2025
- Council Extraordinary Meeting Public Minutes 30 June 2025 (Local Water Done Well – Hearings and Deliberations)

Mayor J Cleine/Cr G Weston
11/0

CARRIED UNANIMOUSLY

4. **ACTION POINTS REPORT (Page 29)**

Discussion:

The Karamea Special Purpose Road (SPR) Advocacy Plan pre 2027 is to be added to the Action Points list as a new action (Action 28) with reporting back in November 2025.

Outstanding questions during meetings will be added to the minutes for follow up.

The ratepayer money invested in the Campground needs to be answered to Elected Members via email – *noted and updated*.

RESOLVED That Council receive the Council Action Point List for information.

Mayor J Cleine/Cr C Reidy
11/0

CARRIED UNANIMOUSLY

5. **USE OF FINANCIAL CONTRIBUTIONS (OPEN SPACE, PUBLIC RECREATION OR OTHER RESERVES) (Page 31)**

Discussion:

There was suggestion to workshop this paper before a decision could be made.

RESOLVED That Council leave this paper on the table and that a subsequent workshop will be held.

Cr J Howard/Cr P Grafton
11/0

CARRIED UNANIMOUSLY



6. SENIOR HOUSING – FUTURE MANAGEMENT (Page 56)

Discussion:

Recommendation 5b has been amended from: '*b. Increases the rental charges to market rates to be determined in the 2026-2027 Annual Plan process*' and reads as below:

RESOLVED That Council:

1. Notes the work undertaken by the Senior Housing Steering Group in considering the various options for the future management of the Senior Housing portfolio.
2. Notes the intention in the 2025-2034 Long Term Plan for Council to continue to provide housing for seniors in the community while considering viable alternative options for providing this service.
3. Notes the various options considered by the Senior Housing Steering Group and staff.

4. Resolve the day to day management of the units, either:

Retains the Status Quo for the Senior Housing Portfolio – day-to-day management by staff; **Cr J Howard/Cr P Grafton**

11/0

CARRIED UNANIMOUSLY

- ~~(a) Outsource the day to day management of the Senior Housing Portfolio to an external property management company~~

5. Resolve the rental charge of the units, either;

- ~~(a) Remains the status quo of subsidised rental charges as set out in the 2025-2034 Long Term Plan; or~~

- (b) Increases the rental charges to fair rental cost to cover expenses incurred in the provision of providing the service to be determined in the 2026-2027 Annual Plan process.

Cr J Howard/Cr A Pfahlert

10/1

**Cr R Sampson against
MOTION CARRIED**

7. WEST COAST REGIONAL COUNCIL DELEGATION TO BULLER DISTRICT COUNCIL UNDER MARITIME TRANSPORT ACT 1994 (Page 68)

Discussion:

Cr C Reidy departed the meeting at 5:10pm

Cr C Reidy returned to the meeting at 5:12pm



RESOLVED That the report West Coast Regional Council Delegation To Buller District Council Under Maritime Transport Act 1994 dated 30 July 2025 be received.

Mayor J Cleine/Cr T O'Keefe

10/1

**Cr C Reidy against
MOTION CARRIED**

**Meeting adjourned at 5:21pm
Meeting reconvened at 5:34pm**

8. MAYORS MONTHLY UPDATE REPORT (Page 72)

Discussion:

Recommendation one has been amended from '*Receives the Mayors Monthly Update Report dated 25 June 2025 for information and discussion.*' and reads as below:

Deputy Mayor A Basher departed the meeting at 5:39pm
Deputy Mayor A Basher returned to the meeting at 5:40pm

Deputy Mayor A Basher departed the meeting at 5:43pm
Deputy Mayor A Basher returned to the meeting at 5:46pm

RESOLVED That Council

1. Receives the Mayors Monthly Update Report dated 30 July 2025 for information and discussion.
2. Notes Inwards and Outwards Correspondence and provides directions for any responses required.

Cr G Weston/Cr P Grafton

11/0

CARRIED UNANIMOUSLY

9. CHIEF EXECUTIVE OFFICER'S REPORT (Page 140)

Discussion:

Nil.

RESOLVED That the Chief Executive Officer's Report dated 30 July 2025 be received.

Cr A Pfahlert/Deputy Mayor A Basher

11/0

CARRIED UNANIMOUSLY



10. PORTFOLIO LEADS VERBAL UPDATES (Page 155)

Discussion:

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

a) Inangahua Community Board – Councillor Webb

Reefton Historic Trust spoke to Inangahua Community Board about moving the Fairlie Engine – deferred to September Meeting. Service Centre name to be revisited with little cost for the rebrand. There has been investigation to getting better access to the Service Centre building. Next meeting is in September.

b) Regulatory Environment & Planning – Councillors Neylon and Basher
Nothing to report.

c) Community Services – Councillors Howard and Pfahlert

Met with Punakaiki Community Facility Committee on how they can be supported. Stafford St houses are leased. Disappointing numbers for the new candidates information sessions, this was a good opportunity for new candidates to ask the CEO questions. Monthly reports continue to come in from the Dolomite Point Project Steering Group. Staff are continuing to monitor and evaluate all Council Community Services. West Coast Tourism Summit is 3rd September and Destination Management Reference Group is meeting on 4th September. Heritage West Coast are setting a date for their Annual General Meeting.

d) Infrastructure – Councillors Grafton and Weston

Portfolio meeting on 30 July. Cobden street work is well on its way, and Reefton is just commencing. The Westport trunk main is going well and is well within budget. There are active conversations beginning with Grey and Westland DC around a Multi Council CCO for Local Water Done Well.

e) Corporate Policy and Corporate Planning – Councillor Reidy.

Nothing to report.

f) Smaller and Rural Communities – Councillors O’Keefe and Webb

Reserve and Hall Subcommittees are gearing up for their annual meetings.

g) Iwi Relationships – Ngāti Waewae Representative Ned Tauwhare and Mayor Cleine

Sitting largely at a regional level. The Iwi are working across council with Local Water Done Well discussions and potential for mining royalties.

h) Te Tai o Poutini Plan – Mayor Cleine and Councillor Neylon

Meetings planned for September.

i) Joint Committee Westport Rating District – Mayor Cleine, Councillor Howard and Councillor Reidy

Next meeting is 29 September 2025.

j) Regional Transport Committee – Councillor Grafton

Nothing to report.

Mayor J Cleine/Cr T O’Keefe

11/0

CARRIED UNANIMOUSLY



Cr P Grafton departed the meeting at 6:03pm
Cr P Grafton returned to the meeting at 6:04pm

Cr A Pfahlert departed the meeting at 6:04pm
Cr A Pfahlert returned to the meeting at 6:05pm

PUBLIC FORUM RESPONSE:

The candidates evenings were well advertised; A Council operates through the CEO so it at the CEO's discretion to whether Mr. Russell's request is accommodated. A reminder that one of the KPI's for the CEO is a good induction process and familiarisation for the incoming council. There could be advice sought from Dr. Mike Reid with a definitive answer as to whether Mr Russell's request should be accommodated. Buller District Council is not withholding information, rather Mr Russell would like access to operational staff.

11. PUBLIC EXCLUDED REPORT (Page 156) **Discussion:**

RESOLVED That the public be excluded from the following parts of the proceedings of this meeting.

Item No.	Minutes/ Report of:	General Subject	Reason For Passing Resolution under LGOIMA
PE 1	Simon Pickford Chief Executive Officer	Confirmation of Previous Public Excluded Minutes	<p>(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</p> <p>(s 7(2)(j)) - prevent the disclosure or use of official information for improper gain or improper advantage.</p> <p>(s 7(2)(b)) - protect information where the making available of the information would</p> <ul style="list-style-type: none"> i. Disclose a trade secret ii. Be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
PE 2	Anthony Blom - Group Manager Infrastructure Services	Tender Recommendation	<p>(s7(2)(b)) -</p> <p>Protect information where the making available of the information would</p> <ul style="list-style-type: none"> i. Disclose a trade secret Be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.



PE 3	Jess Curtis – Manager Capital Works	Delivery of Local Public Services	<p>(s 7(2)(b)(ii), (h) and (i)) - That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:</p> <p>(b) Protect information where the making available of the information would:</p> <p>(ii) Be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>(h) Enable any council holding the information to carry out, without prejudice or disadvantage, commercial activities; or</p> <p>(i) Enable any council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p>
PE 4	Jamie Cleine (Mayor) Andrew Basher (Deputy Mayor) Simon Pickford (Chief Executive Officer)	CEO Key Performance Indicators 2025/2026	<p>(s7(2)(f)(ii)) - maintain the effective conduct of public affairs through</p> <p>ii. the protection of such members, officers, employees, and persons from improper pressure or harassment</p>

Mayor J Cleine/Cr G Weston

11/0

CARRIED UNANIMOUSLY

MOVED INTO PUBLIC EXCLUDED AT 6:09pm

BULLER DISTRICT COUNCIL

27 AUGUST 2025

AGENDA ITEM: 4

Prepared by Simon Pickford
Chief Executive Officer

Attachments 1. Council Action Points August 2025

COUNCIL ACTION POINT LIST

1. **REPORT PURPOSE**

A summary of council resolutions requiring actions.

2. **DRAFT RECOMMENDATION**

That Council receive the Council Action Point List for information.

Council Action Points – CURRENT

No	Meeting Date / Action Point	Responsible	Update	Date Required By
25	<p>28 February 2024</p> <p>Punakaiki Campground Lease</p> <p>D Marshall to bring back reports to April Council regarding proposal from the Leasee</p> <p>Update 25 September 2024</p> <p>Staff to report on what needs to come back to Council in terms of decision-making regarding modifications and negotiations to the lease.</p> <p>Update 27 November 2025</p> <p>Staff to also report on what element of Rate Payer money has been invested into the Campground.</p>	<p>D Marshall</p> <p>M Sutherland</p> <p>P Numan</p>	<p>Staff have been focused on achieving the additional funding from TIF during the last month and on preparing the draft enhanced annual plan.</p> <p>Staff will be contacting the leasee over the effluent system installation in the coming month and will engage and report back on their proposal by end of June.</p> <p><u>Update 26 June 2024</u></p> <p>Once the TIF Funding Agreement has been received and approved by Council, staff will contact the leasee regarding the effluent system project and report back to the August 2024 meeting.</p> <p><u>Update 31 July</u></p> <p>The 28 August Update is to include Camp Development Plans of the Leasee</p> <p><u>Update 28 August</u></p> <p>Due to staff illness this will be included in the September update to Council with the update on the Punakaiki Wastewater Treatment Plant</p> <p><u>Update 19 Sept 2024</u></p> <p>Commencement of negotiations are being deferred until after the completion of the upgrade of the Punakaiki Wastewater Treatment Plant and due to staff changes in the Property Portfolio.</p> <p><u>Update 9 October 2024</u></p> <p>Development of options for leasing and ownership of the Punakaiki Beach Camp will be undertaken following the completion of the Punakaiki Beach Camp Wastewater Disposal System Upgrade (expected completion by end of October 2024)</p> <p><u>Updated 12 November 2024</u></p> <p>The Punakaiki Beach Camp Wastewater Disposal System Upgrade was completed by the end of October 2024 and the work is not in its maintenance period that expires in March 2025. This Action Point is now referred to the Group Manager Corporate Services with regards to the lease conditions and an update on this is to be brought to the December Council Meeting.</p> <p><u>Update 12 December 2024</u></p> <p>Once all the information requested is gathered, a report outlining this information will be brought back to Council in the new year</p> <p><u>Update February 2025</u></p> <p>Punakaiki Campground lease rental review is due November 2025. As part of facilitating the lease rental review - Council needs to update the Asset Management Plan. An Independent Contractor has been engaged to perform this work and once finalised an update will be reported to Council.</p> <p><u>Update March 2025</u></p> <p>Asset Management Plan report due for completion 30 June 2025.</p> <p>Rent review due for completion following 16/11/25 review as detailed in Lease terms and conditions.</p> <p><u>Update 30 July 2025</u></p> <p>Staff are to report the element of Ratepayer Money that has been invested into the Campground via email to Elected Members</p> <p><u>Update 21 August 2025</u></p> <p>Elected Members have been emailed the following information on 19 August 2025:</p> <p>At the Council meeting on 30 July Council staff were asked to report the element of ratepayer money that has been invested into the Campground.</p> <p>In consultation with Infrastructure Services, we can confirm that apart from the 50/50 funded Tourism Infrastructure Fund (TIF) wastewater upgrade, BDC haven't paid for any other improvements in the past 2 years.</p> <p>The project total cost as reported to TIF was \$499,458 with half that amount to be contributed from the BDC Reserves Contribution Fund.</p> <p>TIF have paid their share.</p>	<p>26 June 2024</p> <p>28 August 2024</p> <p>25 September 2024</p> <p>30 October 2024</p> <p>27 November 2024</p> <p>18 December 2024</p> <p>26 February 2025</p> <p>26 March 2025</p> <p>Ongoing</p>

27	25 June 2025 District Wide Public Toilet Plan to come to Council with a target date of September.	A Blom	As discussed during the Long-Term Plan deliberations (funding requests)	24 September 2025
28	30 July 2025 Karamea Special Purpose Road (SPR) Advocacy Plan pre 2027	A Blom	Reporting on this is to come back to Council in November	26 November 2025

BULLER DISTRICT COUNCIL

27 AUGUST 2025

AGENDA ITEM: 5

- Prepared by** Brent Oldham
Manager Infrastructure Planning
- Reviewed by** Anthony Blom
General Manager Infrastructure Services
- Attachments** 1. Survey Plan SO 593213 – road proposed to be stopped
2. LINZ Consent for road proposed to be stopped
3. Objections to part of Deadmans Road Stopping proposal
- Public Excluded:** No

ROAD STOPPING APPLICATION – PART DEADMANS ROAD FAIRDOWN

1. **EXECUTIVE SUMMARY**
An application from the owners of 188 Powerhouse Road was received in 2023 to stop a portion of the unformed legal road known as Deadmans Road which crosses through their property.
2. The Councils Road Stopping Panel agreed to process the application and Council subsequently also agreed to notifying the proposal as required under Schedule 10 of the Local Government Act 1974
3. A total of three objections were received to the proposal;
4. Council must now decide whether to allow the objections, disallow them in which case the matter will be decided by the Environment Court or grant the application subject to conditions.

5. DRAFT RECOMMENDATION

That Council resolves to either:

a) Allow the objections to the proposed stopping of part of Deadmans Road (as identified in SO 593213),

OR

- b) Disallow the objections to the proposed road stopping of part of Deadmans Road (as identified in SO 593213) and sends the objections with the plans aforesaid and a full description of the proposed alterations to the Environment Court as required under Schedule 10, Local Government Act 1974.

OR

- c) Subject to the agreement of the applicant and all objectors, the objections to the proposed road stopping of part of Deadmans Road (as identified in SO 593213) are disallowed on the condition that the applicant, at their expense, creates and vests in Council an easement/right of way through the adjoining property to allow public access in perpetuity.

6. **ISSUES & DISCUSSION**

7. **BACKGROUND**

8. Application:

In May 2023 Council's Road Stopping panel met and agreed to process the application by the owners of the property at 188 Powerhouse Road, Fairdown to stop a portion of the unformed legal road known as Deadmans Road crossing an area of farmland that the applicant owned and planned to sub-divide pursuant to the Provisions of the Local Government Act 1974 (LGA1974).

9. Proposal:

The legal owners of the property at 188 Powerhouse Road have applied to stop a section of unformed legal road (Deadmans Road) at Fairdown that bisects their property. Like many landowners in the wider Buller District, they have been using the road as part of their farm for a number of years. Practical access to the road reserve is obstructed by farm fences,

10. Access to the property owners house, and two other privately owned properties, is via a formed Right of Way, built by the landowner, and has easements for continued access by the other property owners.
11. The formed right of way terminates at the top of the terrace.
12. The property owner wishes to sub-divide the property, but the existing unformed road reserve will limit the options for house sites or section sizes and may deter potential purchasers.

13. Process:
As noted above the Road Stopping Panel agreed to process the application. The first step was a report to Council seeking approval to move forward. This was resolved as item 6 of the 31-May-2023 meeting.
14. The reasons for agreeing to the proposal were noted in the report as follows:
- There are no plans to form the legal road.
 - Members of the public do not currently use the unformed legal road, and neighbouring properties do not rely on it for access.
 - Using the LGA1974 ensures that the process is transparent, and that the proposal is open to consultation and submissions from members of the public.
15. An agreement was signed between the owner and Council in which they agreed to cover all the costs associated with the application, regardless of the outcome of the application, and to purchase the area of stopped road, at the value assessed via an independent valuation, if the application was successful.
16. Council officers followed the process set out in Schedule 10 LGA1974 as follows:
- Completed a Survey Office Plan of the road (SO 593213);
 - Sought and obtained the consent from the Minister of Lands as required as the land was in a rural area;
 - Sought and obtained a valuation of the unformed road reserve and advised the property of the valuation;
 - Publicly notified the proposal to stop the road as required under Schedule 10 section 2 LGA1974 inviting objections to the proposal;
 - Received 3 objections to the proposal;
 - Organised the hearing of these objections as required under Schedule 10 Section 5 LGA1974 (Council Meeting 27 August 2025).
17. Public Notification and Objections:
The proposal was publicly notified in accordance with Schedule 10 LGA1974 including public notices in the Westport News. Letters outlining the proposal were also sent out to three owners/occupiers of land adjoining the landowner's property.
18. After publicly notifying the proposal in accordance with the requirements of Schedule 10 LGA1974 a total of three objections were received. Full copies of the objections are attached as Attachment 2 and summarised below:

	Submitter	Summary
1	Herenga ā Nuku Aotearoa Outdoor Access Commission	<ul style="list-style-type: none"> • Opposing as it is the only legal route between Powerhouse and Cawthorn Roads. • Would withdraw the objection if the formed right of way was vested in Council for full public access.

2.	Gerald Freeman	<ul style="list-style-type: none"> • Walks Powerhouse and Deadmans road with permission from one of the easement assignees. • Opposing as it is the only legal route between Powerhouse and Cawthorn Roads. • Would withdraw the objection if the formed right of way was vested in Council for full public access.
3.	Pat and Jenny Cooper	<ul style="list-style-type: none"> • States it is very important that unformed legal roads remain for future developments (e.g.: mineral or property development possibilities). • Holds a prospecting licence for the area.

19. **OPTIONS**

20. **Option 1 – Status Quo**

Allow the objections and retain this portion of Deadmans Road as legal road

21. **Advantages**

- Public access retained along the full length of Deadmans Road

22. **Disadvantages**

- Applicant cannot subdivide the adjoining land in the optimal configuration

23. **Option 2 – Support the stopping of this portion of Deadmans Road**

Disallow the objections and support the stopping of Deadmans Road – forwarding the application and objections to the Environment Court for determination

24. **Advantages**

- Applicant can subdivide the adjoining land in the optimal configuration

25. **Disadvantages**

- Public access through this portion of Deadmans Road retained
- Future developments such as mineral development have access through the area

26. **Option 3 – Support the stopping of this portion of Deadmans Road subject to conditions**

Stop this portion of Deadmans Road subject to the condition that a right of way be created at the applicant's expense and vested in Council permitting full public access with the agreement of all three objectors.

27. **Advantages**

- Applicant can still subdivide the land
- Public access retained through the area
- At least two of the three objections would be satisfied

28. **Disadvantages**

- Extra expense for the applicant
- The outcome may be less than optimal in terms of future subdivision

29. **PREFERRED OPTION**

It is considered that option 3 is the best outcome in the light of the objections received provided that all three objectors agree and the applicant is willing to provide a right of way to be vested in Council. The extra expense to the applicant would be balanced against the need to go through the Environment Court process. If one of the objectors is not in agreement then the matter will go through to the Environment Court.

30. **NEXT STEPS**

The next steps are dependent on the decision Council makes at this meeting.

- If Council allows the objections the matter will be settled and under the legislation the applicant cannot make another application for two years.
- If Council disallows the objections then the Chief executive will send the objections with the plans and a full description of the proposed alterations to the Environment Court as required under Schedule 10, Local Government Act 1974. The Environment Court may decide based solely on the papers or may require a hearing.
- If Council grants the road stopping subject to a right of way being created and vested in Council for public access (which the applicant and all three objectors agree to) then the applicant will undertake a survey, and the necessary vesting process will follow.

31. **CONSIDERATIONS**

32. **Strategic Impact**

Council is committed to making decisions in a transparent way. Using Schedule 10 of the LGA1974 has been an open and transparent process.

33. **Significance Assessment**

This report is assessed as being low significance as the decision relates to only a small portion of the roading network.

34. **Risk Management Implications / Opportunities**

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

35. Engagement - external

The process set out in Schedule 10 of the LGA 1974 has been followed.

36. Engagement – internal

The application was assessed by the Council's Road Stopping Panel consisting of staff from the Infrastructure Group, including the Roding Team.

37. **Policy & Legislative Considerations**

The requirements of Schedule 10 of the LGA 1974 have been followed. The provisions of Schedule 10 from this point forward are as follows:

- Council must decide whether the objections are justified by holding a hearing at which persons who have objected are entitled to be in attendance and their concerns heard.
- Following this the Council will decide whether or not to uphold the objections. If the objections are upheld, then the road stopping cannot proceed, and the process stops.
- Council may decide to disallow the objections and continue with the road stopping. In this event, the Council must send the objections and full documentation regarding the proposed Road Stopping, to the Environment Court.
 - The Environment Court may hold a court hearing or may be able to arrange mediation to resolve any objections before a hearing.
 - If the Environment Court approves the stopping then Council will continue with the process to stop the road and sell the land to the applicant.
 - If the Environment Court rejects the Road Stopping, the process ends, The Environment Court decision is final.
- The legislation is silent on the matter of allowing for decisions which are subject to conditions however it is common practice to grant road stopping applications subject to conditions and the full agreement of all parties.

38. **Māori Impact Statement**

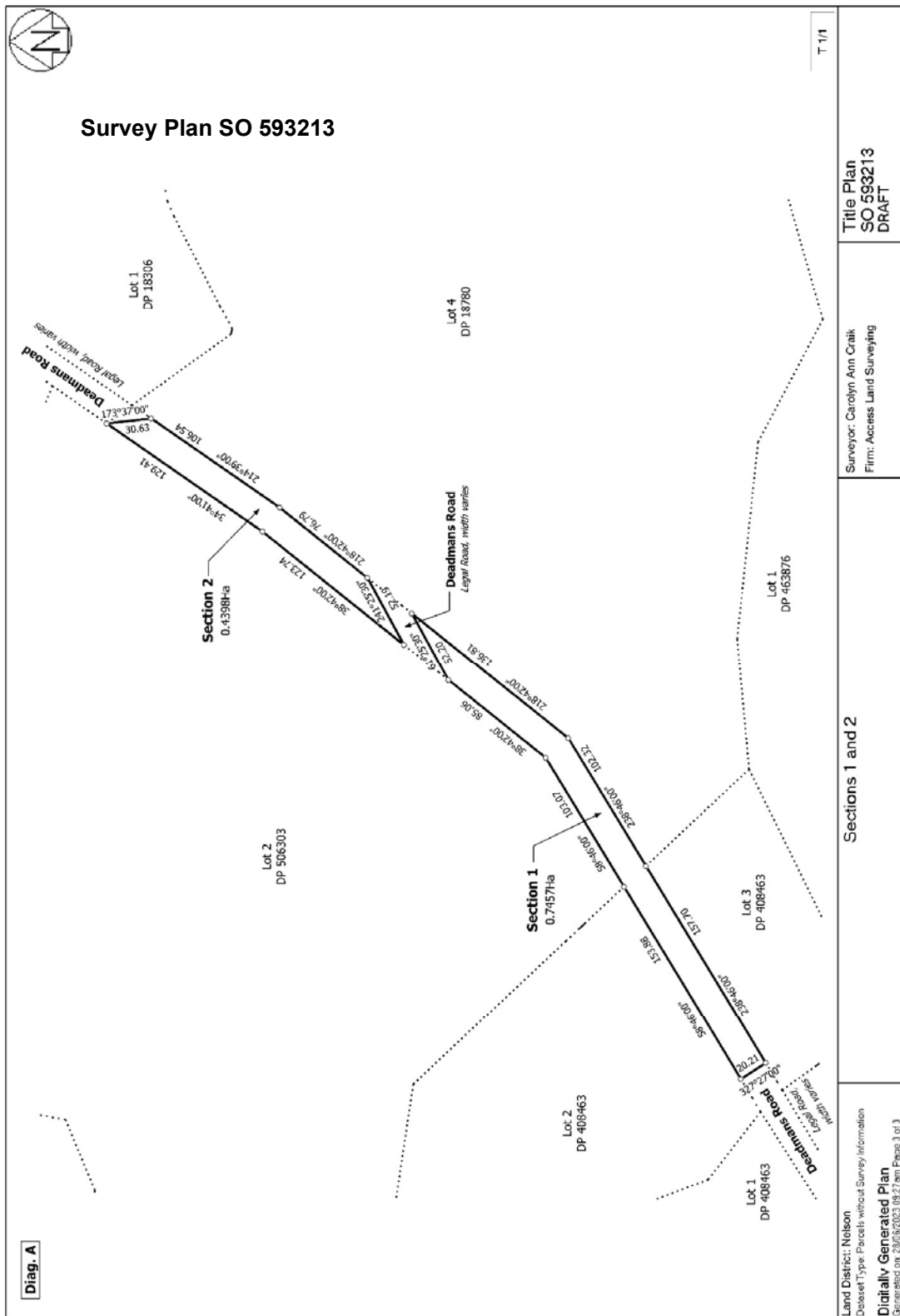
The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact Tangata Whenua, their culture and traditions.

39. **Financial Considerations**

The applicant and Council have entered into agreement that all financial costs are reimbursed to Council by the applicant.

40. **Communication Internal / External**

Any media enquiries will be managed by the Community Engagement Team.



LINZ Consent

IN THE MATTER OF Section 342(1)(a) of the
Local Government Act
1974

AND

IN THE MATTER Buller District Council

Pursuant to a delegation from the Minister and from the Chief Executive of Land Information New Zealand in accordance with Clause 2 of the Public Service Sector Act 2020,

I, **CADE COUCH**

Customer Regulatory Specialist - Assessment, Land Information New Zealand, HEREBY CONSENT to the road, as defined below, hereto being stopped pursuant to section 342(1)(a) of the Local Government Act 1974.

- (a) The road is part of Deadmans Road, Fairdown.
- (b) The territorial authority district is the Buller District.
- (c) The road is located in the Nelson Land Registration District.
- (d) The road means Section 1 and Section 2 SO 593213, and are described in the following Schedule:

Parcel	Adjoining	Area
Section 1	Lot 2 DP 408463	0.7457Ha
	Lot 3 DP 408463	
	Lot 2 DP 506303	
	Lot 4 DP 18780	
Section 2	Lot 2 DP 506303	0.4398Ha
	Lot 4 DP 18780	

(e) CPC File reference: CPC / 2005/10755

Dated at Wellington this 27th day of May 2024


Signature of Authorised Officer

For and on behalf of His Majesty the King and
acting pursuant to delegated authority from the
Chief Executive of Land Information New Zealand
pursuant to Clause 2 of Schedule 6 of the
Public Services Sector Act 2020

Objections Received



Connecting people
Connecting places

Simon Pickford
Chief Executive Officer
Buller District Council
6-8 Brougham Street
Westport

Via email to info@bdc.govt.nz

13 June 2025

Dear Mr Pickford

Re: Road Stopping Proposal, unformed legal road, Deadmans Road, Fairdown

The Commission objects to the proposed road stopping unless alternative equivalent public access is secured.

The proposed road stopping of unformed sections of Deadmans Road will remove legal public access and connectivity in perpetuity. The existing legal public access provides a continuous loop connecting Fairdown Road, Powerhouse Road, Deadmans Road and Cawthron Road. While the formed track from the southern end of Powerhouse Road is currently not legally available for public use, being a right of way easement for neighbouring landowners only, it is commonly used by local people to walk, to walk with dogs, to ride horses and to enjoy the views from this elevated position.

While the unformed legal road (ULR) proposed to be stopped does not provide practical access being obstructed by fencing, the right to pass and repass remains. An earlier enquiry lodged with the Commission sought access here and, had the enquirer wished to follow the ULR, the Commission would have sought the Council's support to ensure that right to pass was provided by requiring gates or stiles to be added to fences.

We understand that the applicant is proposing to subdivide the land and would vest the formed track in the Council as road, allowing full public access. This would appear to be an excellent outcome. However, it has yet to be confirmed, and subdivision and alternative road plans are yet to be provided. Also, the right of way easement is held by several landowners. Each would be required to approve this change to vest the private access in the council for public access, and, to date, there is no evidence that such formal agreements have been reached. While the intention may be to create legal road from the private formed track through a subdivision process, there is no guarantee at this time that consent will be issued for the subdivision or that the subdivision will be completed. The intention of new public access being created after the road stopping cannot be reliant on a potential future process being successfully completed.

When considering a road stopping proposal, a key consideration is public benefit. Since 1979, through s316 of the Local Government Act 1974, all roads other than government roads or state highways are vested in the relevant territorial authority for a public purpose - the right of passage. Thus, public interest must be foremost when considering a possible road stopping.

The Commission's preference would be to implement the proposal to have a public road created over the formed private track. This would ensure that existing public rights provided by the road proposed to be stopped – whether they be for walking, cycling, horse riding, dog walking or with vehicles, now or in the future – could be achieved on a practical route.

The Commission is prepared to withdraw its objection to the road stopping if we receive a roading plan that has been signed off by the Council requiring a replacement road (to the road being stopped) to be vested in the Council. Alternatively, if the intention to create legal public road over the formed track is not going to progress, the Commission needs to be confident that legal agreements are in place to create alternative legal public access (on suitable terms and conditions) on a practical route through the property.

The Commission is keen to be involved in further discussions on this matter. While writing, we also encourage the council to include discussions with the Commission as early as possible in any proposed road stopping process as standard, and well before road stopping notices are published.

Yours sincerely



Phil Culling
Acting Chief Executive – Tumuaiki
Herenga ā Nuku Aotearoa Outdoor Access Commission

From: Patrick Cooper < >
Date: 21 May 2025 at 10:25:18 GMT+12
To: info@bdc.govt.nz
Cc: T C < >
Subject: Notice of road stopping proposal Objection

Notice of road stopping proposal Objection

This objection relates to the proposed stopping of road- parts of Deadman's Road, Fairdown.

P&j Cooper

Wed 21 May 2025.

To the BDC.

We object to the Buller District Council proposing to stop and sell a portion of Deadman's Road, Fairdown. It is very important that unformed legal roads remain for future developments. These could be mineral or property development possibilities for example. We feel that this would set a precedent that could encourage other property owners to follow suit.

Yours, Pat and Jenny Cooper.

Sent from my iPad

Re: Notice of road stopping proposal Objection



Patrick Cooper
 To: Brent Oldham



Mon 30/06/2025 6:51 pm

Hi Brent,

Thanks for your reply to my objection.

Unfortunately, it looks like I will be out of country during the hearing dates.

I would like to reiterate my total objection to the proposed road stopping on Deadman's road.

It is also my understanding that it is not up councillors accepting or rejecting the proposal. Once there is an objection then the status quo remains. In this case you have three!

I also hold a large prospecting license in this area for critical minerals and any precedent set would be a great concern for me regarding closure of other paper roads etc.

Regards,

Pat Cooper.

Sent from my iPad

From: Gerald Freeman
Sent: Friday, 6 June 2025 4:41 PM
To: BDC_Customer Services <Customer.Services@bdc.govt.nz>
Subject: Deadmans Road Submission

Proposed Road Stopping – Deadmans Road

-

To whom it may concern

I've lived on Powerhouse Road for 15 years, during that time I, along with several of my neighbours, have freely walked along the formed Deadmans Road, enjoying both the exercise and the views over the Westport area and the sea.

On the 14th Oct 2023 (election day) I was enjoying the exercise when I was stopped by a car containing a local landowner who told me that this was his road and that I should not be there. I tried to explain that I lived locally and that I had had no previous issues with walking on the road; at this, he completely lost his temper and shouted threats and abuse at me and at one stage seemed to want to follow me as I walked away.

Access to the outdoors, especially on a road, is important and should not be lost.

The formed road is labelled Deadmans Road on topo and Google maps. The actual legal road is close by and is unformed and access is not practical.

With the development of the Powerhouse Road area, there is increasing interest in walking and other outdoor access for locals and visitors, including on bikes or horses.

I understand that the formed road is a private road with a right of way for neighbouring landowners, one of whom has kindly given me permission to walk along it.

If the legal road is to be stopped, legal access through this area and the connection between Powerhouse Road and Cawthron Road would be lost.

If the formed private road can become a public road instead of the legal road, that would be an excellent outcome.

If the legal road is to be stopped with no permanent equivalent legal public access, I object to the proposed road stopping.

Gerald Freeman

BULLER DISTRICT COUNCIL

27 AUGUST 2025

AGENDA ITEM: 6

Prepared by Krissy Trigg
Group Manager Community Service

Reviewed by Simon Bastion
Group Manager Regulatory Services

Attachments 1. Letter to BDC Re Trustee Appointment

Public Excluded No

APPOINTMENT TO BULLER RESILIENCE TRUST

1. **EXECUTIVE SUMMARY**

The Buller Resilience Trust requires the Buller District Council (BDC) to confirm the appointment of its representative trustee ahead of the Trust's Annual General Meeting on 28 August.

2. The current appointee, Jamie Cleine, is the longest-serving trustee and as such requires reappointment under the Trust Deed. This appointment is independent of Mr Cleine's current office as Mayor and can continue regardless of future election outcomes.

3. **DRAFT RECOMMENDATION**

That Council:

1. **Note that the trustee appointment does not need to be held by an elected member and that the selection is based on the skills, experience, and networks the appointee can bring to the Trust.**
2. **Appoints (TBC) as the Buller District Council-appointed trustee to the Buller Resilience Trust for a term of approximately three years, in accordance with the Trust Deed**

4. **ISSUES & DISCUSSION**

5. **BACKGROUND**

The Buller Resilience Trust has been operational for two years and has already distributed over \$0.75 million to initiatives within the district. The Trust plays a key role in district diversification, transformation, and well-being.

6. Under the Trust Deed, the Buller District Council must appoint one trustee. Jamie Cleine was appointed when the Trust was formed, with this appointment formally acknowledged in May 2023. The Trust Deed also states that the longest-serving trustee must retire at the Annual General Meeting (AGM) but is eligible for reappointment.

7. It is important to note:

- The BDC-appointed trustee does not have to be a sitting councillor or the Mayor.
- The appointment is for the trustee role, not tied to any political office.

8. **OPTIONS**

9. **Option 1 – Reappoint Jamie Cleine as the BDC-appointed trustee**

10. **Advantages**

- Brings continuity in governance during a period of strategic growth.
- Holds significant strategic context and knowledge of the district.
- Strong networks within and beyond the district that benefit the Trust's initiatives.
- Founding member with deep understanding of the Trust's establishment and objectives.
- Has played a pivotal role in the Trust's early success and rapid impact delivery.
- Supports stability within an already high-functioning trustee group.
- Any potential conflict of interest, should Mr Cleine retain an elected member position, can be effectively managed under Council's established protocols, as successfully done in the current term.
- Meet's the Trust's request for Council to reappoint Mr Cleine, based on a successful first term.

11. **Disadvantages**

- Limits the opportunity for new perspectives or diversity in trustee membership.
- May create a perception of conflict of interest if the appointee also holds an elected position, despite mitigation measures.
- Risks undermining the Trust's effectiveness if a new appointee does not bring a comparable level of strategic context and relationships.

12. **Option 2 – Appoint a new BDC representative**
13. **Advantages**
- Brings a fresh perspective and potentially new skills or connections to the Trust.
 - Avoids any perception of overlap between the trustee role and political position.
14. **Disadvantages**
- Would require council to seek expressions of interest from the general public – this would not be able to be achieved prior to the AGM.
 - Loss of institutional knowledge and strategic context during a growth phase.
 - Potential disruption to donor engagement and strategic continuity.
 - Requires onboarding and relationship-building, which may slow momentum and Trust effectiveness in a key growth phase.
15. **RECOMMENDED OPTION**
It is recommended that Council select Option 1 — reappoint Jamie Cleine as the BDC-appointed trustee for another term.
16. This is a good outcome for the community, having someone knowledgeable who can advocate for local initiatives and projects that further enhance Buller's resilience.
17. Feedback from the Trust is that Mr Cleine's foundational role, strategic insight, and established relationships have been critical to the Trust's success to date.
18. Maintaining this continuity will support the Trust's growth plans and preserve the momentum achieved in its first two years.
19. Given that the trustee role is independent of any council or mayoral position, the outcome of upcoming elections has no bearing on his eligibility.
20. **NEXT STEPS**
Confirmation of the successful member to Buller Resilience Trust for inclusion of their Annual General Meeting for 28 August 2025.
21. **CONSIDERATIONS**
22. **Strategic Impact**
This report aligns with the Council's strategic priorities in the Long Term Plan and Annual Plan by supporting governance arrangements that enable community well-being, strategic partnerships, and district development. The Buller Resilience Trust plays a significant role in funding and facilitating projects that enhance the district's diversification, transformation, and resilience, directly contributing to Council's community outcomes.

23. **Significance Assessment**
This decision has been assessed as having low significance in terms of Council's Significance and Engagement Policy. The appointment of a trustee to the Buller Resilience Trust does not materially affect Council's levels of service, strategic assets, or long-term financial position, and is a standard governance function.
24. **Risk Management Implications / Opportunities**
25. **Risks:**
- Potential loss of institutional knowledge and strategic continuity if an alternative trustee is appointed.
 - Possible public perception that the trustee role is linked to political office rather than an independent governance appointment.
26. **Opportunities:**
- Maintain momentum and strong donor relationships by reappointing the current trustee.
 - Provide stability during a period of strategic growth for the Trust.
27. **Engagement – External:**
No public consultation is required, as the decision is low significance. The Buller Resilience Trust has requested confirmation of Council's appointee before its AGM on 28 August 2025.
28. **Policy & Legislative Considerations**
There are no policy or legislative compliance issues arising from this appointment.
29. **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.
30. **Financial Considerations**
There is no financial implication relevant to this decision.
31. **Communication Internal / External**
Following the decision, staff will notify the Buller Resilience Trust in writing and update Council's appointment records.
32. No further external communications are required.

Buller Resilience Trust
Westport
admin@bullerresiliencetrust.com
www.bullerresiliencetrust.com



9th August 2025

Simon Pickford
CEO
Buller District Council

Re: Reappointment of Buller Resilience Trust representative by Buller District Council

Dear Simon

I write in my capacity as Chairperson of the [Buller Resilience Trust](#). The Buller Resilience Trust is seeking to play an active role in the district's diversification, transformation, and well-being, and in its short history (operational for just the last 2 years), has disbursed over \$0.75M to initiatives within the district (our Impact Statement can be viewed [here](#)).

Later this month (August 28th) we have our AGM and in accordance with our Trust Deed, the longest serving Trustee is required to retire from office. A retiring Trustee is eligible for reappointment.

As part of our Trust Deed, one representative is required to be appointed by the Buller District Council. Council's current appointee is Jamie Cleine and Jamie is a longest-serving member. I request on behalf of the Buller Resilience Trust that Council provide confirmation to us before the 28th of August that it reappoints Jamie Cleine to this position. This request is made on the basis that:

- The appointment is independent of the current office (Mayor) held by Jamie Cleine and therefore the outcome of elections later this year need not have any bearing on who Council's appointee is; and
- Jamie Cleine holds significant strategic context and knowledge of our district that has been invaluable to the Buller Resilience Trust in its function, as are the relationships he holds throughout and beyond the district;
- Jamie Cleine was a foundation member of the Buller Resilience Trust and has excellent context for our initial establishment, playing a pivotal role in the fast start we have enjoyed which is elevating impact throughout the district;
- The Buller Resilience Trust is pursuing significant strategic growth in terms of its donors and impact, and continuity of membership is considered important whilst we secure this phase; and
- The Buller Resilience Trust enjoys a high-functioning and supportive Trustee membership that is elevating the impact we deliver, and we wish to preserve that function if possible.

Based on the tenure of other Trustee's, we would expect a reappointment would apply for approximately the next 3 years. Please let me know if I can provide any further information.

Regards,

Phil Rossiter
Buller Resilience Trust – Chairperson
027 271 3945

Cc: Simon Bastion – Group Manager, Regulatory Services, Buller District Council

BULLER DISTRICT COUNCIL

27 AUGUST 2025

AGENDA ITEM: 7

Prepared by Bronwyn Little
Senior Policy Advisor

Reviewed by Simon Bastion
Group Manager Regulatory Services

Attachments 1. Dangerous, Affected and Insanitary Buildings Policy – draft for consultation
2. Submission - Health New Zealand Te Whatu Ora
3. Dangerous, Affected and Insanitary Buildings Policy – with minor amendments

Public Excluded: No

DANGEROUS, AFFECTED AND INSANITARY BUILDINGS POLICY REVIEW

1. EXECUTIVE SUMMARY

- The Buller District Council (BDC) Dangerous and Insanitary Buildings Policy is due for review.
- A draft Dangerous, Affected and Insanitary Buildings Policy was prepared which includes improvements to enhance clarity, reference to the latest legislation and provides more information around the processes used in assessment.
- The draft policy was endorsed by the Risk and Audit Committee and adopted for consultation by Council along with the associated Statement of Proposal before undertaking public consultation.
- Consultation was undertaken in accordance with Section 83 (Special Consultative Procedure) of the Local Government Act 2002.
- One submission was received – from Health New Zealand Te Whatu Ora
- The Risk and Audit Committee (13 August 2025) has recommended that Council adopt the Dangerous Affected and Insanitary Buildings Policy with minor amendments (Attachment 3).
- This report recommends that Council adopts the Dangerous Affected and Insanitary Buildings Policy with minor amendments and makes it effective from 1 September 2025.

2. **DRAFT RECOMMENDATION**

That Council:

- 1. Receives the report;**
- 2. Notes the decision of Council on 28 May 2025 to adopt the draft Dangerous, Affected and Insanitary Buildings Policy (Attachment 1) for public consultation;**
- 3. Notes the public consultation and engagement process undertaken as required under the Building Act 2004 (section 132) and Local Government Act 2002 (section 83);**
- 4. Considers the submission received from Health New Zealand Te Whatu Ora (Attachment 2);**
- 5. Notes the Risk and Audit Committee 13 August 2025 recommended that Council adopt the Policy with the minor amendments set out in Attachment 3;**
- 6. Revoke the Dangerous and Insanitary Buildings Policy (as reviewed 2017); and**
- 7. Either:**
 - i. Adopts the Dangerous, Affected and Insanitary Buildings Policy 2025 without amendment (Attachment 1) to take effect from 1 September 2025;**
 - OR**
 - ii. Adopts the Dangerous, Affected and Insanitary Buildings Policy 2025 with minor amendments (Attachment 3) to take effect from 1 September 2025.**

3. **ISSUES & DISCUSSION**

4. **BACKGROUND**

Building Act 2004:

Council must adopt a policy on dangerous, affected, and insanitary buildings for the District under section 131 of the Building Act 2004 (BA2004). The policy must state the approach that Council will take in performing its functions as prescribed in the BA2004 and Council's approach for performing those functions and its

application to heritage buildings. Councils are obligated to review and adopt policies on dangerous, affected, and insanitary buildings every five years. Consultation with the public on the draft version of the policy is required and must follow the special consultative procedures for its review under Section 83 of the Local Government Act 2002.

5. It should be noted that under Section 132 (5) of the BA2004 the policy does not cease to have effect because it is due for review or is being reviewed.
6. Buller District Council Policy:
The current Buller District Council (BDC) policy was last reviewed in June 2017 to incorporate the changes to the BA2004 resulting from the Building (Earthquake-prone Buildings Amendment) Act 2016. That amendment required the removal of reference to earthquake prone buildings in existing the Dangerous, Earthquake-Prone and Insanitary Buildings Policy.
7. Draft Policy Overview:
Staff reviewed the current policy and prepared a draft policy in consultation with the Ministry for Building, Innovation and Employment (MBIE) who have responsibility for auditing councils for compliance under the BA2004. Several improvements were incorporated in the draft document which provide further clarity and reflect changes in the BA2004.
8. Improvements include the following:
 - Setting out a clear purpose for the policy
 - Updating references to legislation
 - Outlining the specific assessment criteria (Assessment Risk Priority Matrix)
 - Expanding and clarifying the investigation and enforcement process
 - Including more information on affected buildings
 - Updating formatting to current BDC standards to improve readability
9. The Risk and Audit Committee considered and endorsed the draft Policy at the meeting of 16 April 2025. The Committee recommended that Council adopt the draft Policy and associated Statement of Proposal for public consultation. In May 2025, the Council adopted both documents for public consultation and engagement as required under the BA2004 (section 132) and Local Government Act 2002 (section 83).
10. Public Consultation:
Public consultation was undertaken in accordance with the provisions of Section 83 of the Local Government Act 2002.
11. In summary the consultation started with a public notice advising the one-month submission period along with the locations that copies of the draft policy, statement of proposal and submission forms could be found (Brougham House, Reefton Information and Service Centre, Westport library, and the information centres in

Karamea and Ngakawau). There were four advertisements in the various community newspapers and a Connect feature in the June edition of the West Coast Messenger. The June edition of Connect was also emailed to 449 subscribers on the BDC mailing list.

12. The consultation was featured on the front page of the Council website with a direct link to the 'Let's Talk' consultation page for the full one-month consultation period.
13. On Facebook and Instagram there were three posts during the consultation period with one of those posts being shared directly to each of the local Facebook community pages in the District.
14. The Let's Talk consultation page for the bylaw review was visited 135 times during the consultation period. In total 26 of those visitors downloaded 23 copies of the Statement of Proposal, nine copies of the draft bylaw and nine copies of the current bylaw.
15. Submission:
Over the one-month consultation period one submission was received – from Health New Zealand Te Whatu Ora (attached as **Attachment 2**). The submission commends Council for the review of the policy, recognising its obligations and endorses the Council taking a multi-agency approach to these health-related matters. Council must consider this submission before making a final decision on the adoption of the policy.
16. The submission recommends:
 - Inclusion of specific reference to the relevant sections of the Health Act 1956 – sections 29, 41 and 42 which include specific definitions and actions associated with insanitary housing, and Section 126 which defines infirm and neglected persons.
 - Including details regarding responses and actions in relation to environmental interventions by Council, for example cleansing orders, and the abatement of nuisance conditions under the Health Act 1956
 - Reference to seeking advice from external operators such as Fire and Emergency NZ could be widened to include public health services and health related providers.
 - The roles of key Council staff such as Environmental Health Officers be expanded on in the policy. These responsibilities may include ensuring the building meets the Building Act 2004 and Health Act 1956, that they act to remedy insanitary or nuisance conditions, and that they refer to the Medical Officer of Health where they consider further action is necessary.
17. The submitter does not wish to be heard with respect to this advice.

18. Risk and Audit Committee recommendation 13 August 2025
On 13th August 2025 the Risk and Audit Committee considered the policy and the submissions. The recommendation from the committee is that Council adopt the policy with minor amendments as set out in Attachment 3.
19. **OPTIONS**
20. **Option 1 – Option 2 – Status Quo**
Council continues with the current Policy.
21. **Advantages**
- No advantages have been identified.
22. **Disadvantages**
- Legislative requirements for review of policy not met.
 - Auditing requirements from MBIE will not be complied with
23. **Option 2 - Adopt the Dangerous Affected and Insanitary Buildings Policy without amendment and effect from 1 September 2025 (Attachment 1)**
Council adopt the draft Policy without amendment and resolve to make it effective from 1 September 2025
24. **Advantages**
- Compliance with current legislation and MBIE audit requirements.
 - Clarification for the community and building owners of the process by which BDC will identify and assess both dangerous and insanitary buildings in the district.
 - Clear information on the process of identifying affected buildings for owners.
25. **Disadvantages**
- Matters relating to the Health Act 1956 as noted in the submission are not specifically set out in the document
26. **Option 3 – Adopt the Dangerous Affected and Insanitary Buildings Policy with minor amendments and effect from 1 September 2025 (Attachment 3)**
Council adopt the Policy with amendments as follows and resolve to make it effective from 1 September 2025 (**Attachment 3**).
27. The amendments recommended are minor and relate to reference to the Medical Officer of Health when it is considered necessary.
- S2.4.2 Insanitary Buildings:
Add:
‘Council may also seek advice from the Medical Officer of Health when determining whether a building is insanitary.’

- S2.5.2 High to Low Priority

Add:

'May seek advice from the Medical Officer of Health.'

NOTE: Report to Risk and Audit Committee included addition of reference to the Medical Officer of Health in Section 2.4 Investigation Process. This addition was actually a duplication of a reference to the Medical Officer of Health which was already in this section in the draft policy, and it is therefore not considered necessary to add.

28. Further amendments in relation to the matters raised in the submission are not considered necessary:
 - The specific reference to sections of the Health Act 1956 is not considered necessary as this act is referred to throughout the policy and inclusion of this information would make the policy more complex.
 - It is not considered feasible for staff to liaise with health care providers nor is this required under the Health Act 1956.
 - Reference to specific Council staff roles is not recommended as these may change over time in relation to job titles and responsibilities.
29. **Advantages**
 - Reference to seeking advice from the Medical Officer of Health is included where appropriate
 - Compliance with current legislation and MBIE audit requirements.
 - Clarification for the community and building owners of the process by which BDC will identify and assess both dangerous and insanitary buildings in the district.
 - Clear information on the process of identifying affected buildings for owners.
30. **Disadvantages**
 - No disadvantages identified – other matters referred to in the submission are not considered necessary to include in the policy
31. **PREFERRED OPTION**

Option 3 is the preferred option as it complies with legislation and provides the community and building owners with clarity around the process of identification and assessment of dangerous, affected and insanitary buildings. This option also includes further reference to seeking advice from the Medical Officer of Health where appropriate which provides clear direction to those administering the policy.
32. **NEXT STEPS**
 - Council adopts the amended policy with effect from 1 September 2025
 - Staff administer the new policy from 1 September 2025

33. **CONSIDERATIONS**

34. **Strategic Impact**

The Policy will contribute towards the overall safety and health of the community while ensuring that the district continues to develop and thrive.

35. **Significance Assessment**

The Policy covers all buildings in the Buller District and its implementation could impact any building owner or occupant in the community. However, as the Policy only applies current government legislation, the significance is considered to be low.

36. **Risk Management Implications / Opportunities**

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

37. Engagement - external

In drafting the policy staff engaged with MBIE and they endorsed the content of the draft Policy. Community consultation took place in accordance with Section 83 (special consultative procedure) of the Local Government Act 2002 as required under the BA2004 (see above for details).

38. Engagement – internal

The Territorial Authority and Compliance Officer has developed this draft Policy with input from the Senior Policy Advisor and other members of the building team.

39. Legal

Failure to review and adopt the Policy would result in non-compliance with the BA2004.

40. Property Owners Views.

Public consultation as outlined above was comprehensive and the opportunity to make a submission was widely publicised in print, on social media and through the Council's webpage and Let's Talk engagement platform. See above for details of the public consultation process.

41. **Policy & Legislative Considerations**

Beyond fulfilling Council's statutory obligations under the BA2004 to review and consult using the special consultative procedure, there are no other legal considerations associated with adoption of the Dangerous, Affected, and Insanitary Buildings Policy 2025. Consultation was undertaken in accordance with Section 83 of the Local Government Act 2002.

42. **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.

43. **Financial Considerations**

The adoption of the Policy will not trigger any additional costs to Council as administering the Policy is part of business as usual for staff.

44. **Communication Internal / External**

Communications regarding Council's decision will be managed by the Communications and Engagement team.



BULLER
DISTRICT COUNCIL
Te Kaunihera O Kawatiri

Dangerous, Affected and Insanitary Buildings Policy

Creation Date:		Consulted on:	
Approved Date:		Date for Review:	
Author:		Authorised by:	
Version:			
Also, Refer to:			

1. INTRODUCTION

1.1 PURPOSE

The purpose of this Policy is to reduce the risk of injury, death, ill health or damage within Buller communities by identifying and managing dangerous, affected and insanitary buildings in the district.

1.2 INTERPRETATION

Affected building is defined as any building that is adjacent to, adjoining, or nearby -

- a dangerous building as defined in section 121 of the Building Act 2004 (BA2004); or
- a dangerous dam within the meaning of section 153 of BA2004.

Dangerous building is defined under Section 121 of the BA2004 as:

- a) A building is dangerous for the purposes of the BA2004 if, in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause –
 - injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or
 - damage to other property; or
 - in the event of a fire, injury or death to any persons in the building or to persons on other property is likely because of fire hazard or the occupancy of the building.
- b) For the purpose of determining whether a building is dangerous in terms of subsection (1)(b), a territorial authority –
 - may seek advice from members of the Fire and Emergency New Zealand (FENZ) who have been notified to the territorial authority by the Fire and Emergency National Commander as being competent to give advice; and
 - if the advice is sought, must have due regard to the advice.”

Insanitary building is defined under Section 123 of the BA2004 as:

A building is insanitary for the purpose of the BA2004 if the building is offensive or likely to be injurious to health because –

- of how it is situated or constructed; or
- it is in a state of disrepair; or
- has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or
- does not have a supply of potable water that is adequate for its intended use; or
- does not have sanitary facilities that are adequate for its intended use.”

Heritage building is defined in the interpretation section of BA2004 and has been summarised for the Buller District as the following:

- a) identified as heritage, including within a scheduled historic heritage place or;
- b) Identified within the Buller District Plan Part 14 Schedule of Historic Buildings and Sites or within the proposed Te Tai o Poutini Plan Schedule One – Historic Heritage (Buildings and Areas);
- c) listed in the New Zealand Heritage List/Rāangi Kōrero under the Heritage New Zealand Pouhere Taonga Act 2014
- d) subject to a Heritage Order, or a heritage-related covenant on the title; constructed prior to 1900.

1.4 Scope:

This document sets out the policy for such buildings as adopted by the Buller District Council (Council) and applies to all buildings within the district.

1.5 Background:

Section 131 of BA2004 requires territorial authorities to adopt a policy on dangerous and insanitary buildings. In developing this policy, the Buller District Council has balanced the need to protect public health and safety in accordance with the purpose (Section 3) of the BA2004. At the same time the economic implications of requiring significant remedial building work on heritage buildings in relation to community expectations in protecting and preserving heritage buildings also considered.

This document sets out the policy adopted by Buller District Council and includes:

- 1.1. The approach that the Buller District Council will take in performing its functions under the BA2004 which includes the 2013 amendment to BA2004, requiring councils to also consider affected buildings in their policies.
- 1.2. Buller District Council's priorities in performing those functions.
- 1.3. How the policy will apply to heritage buildings.

The BA2004 also specifically recognises that heritage buildings may require a variation to such an approach if their heritage values are to be maintained and not compromised. For instance, council can consider dispensations and waivers for issues of safety and sanitary conditions for heritage buildings and consider lateral or innovative approaches to achieving the desired level of compliance.

In managing dangerous, insanitary or affected buildings a special consideration will also be given to the structural stability and adequate fire protection provisions or means of escape from buildings to ensure a safe egress from a building in a situation of danger which will be considered with any waivers for heritage buildings and earthquake prone buildings.

1.6 Building Act 2004 Principles

The principles to be applied in performing functions or duties or exercising powers under the BA2004 are as detailed under Section 4 (1)(2) (a-q) and 121-132A. Special consideration is to be given to Heritage buildings and will advise Heritage New Zealand Pouhere Taonga as required under Section 125(2)(f) if building work is required and 131(2)(c) in how the policy will apply to heritage buildings and considering earthquake prone buildings which require urgent works to remove or reduce risks under Section 133 (BV)-(BW).

1.7 Policy Principles

Council will continue to investigate complaints made to Council from community, adjoining affected building owners and buildings identified by staff in the course of their work. Council will also identify dangerous, insanitary buildings and buildings that appear to be deteriorated and in poor condition within the district that may not meet the criteria currently but would if no repairs or building work are completed within the near future.

Buildings in a deteriorated or poor condition are placed on a monitoring register and periodically visually assessed on the external condition of the building for residential and also internal condition for commercial/ industrial buildings.

Council will contact these building owners and establish rapport to educate and ultimately improve the living conditions of our communities within the district.

Council is committed to ensuring that the Buller District is a safe and healthy place to live and work while also ensuring that the district continues to develop and thrive.

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

1.8 District Characteristics

The local buildings vary widely in type and age, encompassing construction techniques from traditional wood and unreinforced masonry to modern multi-storey steel and concrete structures. The district has only a few three-storey buildings, with the majority consisting of one or two storeys.

2. POLICY

2.1 Policy Approach:

Council will use a best practice approach in identifying, assessing, prioritising, investigating and enforcement actions for dangerous, insanitary and affected buildings within the Buller District.

A risk matrix will be used to determine the priority criteria of the dangerous, insanitary or affected building types and condition.

A variety of factors can result in a building to be deemed dangerous, insanitary or affected including conversions of existing buildings, lack of maintenance, lack of appropriate facilities, overcrowding and un-consented alterations which can cause serious health and safety problems.

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

The development of the New Zealand Building Code and associated standards has created, over time, the current standards which buildings and Building Owners must meet. Existing buildings must be maintained appropriately to continue to meet such standards.

The Council is actively involved in encouraging the public to discuss their development plans with Council on the BA 2004 matters with a view to encourage owners to obtain building consent where necessary. The Council treats building safety as a serious matter; buildings must be safe for their intended use and for Occupiers which includes affected buildings (effect on adjacent, adjoining or nearby buildings).

2.2 Identifying Dangerous and Insanitary Buildings

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

- Complaints from members of the public
- Advice received from Council staff
- Complaints or advice from other agencies (e.g. local health providers, NZ Police, trades people)
- Periodically actively identifying buildings in the district that are deteriorating with obvious damage and structural issues that can lead to insanitary, and/or dangerous conditions.

2.3 Assessment Criteria

The Council will assess potentially dangerous or insanitary buildings in accordance with sections 121 or 123 of the BA2004 as appropriate and in terms of the level of risk to public health or safety that is presented. Council will use a 'best practice' approach in managing dangerous, insanitary and affected buildings in the district. This would include responding and investigation of complaints, identifying buildings, prioritising actions, timeframes for notices and building work. The Council will give priority to buildings that have been determined to present such a high level of risk as to warrant immediate action to remove the risk.

The Risk Priority Matrix will be used to determine the priority criteria for dangerous, insanitary and affected buildings.

Assessment Risk Priority Matrix and Priorities for Action

Council will use the following matrix to determine the priority level and therefore timeframe within which the assessment will be completed.

Assessment Priority Matrix

Risk Calculator (Level of Risk x Consequence of Failure)

	CONSEQUENCE OF FAILURE				
Level of Risk	Negligible (1)	Minor (2)	Moderate (3)	Major (4)	Extreme (5)
Very High (5)	5	10	15	20	25
High (4)	4	8	12	16	20
Medium (3)	3	6	9	12	15
Low (2)	2	4	6	8	10
Very Low (1)	1	2	3	4	5

Priority for Action

Priority	Score	Working Days
Immediate	≥15	1
High	10-14	3
Medium	6-9	10
Low	≤5	20

Level of Risk Definitions:

Very high: Accessed daily by large groups of people (e.g. Hospital, education facility, Police station, prison, community centre, supermarket)

High: Accessed regularly by small groups of people (e.g. Office, shops, apartment building)

Medium: Accessed daily (e.g. Dwelling)

Low: Infrequent access, or exposure to hazard (e.g. Detached domestic garage/workshop/sleepout).

Very Low: Unlikely to be occupied, space typically used for storage only (e.g. Farm shed/hay barn).

Consequence of Failure Definitions:

Negligible: No injuries, no inconvenience to building users, no impact on adjacent building/property.

Minor: No injuries, some inconvenience to building users, unlikely to impact on adjacent building/property.

Moderate: No injuries, inconvenience to building users, likely to impact on adjacent building/property.

Major: Serious injury or death, evacuation or short-term sheltering may be required.

Extreme: Multiple deaths/serious injuries, failure of building likely to impact on adjacent building/property, evacuation or short/long term sheltering is required.

2.4 Investigation Process

With regard to investigation the Council will:

- Investigate all buildings complaints received
- Investigate those buildings identified by Council
- Identify from these investigations any buildings that are dangerous or insanitary

- Assess the level of risk presented by the building by using the Assessment Risk Priority Matrix and Priorities for Action above and, if required, take immediate action
- Inform the owner and occupier of the building to take action to reduce or remove the danger or insanitary condition, as defined by Section 121, 123 and powers of Territorial Authority under Section 124 and Section 125 of the BA2004
- In the case of insanitary conditions will seek advice from the Medical Officer of Health
- Liaise with Fire and Emergency New Zealand (FENZ) when Council deems it appropriate, in accordance with Section 121 (2) of the BA2004.

2.4.1 Dangerous Buildings

For the purpose of determining whether a building is dangerous in terms of Section 121 subsection (1) (b) of the BA2004, Council:

- May seek advice from members of FENZ in accordance with Section 121(2) who have been notified to the territorial authority by the FENZ National Commander as being competent to give advice; and
- If the advice is sought, must have due regard to the advice.

Where the building is a heritage building listed in Council's District Plan, Te Tai o Poutini Plan or a building listed in the Heritage New Zealand List, Heritage New Zealand shall also be advised and consulted and the building will be managed in accordance with all relevant policy documents.

2.4.2 Insanitary Buildings

In assessing insanitary buildings in accordance with Section 123 of the BA2004 within Buller District, Council will use some of the following criteria to assess the building.

The council will determine:

- if the building is occupied;
- what the building is being used for; and
- whether the insanitary conditions pose a reasonable probability of being potentially dangerous to the health of any occupants.

Where a building is occupied, considerations may include:

- adequacy of available sanitary facilities;
- adequacy and availability of drinking water;
- ventilation;
- the separation of kitchen and other sanitary facilities;
- potential for moisture penetration taking into account construction materials and any defects in roof and walls; and
- the extent to which the building is offensive to adjacent and nearby properties

- Relevant Building Codes as appropriate which may include any of the following:
 - E1 (Surface Water)
 - E2 (External Moisture)
 - E3 (Internal Moisture)
 - G1 (Personal Hygiene)
 - G3 (Food Preparation)
 - G4 (Ventilation)
 - G12 (Water Supplies)
 - G13 (Foul Water)

2.4.3 Affected buildings

When the Council is satisfied a building is dangerous, the Council will contact the owners of any buildings it considers are, or are likely to be, affected buildings before it takes any action in relation to the dangerous building. The Council will discuss with owners of affected buildings the circumstances of the owner or the future plans for the site. Such knowledge could affect, for example, the time in which repairs are to be undertaken. If the Council decides to issue a notice restricting entry to an affected building (Under Section 124 (1)(b), (c) or (d) BA2004), the Council will ensure the first person to receive a copy of the notice is the owner of the building, followed by the occupants (if any). Copies of notices to owners and occupants will be given in person where practicable.

Where a building is identified as being affected, that information will be put on the relevant property file and disclosed in any land information memorandum or project information memorandum issued for the building, until the danger is removed.

2.5 Enforcement and Action:

2.5.1 Immediate Priority:

When the assessment the Assessment Risk Priority Matrix determines that the building is an Immediate Priority the action may include any or all of the following:

- Prohibiting any person from occupying or using the building;
- If necessary, erecting barriers and warning signs, plus securing the building to prevent entry until such time as remedial action can be taken;
- Undertaking remedial action under s129 of the BA2004. Note that, in the case of insanitary buildings, the Council reserves the right to use its powers available under s34 of the Health Act, 1956.

Where the Council undertakes remedial action under either s129 of the BA2004 or s34 of the Health Act 1956, all costs will be recoverable from the building owner(s) as provided for in the relevant legislation. Council will notify the Medical Officer of Health if there are insanitary conditions or where occupants may be neglected or infirm.

2.5.2 High to Low Priority:

Buildings that are determined to present a serious risk which is not immediate will be subject

to the minimum timeframes for reduction or removal of the danger (being not less than 10 days) as set out in s124(1) (c) of the BA2004.

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

- May seek advice from members of FENZ in accordance with Section 121(2) who have been notified to the territorial authority by the FENZ National Commander as being competent to give advice; and
- If the advice is sought, must have due regard to the advice.
- Attach written notice in accordance with Section 125 of the BA2004 to the building requiring work to be carried out on the building, within a time stated in the notice being not less than 10 days, to reduce or remove the danger.
- Give copies of that notice to the building owner, occupier and every person who has an interest in the land, or is claiming an interest in the land, as well as the Heritage New Zealand, if the building is a registered heritage building.
- Contact the owner at the expiry of the time period set down in the notice in order to gain access to the building to ascertain whether the notice has been complied with.
- Where the danger is the result of non-consented building work the owner will be formally requested to provide an explanation as to how the work occurred and who carried it out and under whose instructions.
- Pursue enforcement action under the BA2004 and Health Act 1956 and recover actual and reasonable costs. Council may consider taking action by issuing Notice to Fix in accordance with section 164(1)(a) of the BA 2004 if there is reasonable evidence that a specified person is contravening or failing to comply with act or any regulations.
- Where building work is required and not completed within a reasonable speed under a notice issued, Council will apply to District Court for an order to do so and will notify the owner at least 10 days prior to the application to address the risk to building users or affected buildings in accordance with Section 126-128
- Where any unsafe condition is identified by Council for dangerous substances or inappropriate storage, Work Safe is to be notified in accordance with the requirements set out in Health and Safety at Work Act 2015 (Hazardous Substances Regulation) and Hazardous Substances and New Organisms Act 1996

2.5.3 Additional Powers:

In addition to remedial action, the BA2004 also empowers the Council to prosecute building owners and this power may be considered at times by the Council

2.5.4 Other Buildings

Buildings identified as in poor state but do not fall within the scope of dangerous or insanitary will be placed on the Dangerous Affected and Insanitary Buildings Monitoring register with either a six monthly or annual reinspection assigned to the compliant.

2.6 Heritage Buildings

Waivers and other dispensations will not be automatically granted to heritage buildings under this policy. All owners have a right of objection as defined in the BA2004, which includes applying to the Ministry of Business Innovation and Employment (MBIE) for a determination under Section 177(3)(f) of the BA2004. Council will reserve the right to recover costs of this process from objectors and/or building owners.

2.7 Determinations

If any owner disputes a Council decision, or proposed action, relating to the exercise of the Council's powers under sections 124 or 130 of the BA2004, the owner may apply for a determination from the Chief Executive of the Ministry of Building, Innovation and Employment, under Section 177(3)(f) of the BA2004. Sections 176 – 190 of the BA 2004 lay out the requirements for determinations. Such a determination is binding upon the Council.

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

2.8 Interaction between this Policy and Related Sections of the BA2004

Section 41 of the BA 2004 provides for situations where, because of the urgency of the work to be done to remove the danger, it is not practical to apply for a building consent before the work is undertaken. In these cases, an application for a certificate of acceptance may be required. However, prior to any action being taken it is essential that building owners provide a written proposal of any proposed works to the Council for agreement on the matter.

2.9 Record keeping

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

In addition, the information will be placed on any Land Information Memorandum (LIMs) and will be available for public release in accordance with the provisions of Local Government Official Information and Meetings Act 1987 and the Local Government Act 2002.

The following information will be placed on the Land Information Memorandum (LIM):

- The notice issued informing the owner that the building is dangerous and where necessary notice of the requirement to evacuate.
- a copy of the letter to owner, occupier and any other affected parties that the building is dangerous; and

- a copy of the notice given under section 124(1) that identifies the work to be carried out on the building and the timeframe given to reduce or remove the danger.

2.10 PLANNING

Buller District Council will:

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

2.11 ECONOMIC IMPACT POLICY

Due to the very low number of dangerous or insanitary buildings encountered annually by the Council, the economic impact of this policy is considered to be negligible.

3 POLICY REVIEW

Pursuant to section 132 of the BA2004 this policy is required to be reviewed by the Council every 5 years. Any amendment or replacement of the policy must be in accordance with Section 83 of the Local Government Act 2002 (Special Consultative Procedure).

09 July 2025

Buller District Council
 6/8 Brougham St
 Westport
 7825

Tēnā koe

Buller District Council's Dangerous, Affected and Insanitary Buildings Policy

1. This technical advice on the Buller District Council's Dangerous, Affected and Insanitary Buildings Policy has been compiled by the National Public Health Service (NPHS) Te Waipounamu region, Health New Zealand – Te Whatu Ora. NPHS Te Waipounamu provides public health services in the South Island, including the Buller District.
2. NPHS Te Waipounamu recognises its responsibilities to improve, promote and protect the health of people and communities of Aotearoa New Zealand under the Pae Ora (Healthy Futures) Act 2022 and the Health Act 1956.
3. Pae Ora requires the health sector to protect and promote healthy communities and health equity across different population groups by working together with multiple sectors to address the determinants of health.
4. NPHS Te Waipounamu is focused on the achievement of equitable health outcomes. We use the Ministry of Health's definition of equity:

In Aotearoa New Zealand people have differences in health that are not only avoidable, but unfair and unjust. Equity recognises different people with different levels of advantage require different approaches and resources to get equitable health outcomes.¹
5. This technical advice responds to some of the questions provided in the Buller District Council's Dangerous, Affected and Insanitary Buildings Policy submission template.
6. This technical advice sets out matters of interest and concern to NPHS Te Waipounamu, and our recommendations are based on evidence about public health and equity, as well as the experience of public health officers.

¹ Ministry of Health – Manatū Hauora (2024, July 2). Achieving equity. <https://www.health.govt.nz/about-ministry/what-we-do/achieving-equity>

Specific Comments

7. There are many potential health implications associated with people living in insanitary and dangerous conditions. Councils have a range of legislative and regulatory tools available to them that can contribute to minimising the potential risks that insanitary and dangerous building conditions can pose to human health.
8. NPHS Te Waipounamu commends Buller District Council for the development and review of its Dangerous, Affected and Insanitary Buildings Policy. Councils have an important role to play when responding to issues related to these types of buildings. We support Option 1: Adopt the proposed Dangerous, Affected and Insanitary Buildings Policy.
9. NPHS Te Waipounamu notes that Council recognises its legislative obligations under the Building Act 2004 in relation to dangerous and insanitary buildings and that the Policy also mentions the Health Act 1956 with regards to interactions with building owners and Council powers.
10. NPHS Te Waipounamu endorses Council seeking advice from the Medical Officer of Health during the investigation process where insanitary conditions are identified or where the occupants are neglected or infirm. We also support Council engaging with Fire and Emergency New Zealand (FENZ). A multi-agency approach, often required when responding to these health-related issues, is considered best practice.
11. NPHS Te Waipounamu commends Council's commitment in the Policy to engage with building owners where buildings are identified to not yet meet the criteria and to work with them to improve their building's conditions before they become dangerous and insanitary.

Recommendations

12. NPHS Te Waipounamu recommends that the Policy includes specific reference to the relevant sections of the Health Act 1956. Council's response to dangerous and insanitary buildings is intertwined with its roles in relation to sections 29, 41 and 42 of the Health Act 1956, which include specific definitions and actions associated with insanitary housing, and Section 126 which defines infirm and neglected persons.
13. Section 29 of the Health Act 1956 defines the term nuisance which may relate to overcrowding and insanitary conditions that are likely to cause injury to the health of people, and dwellings that are unfit for human habitation. Incidents of severe domestic squalor can include extremely unhygienic conditions and hoarding, where the accumulation of material has led to the living environment being unclean, insanitary or dangerous. This section of the Act also applies to areas on land outside of the premises for the purposes of reducing harbourage for pests and accumulation on properties.

14. Sections 41 and 42 of the Health Act 1956 detail the circumstances in which Council may issue a cleansing order or require repairs and/or issue closing orders due in part to insanitary conditions likely to cause injury to the health of any persons living there.
15. Section 126 of the Health Act 1956 refers to infirm and neglected persons. These persons are often affected by dangerous and/or insanitary buildings and living conditions. A committal order can be sought by the Medical Officer of Health if they believe the person's health and well-being are at risk from the conditions in which they are living.
16. Although a Medical Officer of Health may invoke section 126 to deal with situations where infirm and neglected persons or domestic squalor are involved, this power must be exercised with restraint. The decision is made by the District Court and the threshold to deny someone their normal freedoms is very high. Application for a committal order should not be considered unless the Medical Officer of Health believes the person's health and well-being are at risk from the conditions in which they are living, and there are no other feasible options to address that risk.
17. The aim is to ensure there is appropriate support in place so that the person can remain living as independently as possible without significantly compromising their personal health or the health of the public. It is only when this is not possible, and all other courses of action have been explored and exhausted, that the powers of committal under section 126 the Health Act 1956 should be considered.
18. Nuisance conditions or substandard housing should be dealt with in the first instance by using the other appropriate legislative and regulatory tools available, rather than through invoking section 126.
19. NPHS Te Waipounamu recommends that the Policy includes details regarding responses and actions in relation to environmental interventions by Council, for example cleansing orders, and the abatement of nuisance conditions under the Health Act 1956.
20. NPHS Te Waipounamu commends Council's commitment to engage with stakeholders including the Medical Officer of Health and Fire and Emergency NZ. Due to the complex nature of people living in insanitary conditions, the Council should indicate its intention to liaise with community-based agencies such as health care providers (general practitioners, health of older persons services and/or mental health services) and relevant community social support organisations, such as Age Concern.
21. When referring to assessing buildings, the Policy does encourage Council staff to seek advice from external operators such as Fire and Emergency NZ. However, this reference to seeking advice could be widened to specifically include other potential stakeholders, such as

Health New Zealand Te Whatu Ora

public health services, that may need to be involved in helping to manage complex situations.

22. Interagency groups have been set up in some regions to provide pathways for referral, as well as guidelines and information to ensure that the people living in severe domestic squalor are assisted in a consistent, sustainable and efficient way.
23. NPHS Te Waipounamu recommends that the role of key Council staff such as Environmental Health Officers is expanded on in the policy. These responsibilities may include ensuring the building meets the Building Act 2004 and Health Act 1956, that they act to remedy insanitary or nuisance conditions, and that they refer to the Medical Officer of Health where they consider further action is necessary.

Conclusion

24. NPHS Te Waipounamu does not wish to be heard with respect to this advice.

Ngā mihi,



Vince Barry
Regional Director
National Public Health Service
Te Waipounamu Region



Dr Cheryl Brunton
Medical Officer of Health
National Public Health Service
Waitaha Canterbury
Te Waipounamu Region



Dangerous, Affected and Insanitary Buildings Policy

Approved Date:	27 August 2025	Date for Review:	August 2030
Author:	Daniel van der Walt	Authorised by:	Council
Version:	1.0		
Also, Refer to:	Building Act 2004 Health Act 1956 Heritage New Zealand Pouhere Taonga Act 2014		

1. INTRODUCTION

1.1 PURPOSE

The purpose of this Policy is to reduce the risk of injury, death, ill health or damage within Buller communities by identifying and managing dangerous, affected and insanitary buildings in the district.

1.2 INTERPRETATION

Affected building is defined as any building that is adjacent to, adjoining, or nearby -

- a dangerous building as defined in section 121 of the Building Act 2004 (BA2004); or
- a dangerous dam within the meaning of section 153 of BA2004.

Dangerous building is defined under Section 121 of the BA2004 as:

- a) A building is dangerous for the purposes of the BA2004 if, in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause –
 - injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or
 - damage to other property; or
 - in the event of a fire, injury or death to any persons in the building or to persons on other property is likely because of fire hazard or the occupancy of the building.
- b) For the purpose of determining whether a building is dangerous in terms of subsection (1)(b), a territorial authority –
 - may seek advice from members of the Fire and Emergency New Zealand (FENZ) who have been notified to the territorial authority by the Fire and Emergency National Commander as being competent to give advice; and
 - if the advice is sought, must have due regard to the advice.”

Insanitary building is defined under Section 123 of the BA2004 as:

A building is insanitary for the purpose of the BA2004 if the building is offensive or likely to be injurious to health because –

- of how it is situated or constructed; or
- it is in a state of disrepair; or
- has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or
- does not have a supply of potable water that is adequate for its intended use; or
- does not have sanitary facilities that are adequate for its intended use.”

Heritage building is defined in the interpretation section of BA2004 and has been summarised for the Buller District as the following:

- a) identified as heritage, including within a scheduled historic heritage place or;
- b) Identified within the Buller District Plan Part 14 Schedule of Historic Buildings and Sites or within the proposed Te Tai o Poutini Plan Schedule One – Historic Heritage (Buildings and Areas);
- c) listed in the New Zealand Heritage List/Rārangī Kōrero under the Heritage New Zealand Pouhere Taonga Act 2014
- d) subject to a Heritage Order, or a heritage-related covenant on the title; constructed prior to 1900.

1.4 Scope:

This document sets out the policy for such buildings as adopted by the Buller District Council (Council) and applies to all buildings within the district.

1.5 Background:

Section 131 of BA 2004 requires territorial authorities to adopt a policy on dangerous and insanitary buildings. In developing this policy, the Buller District Council has balanced the need to protect public health and safety in accordance with the purpose (Section 3) of the BA2004. At the same time the economic implications of requiring significant remedial building work on heritage buildings in relation to community expectations in protecting and preserving heritage buildings also considered.

This document sets out the policy adopted by Buller District Council and includes:

- 1.1. The approach that the Buller District Council will take in performing its functions under BA 2004 which includes the 2013 amendment to BA2004, requiring councils to also consider affected buildings in their policies.
- 1.2. Buller District Council's priorities in performing those functions.
- 1.3. How the policy will apply to heritage buildings.

The Act also specifically recognises that heritage buildings may require a variation to such an approach if their heritage values are to be maintained and not compromised. For instance, council can consider dispensations and waivers for issues of safety and sanitary conditions for heritage buildings and consider lateral or innovative approaches to achieving the desired level of compliance.

In managing dangerous, insanitary or affected buildings a special consideration will also be given to the structural stability and adequate fire protection provisions or means of escape from buildings to ensure a safe egress from a building in a situation of danger which will be considered with any waivers for heritage buildings and earthquake prone buildings.

1.6 Building Act 2004 Principles

The principles to be applied in performing functions or duties or exercising powers under the BA2004 are as detailed under Section 4 (1)(2) (a-q) and 121-132A. Special consideration is to be given to Heritage buildings and will advise Heritage New Zealand Pouhere Taonga as required under Section 125(2)(f) if building work is required and 131(2)(c) in how the policy will apply to heritage buildings and considering earthquake prone buildings which require urgent works to remove or reduce risks under Section 133 (BV)-(BW).

1.7 Policy Principles

Council will continue to investigate complaints made to Council from community, adjoining affected building owners and buildings identified by staff in the course of their work. Council will also identify dangerous, insanitary buildings and buildings that appear to be deteriorated and in poor condition within the district that may not meet the criteria currently but would if no repairs or building work are completed within the near future.

Buildings in a deteriorated or poor condition are placed on a monitoring register and periodically visually assessed on the external condition of the building for residential and also internal condition for commercial/ industrial buildings.

Council will contact these building owners and establish rapport to educate and ultimately improve the living conditions of our communities within the district.

2. POLICY

2.1 Policy Approach:

Council will use a best practice approach in identifying, assessing, prioritising, investigating and enforcement actions for dangerous, insanitary and affected buildings within the Buller District.

A risk matrix will be used to determine the priority criteria of the dangerous, insanitary or affected building types and condition.

A variety of factors can result in a building to be deemed dangerous, insanitary or affected including conversions of existing buildings, lack of maintenance, lack of appropriate facilities, overcrowding and un-consented alterations which can cause serious health and safety problems.

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

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

The Council is actively involved in encouraging the public to discuss their development plans with Council on the BA 2004 matters with a view to encourage owners to obtain building consent where necessary. The Council treats building safety as a serious matter; buildings must be safe for their intended use and for Occupiers which includes affected buildings (effect on adjacent, adjoining or nearby buildings).

2.2 Identifying Dangerous and Insanitary Buildings

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

- Complaints from members of the public
- Advice received from Council staff
- Complaints or advice from other agencies (e.g. local health providers, NZ Police, trades people)
- Periodically actively identifying buildings in the district that are deteriorating with obvious damage and structural issues that can lead to insanitary, and/or dangerous conditions.

Council is committed to ensuring that the Buller District is a safe and healthy place to live and work while also ensuring that the district continues to develop and thrive.

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

1.8 District Characteristics

The local buildings vary widely in type and age, encompassing construction techniques from traditional wood and unreinforced masonry to modern multi-storey steel and concrete structures. The district has only a few three-storey buildings, with the majority consisting of one or two storeys.

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2.3 Assessment Criteria

The Council will assess potentially dangerous or insanitary buildings in accordance with sections 121 or 123 of the Act as appropriate and in terms of the level of risk to public health or safety that is presented. Council will use a ‘best practice’ approach in managing dangerous, insanitary and affected buildings in the district. This would include responding and investigation of complaints, identifying buildings, prioritising actions, timeframes for notices and building work. The Council will give priority to buildings that have been determined to present such a high level of risk as to warrant immediate action to remove the risk.

The Risk Priority Matrix will be used to determine the priority criteria for dangerous, insanitary and affected buildings.

Assessment Risk Priority Matrix and Priorities for Action

Council will use the following matrix to determine the priority level and therefore timeframe within which the assessment will be completed.

Assessment Priority Matrix

Risk Calculator (Level of Risk x Consequence of Failure)

	CONSEQUENCE OF FAILURE				
Level of Risk	Negligible (1)	Minor (2)	Moderate (3)	Major (4)	Extreme (5)
Very High (5)	5	10	15	20	25
High (4)	4	8	12	16	20
Medium (3)	3	6	9	12	15
Low (2)	2	4	6	8	10
Very Low (1)	1	2	3	4	5

Priority for Action

Priority	Score	Working Days
Immediate	≥15	1
High	10-14	3
Medium	6-9	10
Low	≤5	20

Level of Risk Definitions:

Very high: Accessed daily by large groups of people (e.g. Hospital, education facility, Police station, prison, community centre, supermarket)

High: Accessed regularly by small groups of people (e.g. Office, shops, apartment building)

Medium: Accessed daily (e.g. Dwelling)

Low: Infrequent access, or exposure to hazard (e.g. Detached domestic garage/workshop/sleepout).

Very Low: Unlikely to be occupied, space typically used for storage only (e.g. Farm shed/hay barn).

Consequence of Failure Definitions:

Negligible: No injuries, no inconvenience to building users, no impact on adjacent building/property.

Minor: No injuries, some inconvenience to building users, unlikely to impact on adjacent building/property.

Moderate: No injuries, inconvenience to building users, likely to impact on adjacent building/property.

Major: Serious injury or death, evacuation or short-term sheltering may be required.

Extreme: Multiple deaths/serious injuries, failure of building likely to impact on adjacent building/property, evacuation or short/long term sheltering is required.

2.4 Investigation Process

With regard to investigation the Council will:

- Investigate all buildings complaints received
- Investigate those buildings identified by Council
- Identify from these investigations any buildings that are dangerous or insanitary
- Assess the level of risk presented by the building by using the Assessment Risk Priority Matrix and Priorities for Action above and, if required, take immediate action
- Inform the owner and occupier of the building to take action to reduce or remove the danger or insanitary condition, as defined by Section 121, 123 and powers of Territorial Authority under Section 124 and Section 125 of the Act
- In the case of insanitary conditions will seek advice from the Medical Officer of Health
- Liaise with Fire and Emergency New Zealand (FENZ) when Council deems it appropriate, in accordance with Section 121 (2) of the Act.

2.4.1 Dangerous Buildings

For the purpose of determining whether a building is dangerous in terms of Section 121 subsection (1) (b) of the Act, Council:

- May seek advice from members of FENZ in accordance with Section 121(2) who have been notified to the territorial authority by the FENZ National Commander as being competent to give advice; and
- If the advice is sought, must have due regard to the advice.

Where the building is a heritage building listed in Council's District Plan, Te Tai o Poutini Plan or a building listed in the Heritage New Zealand List, Heritage New Zealand shall also be advised and consulted and the building will be managed in accordance with all relevant policy documents.

2.4.2 Insanitary Buildings

In assessing insanitary buildings in accordance with Section 123 of the BA2004 within Buller District, Council will use some of the following criteria to assess the building.

Council may also seek advice from the Medical Officer of Health when determining whether a building is insanitary.

The council will determine:

- if the building is occupied;
- what the building is being used for; and
- whether the insanitary conditions pose a reasonable probability of being potentially dangerous to the health of any occupants.

Where a building is occupied, considerations may include:

- adequacy of available sanitary facilities;
- adequacy and availability of drinking water;
- ventilation;
- the separation of kitchen and other sanitary facilities;
- potential for moisture penetration taking into account construction materials and any defects in roof and walls; and
- the extent to which the building is offensive to adjacent and nearby properties
- Relevant Building Codes as appropriate which may include any of the following:
 - E1 (Surface Water)
 - E2 (External Moisture)
 - E3 (Internal Moisture)
 - G1 (Personal Hygiene)

- G3 (Food Preparation)
- G4 (Ventilation)
- G12 (Water Supplies)
- G13 (Foul Water)

2.4.3 Affected buildings

When the Council is satisfied a building is dangerous, the Council will contact the owners of any buildings it considers are, or are likely to be, affected buildings before it takes any action in relation to the dangerous building. The Council will discuss with owners of affected buildings the circumstances of the owner or the future plans for the site. Such knowledge could affect, for example, the time in which repairs are to be undertaken. If the Council decides to issue a notice restricting entry to an affected building (Under Section 124 (1)(b),(c) or (d) BA2004), the Council will ensure the first person to receive a copy of the notice is the owner of the building, followed by the occupants (if any). Copies of notices to owners and occupants will be given in person where practicable.

Where a building is identified as being affected, that information will be put on the relevant property file and disclosed in any land information memorandum or project information memorandum issued for the building, until the danger is removed.

2.5 Enforcement and Action:

2.5.1 Immediate Priority:

When the assessment the Assessment Risk Priority Matrix determines that the building is an Immediate Priority the action may include any or all of the following:

- Prohibiting any person from occupying or using the building;
- If necessary, erecting barriers and warning signs, plus securing the building to prevent entry until such time as remedial action can be taken;
- Undertaking remedial action under s129 of the BA2004. Note that, in the case of insanitary buildings, the Council reserves the right to use its powers available under s34 of the Health Act, 1956.

Where the Council undertakes remedial action under either s129 of the Act or s34 of the Health Act 1956, all costs will be recoverable from the building owner(s) as provided for in the relevant legislation. Council will notify the Medical Officer of Health if there are insanitary conditions or where occupants may be neglected or infirm.

2.5.2 High to Low Priority:

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

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

- May seek advice from members of FENZ in accordance with Section 121(2) who have been notified to the territorial authority by the FENZ National Commander as being competent to give advice and if the advice is sought, will have due regard to the advice.
- May seek advice from the Medical Officer of Health;
- Attach written notice in accordance with Section 125 of the Building Act to the building requiring work to be carried out on the building, within a time stated in the notice being not less than 10 days, to reduce or remove the danger.
- Give copies of that notice to the building owner, occupier and every person who has an interest in the land, or is claiming an interest in the land, as well as the Heritage New Zealand, if the building is a registered heritage building.

- Contact the owner at the expiry of the time period set down in the notice in order to gain access to the building to ascertain whether the notice has been complied with.
- Where the danger is the result of non-consented building work the owner will be formally requested to provide an explanation as to how the work occurred and who carried it out and under whose instructions.
- Pursue enforcement action under the BA2004 and Health Act 1956 and recover actual and reasonable costs. Council may consider taking action by issuing Notice to Fix in accordance with section 164(1)(a) of the Building Act 2004 if there is reasonable evidence that a specified person is contravening or failing to comply with act' or any regulations.
- Where building work is required and not completed within a reasonable speed under a notice issued, Council will apply to District Court for an order to do so and will notify the owner at least 10 days prior to the application to address the risk to building users or affected buildings in accordance with Section 126-128
- Where any unsafe condition is identified by Council for dangerous substances or inappropriate storage, Work Safe is to be notified in accordance with the requirements set out in Health and Safety at Work Act 2015 (Hazardous Substances Regulation) and Hazardous Substances and New Organisms Act 1996

2.5.3 Additional Powers:

In addition to remedial action, the BA2004 also empowers the Council to prosecute building owners and this power may be considered at times by the Council

2.5.4 Other Buildings

Buildings identified as in poor state but do not fall within the scope of dangerous or insanitary will be placed on the Dangerous Affected and Insanitary Buildings Monitoring register with either a six monthly or annual reinspection assigned to the compliant.

2.6 Heritage Buildings

Waivers and other dispensations will not be automatically granted to heritage buildings under this policy. All owners have a right of objection as defined in the BA2004, which includes applying to the Ministry of Business Innovation and Employment (MBIE) for a determination under Section 177(3)(f) of the BA2004. Council will reserve the right to recover costs of this process from objectors and/or building owners.

2.7 Determinations

If any owner disputes a Council decision, or proposed action, relating to the exercise of the Council's powers under sections 124 or 130 of the BA2004, the owner may apply for a determination from the Chief Executive of the Ministry of Building, Innovation and Employment, under Section 177(3)(f) of the BA2004. Sections 176 – 190 of the BA 2004 lay out the requirements for determinations. Such a determination is binding upon the Council.

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

2.8 Interaction between this Policy and Related Sections of the BA2004

Section 41 of the BA 2004 provides for situations where, because of the urgency of the work to be done to remove the danger, it is not practical to apply for a building consent before the work is undertaken. In these cases, an application for a certificate of acceptance may be required. However, prior to any action being taken it is essential that building owners provide a written proposal of any proposed works to the Council for agreement on the matter.

2.9 Record keeping

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

In addition, the information will be placed on any Land Information Memorandum (LIMs) and will be available for public release in accordance with the provisions of Local Government Official Information and Meetings Act 1987 and the Local Government Act 2002.

The following information will be placed on the Land Information Memorandum (LIM):

- The notice issued informing the owner that the building is dangerous and where necessary notice of the requirement to evacuate.
- a copy of the letter to owner, occupier and any other affected parties that the building is dangerous; and
- a copy of the notice given under section 124(1) that identifies the work to be carried out on the building and the timeframe given to reduce or remove the danger.

2.10 PLANNING

Buller District Council will:

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

2.11 ECONOMIC IMPACT POLICY

Due to the very low number of dangerous or insanitary buildings encountered annually by the Council, the economic impact of this policy is considered to be negligible.

4. POLICY REVIEW

Pursuant to section 132 of the BA2004 this policy is required to be reviewed by the Council every 5 years. Any amendment or replacement of the policy must be in accordance with Section 83 of the Local Government Act 2002 (Special Consultative Procedure).

BULLER DISTRICT COUNCIL

27 AUGUST 2025

AGENDA ITEM: 8

Prepared by Simon Pickford
Chief Executive Officer

Attachments 1. 2024-2025 CEO KPI Outcome
2. Organisational Achievements 2024-25

Public Excluded: No

2024/2025 CEO KEY PERFORMANCE INDICATORS (KPI) OUTCOME

1. **EXECUTIVE SUMMARY**
An annual review of the Chief Executive Officer's (CEO) KPI performance is due. The process stems from the establishment of key performance indicators in which the Council's priorities are outlined along with a setting out of the expected performance required.
2. The KPIs agreed between Council and the Chief Executive Officer encompass two areas:
 - Strategic Areas of focus – One-year specific goals
 - Multi Year Goals
3. The Chief Executive Officer has prepared a review document covering each KPI and providing an assessment of performance against those – **Attachment 1**.
4. An additional list of organisational achievements is provided in **Attachment 2**.

5. DRAFT RECOMMENDATION

That Council

1. Notes the report

2. Notes the outcome of the Chief Executive Officer Key Performance Indicators for 2024/2025

6. **ISSUES & DISCUSSION**

7. **BACKGROUND**

At its meeting on 26 June 2024, Council adopted the Chief Executive Officer Key Performance Indicators for Financial Year 2024/2025. The summary KPI results are tabled below. **Attachment 1** provides a more detailed assessment of performance against each KPI.

8. **Section 1: “Core” Key Performance Indicators**

Core Key Performance Indicators			Result
Statutory Duties	An unqualified audit report is received in respect of the 2023/2024 annual report and all issues raised by Council’s Auditor in their management letter have agreed timeframe to be cleared.	31 January 2025	In Progress
Health & Safety	Health and safety reports are provided to the Risk & Audit Committee (RAC) on a bi-monthly basis, noting trends and mitigation strategies.	30 June 2025	Achieved
Risk	Quarterly strategic risk report to RAC, and annual review of strategic risk register.	30 June 2025	Achieved
Financial Prudence	<p>OPEX delivery:</p> <ul style="list-style-type: none"> Where any specific operating areas budget is set to exceed the set 2024/25 Annual Plan budget +/- 5% that this will be sent to Council for approval before implementation. <p>CAPEX delivery:</p> <ul style="list-style-type: none"> Individual capital projects over \$750K will be achieved within +/-5% <ul style="list-style-type: none"> Any changes outside of +/- 5% will be brought to Council for re-approval along with consequent effects. The total capital programme and budget achieved within +/- 5%. 	30 June 2025	Achieved

Staff Satisfaction	<p>Staff satisfaction is raised as follows on a 24-month cycle:</p> <ul style="list-style-type: none"> ○ An action plan is developed and implemented to address the outcomes of the 2023 staff engagement survey. ○ The 2025 staff engagement survey attains a minimum of 70% response rate. 	30 June 2025	Achieved
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9. **SECTION 2: Strategic Areas of Focus**

One Year Specific Goals:		Result
<p>The key most visible projects should be placed into this KPI on a completed/not-completed basis each year.</p> <p>For the 2024/2025 financial year, the following are key KPI projects:</p>		
Lead the development of the Long Term Plan 2025-34	30 June 2025	Achieved
Review the proposed rating system for water and wastewater services to be included in the Long Term Plan 2025-34	30 June 2025	N/A
Review the general rate differential system to allow for consideration as part of the Long Term Plan 2025-34	30 June 2025	N/A
Develop the Water Services Delivery Plan (WSDP) to meet legislative timeframe	30 June 2025	In Progress
A stocktake of Council's properties and facilities is undertaken and a strategy developed to ensure they are utilised for the benefit of the community	30 June 2025	In Progress
A plan is developed and actioned to improve Council's communications, engagement and the community's perception of the organisation's openness and transparency.	30 December 2024	Achieved

Multi-Year Goals:		Result
Raise cultural awareness amongst council staff and Councillors through the provision of a development programme in partnership with Buller District Council Nonelected BDC representatives.	Ongoing	In progress
That Council engages with the Buller community to assist forming the climate change action plan.	Ongoing	In Progress
Customer service satisfaction is a 2 yearly survey and <ul style="list-style-type: none"> Overall residents' perception of Council service performance, communication and engagement shows an increase in satisfaction. 	30 June 2025	In Progress

10. **At the September Council meeting, Council decided to revoke the decision around the following measures and chose not to undertake these KPI's:**

Review the proposed rating system for water and wastewater services to be included in the Long Term Plan 2025-34
Review the general rate differential system to allow for consideration as part of the Long Term Plan 2025-34

11. Further information and an end of year update is provided in **Attachment 1**.
12. The standard considerations have been thoroughly evaluated, and there are no additional comments at this time.

KPI met	●
KPI not met	■

Department	Key performance indicator	Target	Achieved	Current Status	Final Update 30 June 2025
SECTION 1: "Core" Key Performance Indicators					
Core Key Performance Indicators					
Statutory Duties	An unqualified audit report is received in respect of the 2023/2024 annual report and all issues raised by Council's Auditor in their management letter have agreed timeframe to be cleared.	31 January 2025	■	In progress	At the present time, Council has not received the final audit opinion on the 22/23 Annual Report. Work has been undertaken into the 23/24 report and the financials are sitting with EY to finalise their audit. It is expected that by the end of 2025 the audit for the 22/23, 23/24 and 24/25 financial years are completed.
Health & Safety	Health and safety reports are provided to the Risk & Audit Committee (RAC) every quarter, noting trends and mitigation strategies.	30 June 2025	●	complete	The April to July report will be reported on in the August RAC Meeting
Risk	Quarterly strategic risk report to RAC, and annual review of strategic risk register.	30 June 2025	●	complete	This is now an ongoing project that is in the workplan that the Senior Leadership team are responsible for collating
Financial Prudence	OPEX delivery: •Where any specific operating areas budget is set to exceed the set 2024/25 Annual Plan budget +/- 5% that this will be sent to Council for approval before implementation. CAPEX delivery: •Individual capital projects over \$750K will be achieved within +/-5% •Any changes outside of +/-5% will be brought to Council for re-approval along with consequent effects. •The total capital programme and budget achieved within +/- 5%.	30 June 2025	●	complete	BDC financial report for 30 June 2025 included in RAC August Agenda. We are also reviewing all reporting options with a view that we will have a more streamlined and less labour intensive set of reports which will include automation. This is an ongoing piece of work that will continue in the next financial year.
Staff Satisfaction	Staff satisfaction is raised as follows on a 24-month cycle: •An action plan is developed and implemented to address the outcomes of the 2023 staff engagement survey. •The 2025 staff engagement survey attains a minimum of 70% response rate.	30 June 2025	●	complete	The 2025 Staff Engagement Survey achieved a 70% participation rate. Each GM has been tasked to share the results of their department with their team members and nominate a representative that will be part of the Working Group assigned to develop an action plan that will be rolled out to all BDC staff. Discussion of the post-survey action plans will now form a standing item on SLT and team meeting agendas to ensure progress remains visible and meaningful for everyone.
SECTION 2: Strategic Areas of Focus					
One Year Specific Goals:					
The key most visible projects should be placed into this KPI on a completed/not-completed basis each year. For the 2024/2025 financial year, the following are key KPI projects:					
Lead the development of the Long Term Plan 2025-34		30 June 2025	●	complete	Long-Term Plan is completed, adopted and audited from EY.
Review the proposed rating system for water and wastewater services to be included in the Long Term Plan 2025-34		30 June 2025			
Review the general rate differential system to allow for consideration as part of the Long Term Plan 2025-34		30 June 2025			
Develop the Water Services Delivery Plan (WSDP) to meet legislative timeframe		30 June 2025	■	In progress	We have completed a community consultation and BDC has chosen the preferred option of establishing a West Coast Multi Council Controlled organisation (WSCCO). The water services delivery plan is being tabled at a forthcoming Council meeting before being sent to the Minister for review.
A stocktake of Council's properties and facilities is undertaken and a strategy developed to ensure they are utilised for the benefit of the community		30 June 2025	■	In progress	All property and land assets have been identified by year-end. Significant work is underway to develop Asset Management Plans for these, with completion expected by September 2025. Once these plans are finalised, strategy and future use can be assessed. This KPI has been carried forward into the 2025/26 FY with a focus on completing the plans
A plan is developed and actioned to improve Council's communications, engagement and the community's perception of the organisation's openness and transparency.		30 December 2024	●	complete	Plan is completed and roll out is underway.
Multi Year Goals:					

Multi-Year Goals:				
Raise cultural awareness amongst council staff and Councillors through the provision of a development programme in partnership with Buller District Council Nonelected BDC representatives.	Ongoing	■	In progress	Progress on this KPI has been limited due to competing priorities and capacity constraints. Monthly meetings take place with BDC's Maori Portfolio Councillor and have provided valuable input to support future progress on several projects. As part of the new council induction, a joint hui for all West Coast councillors will be held at Arahura Marae.
That Council engages with the Buller community to assist forming the climate change action plan.	Ongoing	●	In progress	Future Buller project delivered a comprehensive status update of natural hazards risk. The introduction of the Resilient Explorer tool which will provide key intelligence for council assets and future spatial planning needs.
Customer service satisfaction is a 2 yearly survey and •Overall residents' perception of Council service performance, communication and engagement shows an increase in satisfaction.	30 June 2025	■	In progress	Survey is being released 1 September 2025, with the final report due November 2025.

Organisational Achievements 2024-25

The CEO has led the following organisational achievements over the 2024-25 year:

Leadership – capacity and capability

- Successfully recruited a full Senior Leadership Team, strengthening leadership capacity across the organisation.
- Rebuild of Finance team.
- Focus on HR, staff culture and H&S – creation of People Safety & Culture team responsible for these specific functions. Appointed a dedicated Health & Safety Advisor, resulting in increased awareness and proactive management of health, safety, and staff wellbeing across the organisation.
- Creation of the ‘Leadership Forum’ to recognise people leaders across the organisation who now meet together to focus on the organisational issues such as culture.

People and Culture

- Employee engagement has improved since 2023, with stronger participation in staff surveys and positive feedback
- Achieved complete automation of HR forms, recruitment, and onboarding processes through BambooHR, significantly improving efficiency and user experience.
- Removal of manual, paper-based time sheeting for majority of staff
- Development of the Business Continuity Framework

Post PMO Audit Actions

- Completion of all the actions arising from the post-PMO systems improvement action plan including:
 - New Procurement Policy and associated manuals
 - Development of online procurement resources
 - Creation of Professional Services Panels
 - Implementation of organisation-wide Project and Programme Management Framework
 - Review of Creditors / Payroll function
 - Review and development of key policies (e.g. Conflict of Interest, Sensitive Expenditure and Confidentiality Policy)

Community Services

- Implementation of delegations register via LocoDelegations system
- Refreshed branding and improved look for documents and engagement materials.
- Successful property sales through the rationalisation project

- Five Healthy Homes delivered on Queen Street
- Rolled out a centralised communication process
- Recertification of Airport (part 139/100) audit
- Community Outreach Days established
- 1,000 books before school literacy programme launched, \$18k externally funded
- NBS HVAC project beginning, \$85k externally funded

Regulatory Services

- Fees & Charges review across the business unit – collaboration exercise with other local councils
- Regulatory Services organisational design review – identifying key activities that are compromised due to resources or tools
- Progressed through to close out of Stage 2 for the Westport Master Plan
- Future Buller project delivered a comprehensive status update of risk to our committees due to natural hazards. The introduction of the Resilient Explorer tool which will provide key intelligence for council assets and future spatial planning needs
- A number of significant Resource Consents processed for developments across the district

External Relationships

- Emergency Management – Chair of Coordinating Executive Group (CEG) – implemented requirement for all staff to undertake specific CIMS function training – Buller now has the highest number of trained resources in the WC group.
- Built strong relationships with other Coast council CEs. Attend regular CE forums. Shared approach taken to training opportunities and potential shared services.
- We have secured DIA funding which we administer on behalf of the other West Coast councils to deliver the West Coast CCO and have managed to lead the way in terms of project involvement and maintain it within previous grant funding.

BULLER DISTRICT COUNCIL

27 AUGUST 2025

AGENDA ITEM: 9

Prepared by Jamie Cleine
Mayor

Andrew Basher
Deputy Mayor

Simon Pickford
Chief Executive Officer

Attachments 1. Chief Executive Officer KPIs for FY 2025/26

**PROPOSED CHIEF EXECUTIVE OFFICER KEY PERFORMANCE INDICATORS FOR
FINANCIAL YEAR 2025/2026**

1. **EXECUTIVE SUMMARY**
This report provides the Key Performance Indicators (KPIs) for the Chief Executive Officer (CE) for the financial year ended 30 June 2026 (FY 2025/26). This forms an important part of the CE performance review process as to what Council will measure and judge the CE's performance against.
2. An important part of this process is public transparency through the publication of the final CE KPIs and subsequent reporting against those on a quarterly basis through the CE's report on Council agendas.
3. The KPIs for the FY 2025/2026 attached to this report are in line with the Long Term Plan and current Annual Plan. They also have regard to important external factors including water services reform, local elections and the significant externally funded works programme Council currently has underway.

4. **DRAFT RECOMMENDATION**

That Council...

- 1. Receives the report Chief Executive Officer Key Performance Indicators for Financial Year 2025/2026.**
- 2. That Council notes that these proposed Key Performance Indicators for financial year 2025/2026 have been agreed with the Chief Executive Officer.**
- 3. That Council adopts the Key Performance Indicators for financial year 2025/2026.**

5. **ISSUES & DISCUSSION**

6. **BACKGROUND**

The “core” KPIs remain substantially unchanged from those in the previous year. The logic and philosophy behind this, is that in effect, Council performance is predicated on the CE needing to focus the Council organisation onto delivering Statutory Compliance, Financial Prudence, Positive Customer Experiences, Engaged Staff and Long-Term Focus for the Council. Underpinning this philosophy is the crucial need for an inspired and motivated workforce as the primary driver of success.

7. The Financial Prudence Measures have been updated to reflect the development of operational and capital delivery reporting to RAC. A goal of 80% capital delivery has been set.
8. For the specific one-year goals for the coming year, there are eight major issues above and beyond all others. In particular, the development of the Water Services Delivery Plan and the operating model for the organisation after the departure of three waters to a CCO. Additional areas have been added to ensure risk is being managed appropriately (review of the H&S framework and ongoing work focussing on resilience to natural hazards), a review of CCO Buller Holdings, the continued building of external relationships and the development of a Digital Strategy (including leveraging AI opportunities) in order to enhance efficiency and service delivery.

Chief Executive Officer KPIs for FY 2025/26**SECTION 1: “Core” Key Performance Indicators**

Core Key Performance Indicators		
Statutory Duties	An unqualified audit report is received in respect of the 2024/2025 annual report and all issues raised by EY in their management letter have agreed timeframe to be cleared.	31 January 2026
	The audit reports are received in respect of the 2022/2023 and 2023/2024 annual reports and all issues raised by EY in their management letter have agreed timeframe to be cleared.	31 December 2025
	Local Government Election – ensure a robust, compliant process under the Electoral Act, including a pre-election report and expanded voting access. That an orientation program be provided to elected councillors post-election, spanning several months.	October 2025
Health & Safety	Health and safety reports are provided to the Risk & Audit Committee (RAC) on a quarterly basis, noting trends and mitigation strategies.	30 June 2026
Risk	Quarterly strategic risk report to RAC, and annual review of strategic risk register. <ul style="list-style-type: none"> Operational BCP in place 	30 June 2026
Financial Prudence	<p>OPEX delivery:</p> <ul style="list-style-type: none"> OPEX – operating budgets will not be exceeded in total <p>CAPEX delivery:</p> <ul style="list-style-type: none"> 80% of the capital programme delivery is achieved on an annual basis. The measure is based on % of projects due for completion that FY (after reforecasting). The portfolio of capital works will be reported to each RAC meeting including overall variance to budget. 	30 June 2026

Service Delivery	<ul style="list-style-type: none"> 80% or more of non-financial performance measures achieved on annual basis <ul style="list-style-type: none"> Noting that some measures are reliant on external parties / influences and are not included in this measure 	30 June 2026
Staff Satisfaction	<p>Staff satisfaction is raised as follows on a 12-month cycle:</p> <ul style="list-style-type: none"> An action plan is developed and implemented to address the outcomes of the 2025 staff engagement survey. The 2026 staff engagement survey attains a minimum of 70% response rate. 	30 June 2026

SECTION 2: Strategic Areas of Focus

One Year Specific Goals:	
<p>The key most visible projects should be placed into this KPI on a completed/not-completed basis each year.</p> <p>For the 2025/2026 financial year, the following are key KPI projects:</p>	
Local Water Done Well - Development of a Water Services Delivery Plan	3 September 2025
Local Water Done Well – Establish operating model for BDC after the departure of Three Waters to a CCO	30 June 2026
Develop a Digital Strategy to understand the potential future digital investments required prior to the next LTP in order to enhance efficiency and service delivery.	30 June 2026
<p>Complete the identification of all Council-owned land and buildings through the Property Rationalisation Project.</p> <p>Ensure that all Council buildings have Asset Management Plans in place, and that Reserve Management Plans cover all reserves. Provide progress and options reports to the Risk and Assurance Committee twice per year</p>	30 June 2026
A review of the Health and Safety Framework is completed and provided to RAC	30 June 2026

<p>Prepare a plan for a strategic review of the CCO and ensure council is provided advice as to any potential enhancements.</p> <p>Ensures Council is provided with timely, well-informed advice on the operations, reporting and performance of the Council's CCOs.</p>	30 June 2026
<p>Working closely with Resilient Westport, Civil Defence, Government Agencies, Lifelines and other TAs to provide Buller with greater resilience and information regarding natural hazards.</p> <p>Highlight priority areas of concern regarding risk minimisation of natural hazards</p>	30 June 2026
<p>External and Internal Relationships – Strengthen relationships with Iwi, the community, external partners and Elected Members to enhance service delivery and engagement.</p> <p>Identifying co funding opportunities and strategic opportunities.</p> <p>Reporting via CE report.</p>	30 June 2026

BULLER DISTRICT COUNCIL

27 AUGUST 2025

AGENDA ITEM: 10

Prepared by Jamie Cleine
Mayor

Reviewed by Simon Pickford
CEO

Attachments 1. Mayors Correspondence

Public Excluded: No

MAYORS MONTHLY UPDATE REPORT

1. **REPORT PURPOSE**

This report is to provide commentary and updates on significant events, meetings and workstreams attended by or involving the mayor. The Mayoral inwards and outwards correspondence is provided for information, discussion and direction on any responses required.

2. **DRAFT RECOMMENDATION**

That the Council:

- 1. Receives the Mayors Monthly Update Report dated 27 August 2025 for information and discussion.**
- 2. Notes Inwards and Outwards Correspondence and provides directions for any responses required.**

3. **DISCUSSION**

4. The period covered by this report has been busy with meetings across the region. Some of these are reported on more thoroughly in specific reports elsewhere so my comments here are somewhat high level or are intended to provide a flag on work underway or on-going.

5. **Local Water Done Well**

To date this has included two remote meetings and a trip to Greymouth as we work with Grey and Westland District Councils on a Draft Heads of Agreement and Draft Joint Water Services Delivery Plan. There has been mutual agreement on all matters to date. Both documents are intended to be presented for council

discussion and decision making at an extraordinary meeting set down for 29 August.

6. **Coastal Shipping Resilience Fund**

Council is participating in a joint expression of interest with Grey District and West Coast Regional Council to the Ministry of Transport who administer this fund.

7. The Coastal Shipping Resilience Fund (\$30m) was established through the Government Policy Statement on land transport. Funding will be allocated through a contestable process for projects that could include strengthening wharves and jetties, improving access routes to and from ports, or upgrading freight handling equipment.

8. On announcing the fund Associate Transport Minister Hon James Meager commented on the important role coastal shipping plays in New Zealand. He noted it provides a safe and low emitting way of transporting large, heavy cargo such as shipping containers – along with cement and aggregate used in building new infrastructure. Furthermore, it is also a lifeline when natural disaster strikes, as demonstrated following Cyclone Gabrielle when coastal shipping provided critical services to Tairāwhiti. The fund will ensure those benefits can continue.

9. **Tai Poutini Polytech (TPP)– Stakeholder Group**

The government announced dis-establishment of Te Pukenga. This umbrella organisation has been providing financial support to keep TPP operating, without that support TPP will close. In response to that situation a stakeholder group was formed. I continue to be the only Buller voice on this group which is advocating for the future of vocational education on the West Coast. This is unlikely to be a Polytech but could be some other entity to provide largely vocational training in the absence of TPP. I travelled to Greymouth for a workshop where the group met with Tertiary Education Commission officials to understand what was possible from a government perspective. The group met again via zoom to continue work on a proposal to be provided to Minister Penny Simmonds in due course. Any further details remain commercially sensitive and subject to further ministerial decision making.

10. **Buller Holdings Ltd (BHL)– Director Recruitment**

The recruitment process for a new director for BHL is progressing well with a great response to the recruitment advertisement, fifteen applications received by close off date. The working group has met and shortlisted candidates and will be conducting in person interviews. We are on track to have a report come to the 17 September RAC meeting to recommend an appointment.

11. **Mayor, Chairs & Iwi Forum**

The forum continues to work on proposals that support economic development including potential for new income streams for the West Coast such as mineral

royalties and international tourism levy funding to the region. We are also actively supporting electricity generation projects across the region.

12. **Te Tai Poutini Plan (TTPP)**

I recently attended a workshop in Greymouth aimed at updating and familiarising all TTPP committee members of the process undertaken since 2019 and the contents of the plan itself. This was to increase awareness before decision making papers are presented to the committee during September.

13. At the time of writing this report a meeting of TTPP was imminent. A verbal update can be provided if required.

14. **West Coast Emergency Management Joint Committee**

At the time of writing this report a meeting of the Joint Committee was imminent. A verbal update can be provided if required.

15. **LOCAL EVENTS & STAKEHOLDER ENGAGEMENT**

I continue to take opportunities to promote and advocate for Buller. This includes providing media comment, attending various meetings with stakeholders and attending events across the district. Some of these include:

- Interview with media personality Paddy Gower for his TV show Paddy Has Issues. This show usually takes a detailed dive into specific issues. The interview centred around residential insurance, flood protection, adaptation and how cost and availability of insurance may be managed in the future, by collaboration across the sector with local and central government.
- I hosted NZ First MP Jamie Arbuckle. We discussed the Resilient Westport work as well as regional collaboration in water services, economic growth, mineral royalties, coastal shipping and housing growth. His subsequent speech to parliament was almost entirely in support of the West Coast with specific mention made of the local leadership and opportunities discussed during his trip.
- Carters Beach Residents Meeting, this was a West Coast Regional Council meeting to discuss a preferred flood protection bund alignment to protect the community.
- WestReef Ltd – 30-year celebration. I attended this event and provided acknowledgment speech to the leadership and staff of WestReef for their efforts on behalf of the ratepayer owned company.
- St Canice School visit – I hosted three different year groups from St Canice's school at the clock tower chambers. They are studying community groups and committees, how they make decisions, what their values/aim/purpose is and how this is reflected in the decisions they make. The visit was a great opportunity for students to learn about the role of a council, what we do and how decisions are made.
- Buller Youth Festival – I attended and provided an opening address to this inaugural event. Dale Ashworth and her team responded by organising this

inspiring event when the Festival of The Future in Wellington was cancelled. Approx 350 -400 youth attended from across Buller.

- Mayors Chats Reefton and site visit to Reefton Reserve Accommodation build project. I attended with Cr Webb to inspect progress on the cabin installation and site works. Very busy site with various trades from local businesses represented. Project is reported as on track for handover in September.

16. The standard considerations have been thoroughly evaluated, and there are no additional comments at this time.

17. **CORRESPONDENCE**

For Council consideration – see **Attachment 1**

Incoming Correspondence 2025	From	Subject
18 August 2025	Hon. Chris Penk	BCA Updates
19 August 2025	Tower Insurance	Expansion of risk-based Pricing
Outgoing Correspondence 2025	To	Subject
1 August 2025	Chris Russell	Public Forum Response

Hon Chris Penk

Minister for Building and Construction
 Minister for Land Information
 Minister for Small Business and Manufacturing
 Minister for Veterans
 Associate Minister of Defence
 Associate Minister of Immigration



18 August 2025

Embargoed until **4pm Monday 18th August**

Tēnā koe Your Worship,

I am writing to advise you that later today the Prime Minister and I will announce Cabinet's decisions on two matters relating to Building Consent Authorities (BCAs):

- (A) amending the current liability rule for building activity, shifting from "joint and several" to proportionate liability; and
- (B) allowing the consolidation of BCA functions between willing Councils.

These changes reflect the desire of many Mayors – as expressed to me directly and also to MBIE, along with other key players – to ensure a more reasonable approach to building control systems from the perspective of local government.

(A) Liability rule change: joint and several to proportionate liability

A report by Sapere in 2018 found that between 2008 and 2018 councils were forced to pay out around \$332 million dollars relating to defects for which they were not actually responsible.

Today's long-awaited change aims to ensure a fairer allocation of responsibility within the building sector. The supposed "deep pockets" of Councils should not be used to justify the imposition of costs greater than their fair share when building work goes wrong, with the associated financial burden on your ratepayers.

Additional mechanisms to protect consumers – such as insurance and guarantee schemes – will be discussed by the Prime Minister and I today.

(B) Voluntary consolidation of BCA functions between Councils

Additionally, Cabinet has agreed to remove the current legislative and regulatory barriers to the consolidation of BCA functions. This will enable a Council-led approach to improving efficiency. Last year the Government consulted on three reform options, which included voluntary consolidation, along with the possible imposition of regional consolidation or establishing a single centralised BCA. It is clear to me that voluntary consolidation had the strongest support in the sector, and I would like to thank everyone who engaged in the process, whether directly to me or with MBIE.

It is my expectation the current model of 68 individual BCAs can be made more efficient, with consolidation able to create better economies of scale and sharing of resources. Removing these barriers will allow councils to decide how best to consolidate functions, share the burden of accreditation and so on.

Alongside the removal of barriers, MBIE officials will also work with stakeholders to introduce several operational supports, including looking at opportunities to streamline data requirements. Please remain engaged in that discussion as well.

The way ahead

These changes to the liability rule and the removal of barriers to consolidation are intended to be included in a wider Building Act Amendment Bill to be introduced in Q1 2026.

I hope that you agree that these reforms present a significant opportunity from Councils' perspective, as well as the building sector more broadly. I would welcome your continued support and collaboration as we work towards meeting our shared goals for the built environment. I know MBIE officials look forward to working closely with your BCA staff throughout this process.

Should you have any questions in the meantime, please feel free to contact my office.

Kind regards



Hon Chris Penk
Minister for Building and Construction



19 August 2025

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

Tower expands risk ratings and risk-based pricing to include landslide and sea surge risks

Dear Mayor Cleine,

I am writing to advise that from 20 August, 2025, Tower will be expanding its risk ratings and risk-based pricing to include landslide and sea surge risks.

This change will affect Tower customers in your area. We would be happy to discuss what this means and answer any questions you may have.

Tower was the first New Zealand insurer to introduce risk-based pricing and publicly available risk ratings for earthquake and flood risks. With sea surge and landslide risks now included, we aim to increase transparency around how climate and natural hazard risks influence insurance premiums and to help Kiwi better understand the risks their homes face.

Accurate risk selection and pricing are essential not only for maintaining continued support from global reinsurers, but also to help manage reinsurance costs which are ultimately included in customers' premiums.

It also emphasises the importance of resilience and supports climate change adaptation initiatives currently being developed by central and local government policy-makers.

Risk ratings

Tower is working with global risk management and modelling specialists to generate detailed, address-specific analysis of possible landslide and sea surge risks across the country.

Residential properties are assigned a rating - very low, low, medium, high or very high - based on factors including the proximity to risks, land gradient, mitigation measures, and estimated repair or replacement costs. The level of detail in our model means that neighbouring properties may have different ratings due to these variables.

We also factor risk mitigation efforts – such as floodproofing, building seawalls and levees, and retaining structures – into our risk ratings and insurance premiums. Lower risk means a lower premium portion for that hazard.

These risk ratings are publicly accessible via Tower's online quote tool.

Customer impacts

- More than 90% percent of Tower customers will see a reduction in the natural hazards portion of their premium, averaging around \$70 annually.
- Fewer than 10% of customers (those with higher sea surge or landslide risks) will see an increase in the natural hazards portion of their premiums, proportionate to their level of risk.



- Approximately 97% of Tower customers are very low risk for sea surge, around 96% are very low risk for landslide.
- Less than 1.5% of Tower customers are very high risk for sea surge and less than 0.1% are very high risk for landslide risks.

We will support customers who may face significant increases, by smoothing annual increases over a period of up to four years. We will also offer to help the around 30 customers across the country, identified as having very high natural hazard risks, to find a specialist insurer.

We plan to communicate this change directly with customers, as well as engage with media and stakeholders. Our team will personally contact our most affected customers.

Increasing New Zealand's resilience

New Zealand currently has high rates of insurance penetration. Protecting this for the long term depends on making sound decisions today to maintain support from the global reinsurers our sector relies on.

We urge the Government to act swiftly and deliver a bi-partisan adaptation framework to provide long term certainty for all New Zealanders. Collaboration between central government, councils and insurers is essential to ensure we are living, building and investing in safer areas.

Tower's research: *Weathering Change: attitudes to climate risk and resilience in New Zealand* (attached) reveals an overwhelming 86 percent of New Zealanders surveyed believe it's important to understand their property's risk profile – but nearly half (46 percent) want more information about their exposure to climate-related risks and natural disasters. There is clearly a will, and it's up to all of us as a nation to provide the way.

We remain committed to constructive engagement on adaptation strategies and to supporting New Zealand's preparedness. Our evolution of risk-based pricing reflects the need to be future-ready and focused on climate resilience, which in turn will assist in keeping insurance accessible and affordable for the long term.

I welcome the opportunity to discuss this further at your convenience.

Yours sincerely,

Paul Johnston

Chief Executive Officer



FAQs

1. What is risk-based pricing and how does it work?

In the past, insurers have typically averaged the total risk of natural hazards across towns, cities or larger regions and spread this cost evenly among all policyholders.

Risk-based pricing is a fairer and more transparent way to price insurance. It aims to remove cross-subsidisation and so customers only pay for the risks they have, not someone else's.

Through the risk-based pricing model, Tower assesses individual properties as having a very low, low, medium, high or very high rating for their home for earthquake, flood and now sea surge and landslide risks. These ratings reflect the possible risk of each natural hazard impacting that property and the estimated cost of replacing or repairing related damage.

The lower the risk of earthquake, flood, landslide and sea surge at that property, the lower these portions of the premium will be.

Community risk mitigation efforts – such as floodproofing, seawalls and levees and retaining structures – are factored into risk ratings and premiums. We will also take into account property-level mitigations when considering whether to offer insurance - we encourage customers to let us know about any mitigations they have in-place at their home.

Accurate risk selection and pricing are essential not only for maintaining continued support from global reinsurers, but also to help manage reinsurance costs which are ultimately included in customers' premiums.

Risk-based pricing also helps to inform and educate customers and communities, which supports policyholders in their efforts to mitigate and adapt to risks. We also hope to encourage broader risk reduction efforts by sharing natural hazard risk insights with central and local government.

Anyone can see a property's risk ratings by getting a house or landlord quote, whether they are a Tower customer or not.

If no risk data exists for one of the hazards at a specific address, community-level data is used to calculate your premium instead and the risk rating will display 'unknown'. Our teams are available to assist customers who would like more information about their property.

2. When will landslide and sea surge risk-based pricing be introduced?

From August 2025, risk-based pricing for landslide and sea surge will be captured in premiums for new house policies.

Existing Tower customers will see risk ratings and risk-based pricing for landslide and sea surge incorporated into their premiums at their next renewal.

3. How has Tower's risk-based pricing evolved?

Tower has continued to develop its approach to risk based pricing and underwriting (risk selection).

2018 – introduced risk-based pricing for earthquake risks.

2021 – introduced risk-based pricing for inland flooding, alongside a public facing tool sharing flood and earthquake risk ratings and associated premiums.

2023 - introduced automated risk selection* for sea surge risks within our quote process.



2024 - introduced automated risk selection* rules for landslide risks within our quote process.

2025 – Landslide and sea surge risk-based pricing introduced in August 2025. Customers can view landslide and sea surge risk ratings and see how this affects premiums for a property via our public facing tool, alongside flood and earthquake risks.

* Automated risk selection: during the quote process, customers are automatically informed when a property falls outside Tower's risk appetite, and we are unable to offer insurance. Anyone seeking a quote for one of these properties is welcome to call us for a more tailored discussion.

4. How will customers' premiums change as a result of the introduction of sea surge and landslide risk-based pricing?

More than 90 percent of Tower customers will see a reduction in the natural hazards portion of their premium as a result of these changes. Even if only one of the new hazard ratings is higher risk, the savings from the others can lead to a net positive outcome.

Approximately 97% of Tower customers are rated as very low risk for sea surge and around 96% are very low risk for landslide. Less than 1.5% of Tower customers are very high risk for sea surge and less than 0.5% are very high risk for landslide.

- More than 90% percent of Tower customers will experience a reduction in the overall natural hazards portion of their premium, at an average of about \$70 each a year.
- Fewer than 10% of customers (those with higher sea surge or landslide risks) will see an increase in the natural hazards portion of their premiums, proportionate to their level of risk.

We will support customers who may face significant increases by smoothing annual increases over a period of up to four years.

We are directly communicating this change with customers, as well as engaging with external stakeholders to educate New Zealanders about risk-based pricing. Our team will personally contact our most affected customers.

5. How is risk data identified and compiled?

Tower is working with some of the world's leading risk management and modelling companies to help calculate detailed risks specific to New Zealand addresses.

These partners are:

- Moody's for flood and earthquake risk-based pricing
- Haskoning for sea surge risk-based pricing
- Swiss RE for landslide risk-based pricing

This information is combined with a property's construction details (where known) and Tower's estimated rebuild or replacement costs. Any risk mitigation efforts undertaken by the homeowner – such as floodproofing, seawalls and levees, and retaining structures – are also factored into Tower's risk-based pricing.



About Moody's

Developed with analysis from Moody's, the world's leading catastrophe risk solutions company, the Moody's New Zealand Inland Flood HD Model is the world's first fully probabilistic flood model for the country.

The model uses Moody's analysis based on 50,000 years of continuous simulation of the entire precipitation cycle and all sources of flood – pluvial and fluvial – resulting in a catalogue of 350,000 simulated events. The flood model also includes all publicly available flood defence and mitigation efforts.

The Moody's model is built with data obtained from local organisations and institutions, including the National Institute of Water and Atmospheric Research (NIWA), Land Information New Zealand (LINZ), local and regional councils and the ICNZ.

About Swiss RE

Swiss Re Reinsurance Solutions, a Division of Swiss Re, offer a powerful suite of tools and services spanning the entire insurance value chain. Building on Swiss Re's long-standing expertise as well as proprietary data and models, Swiss Re Solutions offer a range of solutions helping property and commercial insurance carriers amid growing catastrophe events and an ever-changing risk landscape. Leveraging the power of data, advanced analytics and technology, our property solutions help insurers anticipate risks proactively, evaluate portfolio exposures accurately, and respond swiftly to NatCat events.

Swiss Re's landslide risk modelling combines terrain susceptibility and runout – factoring in slope, geology, seismicity and precipitation – to deliver a comprehensive view of potential impact zones, especially for earthquake-induced landslides.

About Haskoning

Haskoning is a global engineering consultancy that delivers innovative and data-driven solutions to complex environmental challenges. With more than 6,800 specialists in 25 countries, Haskoning brings technical excellence and global expertise together with local insight.

Through its dedicated offering "Twinn", Haskoning provides advanced climate and physical and risk analytics – including global mapping and forecasting tools – enabling organisations to make informed, data-driven decisions in a changing world.

Haskoning's New Zealand FloodMap is the most comprehensive and up-to-date national flood model available, providing detailed hazard mapping for the entire country. By integrating high-resolution hydrological data, real-time analytics and intuitive visualisation, FloodMap supports councils, insurers, developers and infrastructure providers to understand flood risk – informing urban planning, emergency response and climate resilience.

Through tools like FloodMap, Haskoning empowers organisations to navigate the increasing challenges of climate change and extreme weather with clarity and confidence.

Appendices

- Weathering change: attitudes to climate risk and resilience in New Zealand

Weathering change: attitudes to climate risk and resilience in New Zealand, is based on independent research conducted by the Octopus Group in May 2025, with a sample size of 1,050 representative of NZ's population.

Weathering change:

attitudes to climate risk and resilience
in New Zealand





Weathering change: attitudes to climate risk and resilience in New Zealand



Tower CEO
Paul Johnston



Being future ready means understanding the land we live on and how our changing environment will continue to shape our lifestyle and decisions.

To do that, New Zealanders must have more information about the risks we face so as a nation, we can become more resilient to the impacts of climate change.

Tower's new research, '*Weathering change: attitudes to climate risk and resilience in New Zealand*', provides a compelling snapshot of public awareness of climate-related risks and natural hazards. It explores our attitudes towards adaptation – assessing our progress and examining where the responsibility lies.

As a country, we believe that New Zealand must take immediate action to invest in resilience and infrastructure to reduce the risks posed by natural hazards. This will ultimately help keep insurance accessible and affordable in the long term for our communities.

The release of *A proposed approach for New Zealand's adaptation framework* by the Independent Reference Group on Climate Adaptation, is a positive step that provides communities, councils and insurers with more certainty – but it is just the start of what must be a long-term bipartisan action plan.

Tower is doing its part by sharing risk ratings for flood, earthquake, sea surge and landslide risks for individual homes across Aotearoa. We also hope to encourage broader risk reduction efforts by sharing natural hazard risk insights with central and local government. Our aim is that Tower's ongoing emphasis on resilience and our transparent approach to risk-based pricing will contribute to open and robust discussions around adaptation strategies, supporting New Zealand's preparedness for future climate challenges.





Climate concern

Nearly a third of New Zealanders are worried about the impact of climate-related weather events on their homes, despite the fact that most people have not experienced a major weather event at their property in the past decade. This indicates climate anxiety is becoming deeply personal for many Kiwi.

79% have not been impacted by a climate related weather event or natural disaster in the past 10 years

However:

31% are concerned about the impact of natural disasters

5% don't feel safe in their property to withstand a climate related weather event or natural disaster



Climate concern

Despite the fact that most New Zealanders have not been affected by a natural disaster in the past 10 years, 31% of Kiwi are concerned about the potential impact of future events on their property – particularly earthquakes and floods.

Of those concerned:

61% are concerned about earthquakes

48% are concerned about flooding

17% are concerned about landslide

10% are concerned about sea surge

4% by other events



Barriers to adaptation

Although very few New Zealanders have recently experienced sea surge (4%), nearly half (45%) of those who have been affected remain concerned about future risks. Further, uncertainty, cost barriers, and perceived low risk - combined with limited council mitigation efforts - suggest a need for clearer guidance and support to improve coastal resilience.

Of those who have been impacted:

46 % have not done anything to mitigate the risk of sea surge to their property

35 % have undertaken some type of floodproofing*

55 % say council has not undertaken mitigation measures*

The key barriers for those who haven't done anything to mitigate the risks of sea surge are:

34 % don't know where to start

30 % can't afford it

26 % believe the risk is too low to bother

*Measures listed include floodproofing; elevating structures; building sea walls and levees; or planting living shorelines.



Barriers to adaptation

Although only a small percentage of New Zealanders have recently experienced a landslide (3%), nearly half of those who have been affected remain concerned about future risks.

Most property owners believe that the responsibility for mitigating these risks lies with them rather than local councils. However, many are hindered by cost, uncertainty, or the belief that the risk is minimal. This highlights a need for clearer guidance and more accessible support.

Of those who have been impacted:

47 % are concerned about the ongoing risk of landslide to their property

36 % have not done anything to mitigate the risk of landslide to their property

60 % say council has not undertaken mitigation measures*

The key barriers for those who haven't done anything to mitigate the risks of a landslide are:

37 % believe the risk is too low to bother

36 % can't afford it

32 % don't know where to start

*Measures listed include installing drainage control; building retaining structures; planting vegetation; or slope stabilisation.



Gap between awareness and information

The majority of Kiwi believe it's important to understand the risk profile of their property and support risk-based insurance pricing. However, nearly half feel they lack sufficient information about the risks their property faces, highlighting a significant gap between awareness and access to actionable information.

- 86 %** say it's important to have information about the risk profile of their property
- 46 %** say they want more information about potential risks their property could be exposed to
- 70 %** say it's fair that home insurance premiums reflect the individual risks of each property
- 68 %** say it's fair for the cost of insurance to increase for a property with higher risk
- 50 %** would pay more if they knew their assets were at risk due to a weather event

WEATHERING CHANGE: ATTITUDES TO CLIMATE RISK AND RESILIENCE IN NEW ZEALAND



Concern about risk exposure influencing purchasing decisions among prospective homeowners

Prospective homeowners are actively factoring risk factors into their purchasing decisions. Many respondents said a property's risk exposure would directly influence whether they purchased that property or how much they would be willing to pay. On top of this, respondents believe the responsibility to build in safe places to begin with lies mainly with local councils.

When asked what they would do if a property they were interested in purchasing had a higher-than-average risk, Kiwi answered:

- 67%** would not purchase the property
- 38%** would undertake more checks to determine the types and levels of risks
- 37%** would expect to pay less for the property
- 22%** would source quotes to understand cost to mitigate risks
- 3%** would not influence their decision

Who do New Zealanders think should take responsibility for ensuring properties are built in safe environments?

- 83%** Local councils
- 62%** Developers
- 59%** Central Government



Responsibility

While New Zealanders view local councils as primarily responsible for ensuring properties are built in safe environments, they expect central government to lead the national response to climate change. This indicates a clear public expectation for shared but distinct roles in managing environmental and climate-related risks.

Who do Kiwi think should take responsibility for leading NZ's response to adapting to climate change?

1. Central Government (78%)
2. Local Councils (57%)
3. Insurance Companies (27%)
4. Banks (10%)





Adaptation

Kiwi are showing a strong willingness to adapt. They're not just waiting for help – they're looking for ways to help themselves.

- 32 %** have proactively made changes to adapt their property to the changing climate
- 24 %** say their community is doing enough to protect against climate change related weather events
- 24 %** of Kiwi agree that New Zealand is adapting well to the impacts of climate change and associated natural weather events
- 21 %** believe we are doing enough to mitigate the impacts of climate change as a nation



Importance of adaptation

New Zealanders have strong views on what needs to be done and proactive steps we can take to adapt to climate change, with just 7% saying we should do nothing.

When asked about the types of climate change adaptation they would like to see more of or consider most important, respondents indicated the following:

- 67%** said avoiding development in high-risk areas
- 66%** said protecting high risk areas (e.g. building stop banks, sea walls, or improving stormwater systems)
- 61%** said accommodating for the change (e.g. raising properties, rebuilding more resiliently, managing rainwater flows overflows)
- 50%** want more information about the specific risks that apply to individual properties
- 33%** want managed retreat (e.g. relocating homes, infrastructure development, building communities in higher risk areas)





Climate change property concerns

Uncertainty, safety and accountability are central to public anxiety around climate resilience.

45 % fear the unknown impacts climate change could have on their property or where they live

29 % are concerned about becoming stranded if local infrastructure around their property is not maintained

38 % are concerned about the risk increased weather events could have on life or health as a result of damage to property

27 % are concerned about the impact climate change will have on the value of their property

35 % are concerned about the cost involved in preparing their property for climate change

27 % are concerned about impact climate change will have on the ability to sell their property in the future

31 % are concerned no one is taking ownership for how their community needs to adapt to climate change



Information gap

There is a clear information gap, with many people seeking greater clarity on what their insurance covers, how to assess natural hazard risks, and practical advice on preparing their properties. This highlights a strong demand for accessible, actionable guidance to navigate climate-related challenges.

70 % want clarity on what they're covered for if property is damaged during an event

64 % want risk ratings for natural hazards to better understand property risks

57 % want advice on maintaining and or adapting property to prepare for weather events

39 % want examples of what other Kiwi are doing to protect their property

Appendix

Weathering change: attitudes to climate risk and resilience in New Zealand, is based on independent research commissioned by Tower and conducted by the Octopus Group in May 2025, with a sample size of 1,050 representative of New Zealand's population.





Westport office
6-8 Brougham Street, PO Box 21
Westport 7866, New Zealand
Freephone 0800 807 239
Phone 03 788 9111

Attachment 1
Reefton Visitor & Service Centre
67-69 Broadway, PO Box 75
Reefton 7851, New Zealand
Phone 03 732 8821
Phone 03 732 8391

OFFICE OF THE MAYOR

01 August 2025

Chris Russell – Public Forum Response

Via email: [REDACTED]

Dear Mr Russell,

Thank you for speaking at public forum on 30 July regarding your desire for pre-election site visits of Council assets to meet with operational staff and your advice as to risk and responsibilities of elected members.

Councilors deliberated on the preferred response to you, having regard to the advice you had received previously from both BDC staff and some elected members on this same issue.

We note and advise the following:

1. There were numerous options to attend pre-nomination meetings with staff and experienced councilors prior to the nomination period closing. These were well advertised and were intended to provide you an idea of what was expected as an elected member and to enable an open discussion between prospective candidates and BDC staff. We understand you didn't take advantage of this opportunity.
2. The Local Government Act and professional conduct requires elected members to interact via the Chief Executive (CEO) in the first instance unless advised otherwise. It is usually not expected that elected members would have access to operational staff to have discussions unless approved by senior management. This applies even more so to members of the public, which is the status candidates hold until elected. In your case you correctly approached the CEO for access which was not approved for the reasons well known and advised to you.
3. We have sought independent guidance on the appropriateness of the CEO response to you from LGNZ policy expert Dr Mike Reid. He has confirmed that the staff position is consistent with the law and was correctly advised to you. Furthermore, had a port tour been provided to you it could well have been contravening the Local Electoral Act 2001 or potentially common law.
4. We understand the CEO has offered time to meet with you to discuss any further public information you require. As described above, this is the appropriate level for members of the public to engage with council in the first instance.
5. Council is aware of the need for a thorough induction of the new council and has this as a specific KPI for the Chief Executive. Induction processes are a great opportunity to build a broader understanding on the legal obligations required of elected members as well as the various workstreams of Council and the CCO. They are also reasonably

expensive to deliver as various professional advisors provide formal briefings and staff conduct site visits of key infrastructure etc. It not something that resources would be directed to pre-election.

6. The current council received an induction as well as legal advice during the term and are regularly updated on financial risks, so are aware of the legal obligations we have. We are unsure the basis for your assumption that elected members are not aware of the legal and financial risks and obligations we hold. However, we note your advice on these matters regardless.
7. As current elected members we have obligations to continue the business of council until a new council is elected. Council does not come to a halt whilst an election takes place. There is clear guidance that this role must be kept separate from any form of campaigning for re-election. For this reason, councilors cannot use any council resources or confidential information they hold for campaign purposes, nor will they be attending organised tours of council facilities, unless this is necessary for business-as-usual work.

I hope that provides clarity on the reasons why pre-election tours have not been conducted in previous years, nor are they planned this year. Furthermore, councilors are provided with legal briefings as required and have specific opportunities to discuss strategic risk as a regular agenda item.

Yours Sincerely



Jamie Cleine | Mayor

Mobile 027 423 2629 | Email jamie.cleine@bdc.govt.nz

BULLER DISTRICT COUNCIL

27 AUGUST 2025

AGENDA ITEM: 11

Prepared by Simon Pickford
Chief Executive Officer

Attachments 1. Regulatory Report August 2025

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. **DISCUSSION**

3. **Legislation tracker**

4. The table below outlines the known and anticipated future legislation with some direct impact on the local government sector. Legislation is classified into three categories:

- in the final stages of the Parliamentary process (**orange**) - the Bill has passed the point where public submissions or other action can influence the final design of legislation (i.e. the Bill is reported from the Select Committee. It is unusual for Parliament to accept an amendment in the Committee of the House stage that is not promoted by the Government)
- live for submissions (**white**) – legislation is on the Parliamentary Order paper and is either open for submission or awaits a referral to the Select Committee
- upcoming (**green**) - legislation has been signalled in coalition agreements or Ministerial statements, etc noting that some items may be speculative.

5. Additions and amendments are marked in yellow. Two Bills have entered the tracker this month: the Regulatory Systems (Internal Affairs) Amendment Bill and the Anti-social Road Use Amendment Bill.

6. The following have left the tracker this month: the Resource Management (Consenting and Other System Changes) Amendment Bill (enacted on 20 August), and the Local Government (Water Services) Bill read a third time on 19 August),

Bill	Description	Status in Parliament
Privacy Amendment Bill	Updates privacy legislation	In third reading – approx. 30 minutes debate left
Responding to Abuse in Care Legislation Bill (Government Bill) Introduced 12 November 2024	Allows the Chief Archivist to audit agencies more frequently.	Awaiting Committee of the House stage
Statutes Amendment Bill (Government Bill) Introduced 23 September 2024	Omnibus Bill making technical and non-controversial amendments to legislation (often these are to correct drafting errors).	Awaiting Committee of the House stage.
Crimes (Countering Foreign Interference) Amendment Bill (Government Bill) Introduced 14 November 2024	The Bill strengthens the law around foreign interference targeting New Zealand. The Bill brings local authorities into the provisions related to the wrongful communication, retention or copying of official information in section 78A of the Crimes Act.	Awaiting second reading.
Climate Change (Emissions Trading Scheme – Forestry Conversion) Amendment Bill Government Bill Introduced 10 June 2025	This bill seeks to amend the Climate Change Response Act 2002 to limit whole-farm conversions to exotic forestry registering in the New Zealand emissions trading scheme.	Awaiting Committee of the House stage.
Customer Guarantees (Right to Repair) Amendment Bill (Members' Bill) Introduced 19 February 2025	Bill requires companies to hold stocks of spare parts to enable repair of goods that develop a fault.	Awaiting second reading.

<p>Land Transport Management (Time of Use charging) Amendment Bill (Government Bill)</p> <p>Introduced 16 December 2024</p>	<p>Gives effect to the Government decisions to allow time of use charging on roads that meet policy criteria.</p>	<p>Bill referred to the Transport and Infrastructure Select Committee. Submissions closed. Report due 4 September.</p>
<p>Term of Parliament (Enabling a 4 Year Term) Legislation Amendment Bill (Government Bill)</p> <p>Introduced 27 February 2025</p>	<p>Provide for a four year term for Parliament, subject to a referendum and certain criteria around membership of Select Committees</p>	<p>Bill referred to the Justice Select Committee. Submissions closed. Report due 5 September.</p>
<p>Public Works Act (Critical Infrastructure Amendment) Bill</p> <p>Government Bill</p> <p>Introduced 14 May 2025</p>	<p>Bill provides for the faster delivery of critical infrastructure projects through an expedited acquisition process.</p>	<p>Submissions closed. Report due 16 September,</p>
<p>Building and Construction (Small Stand-alone Dwellings) Amendment Bill (aka Granny Flats Bill)</p> <p>Government Bill</p> <p>Introduced 22 May 2025</p>	<p>Enables small stand -alone dwellings of up to 70 square metres to be built without a building consent if certain conditions are met</p>	<p>Submissions closed.</p>
<p>Sale and Supply of Alcohol (sale of Alcohol on the morning of Anzac Day, Good Friday, Easter Monday and Christmas Day) Amendment Bill</p> <p>Members' Bill</p>	<p>Bill would extend the sale of alcohol to those four named days.</p>	<p>Submissions closed Report due 9 October.</p>

Introduced on 20 February 2025		
Regulatory Standards Bill Government Bill Introduced on 19 May	Bill aims to reduce the amount of poor quality regulation by setting quality standards and reporting requirements against those standards.	Submissions closed. Report due 9 November.
Valuers Bill Government Bill Introduced 14 May 2025	Modernises the Registration of Valuers Act	Submissions closed. Report due 15 November.
Local Government Systems Improvements Bill Government Bill Introduced 17 July 2025	Gives effect to proposed change of purpose of local government and performance comparisons. There are also several minor items of regulatory relief,	Read first time on 17 July. Bill referred to the Governance and Administration Select Committee. Submissions close 27 August.
Regulatory Systems (Internal Affairs) Amendment Bill Government Bill Introduced July 2025	Omnibus Bill amending various statutes administered by the Department of Internal Affairs. Includes a provision that lifts the cap for the contracting rule under the Member's Interest Act.	Read a first time on 12 August. Bill referred to the Governance and Administration Select Committee. Submissions close 24 September.
Anti-social Road Use Legislation Bill	Increases penalties for various activities regarded as ant-social including boy-racing and anti-social dirt-bike use.	Read a first time on 12 August. Bill referred to the Justice Committee.
Local Government (Port Companies Accountability) Amendment Bill Members' Bill Introduced on 22 May 2025	Reverses the exclusion of port companies from the rules applying to a CC).	A member's bill awaiting first reading.
Te Ture Whenua Māori Amendment Bill	Amends Te Ture Whenua Māori Act 1993 to "better enable Māori economic development".	Announced in the release of the Quarter One 2025 Action Plan.

Government Bill		Policy decisions in the first quarter and legislation late 2025. <u>Speculative</u> – this may include changes to the Rating Act
RMA Replacement Bill Government Bill	A new act to “manage environmental effects that arise from the use of natural resources”.	Signalled in coalition agreements – late 2025.
Urban Development and Infrastructure Bill Government Bill	Bill to enable urban development and infrastructure. This act will also be aligned with the Government’s Going for Housing Growth plan and its 30-year National Infrastructure Plan.	Signalled in coalition agreements – mid-late 2025.
Building Act Amendment Bill Government Bill	More comprehensive changes to Building consenting making it easier for private BCAs, address barriers to voluntary consolidation, national consenting body, ensuring national consistency, strengthening roles and responsibilities, new consent pathway for commercial buildings, new assurance pathways more self certification – further streamlining, risk and liability.	Late 2025?
Emergency Management Bill Government Bill	The Government will implement a programme of changes in five broad areas: <ul style="list-style-type: none"> • Give effect to the whole-of-society approach to emergency management. • Support and enable local government to deliver a consistent minimum standard of emergency 	In preparation – expected late 2025

	<p>management across New Zealand.</p> <ul style="list-style-type: none"> • Professionalise and build the capability and capacity of the emergency management workforce. • Enable the different parts of the system to work better together. • Drive a strategic focus on implementation and investment to ensure delivery. 	
Treaty Clauses Legislation Bill Government Bill	Bill implementing results of the review of existing Treaty clauses in legislation.	Mid-late 2025
Local Government (Infrastructure Funding and Financing) Amendment Bill Government Bill	Bill will replace development contributions with a system of development levies. Possible changes to targeted rates.	Signalled in Ministerial speech on 28 February, Expected in September 2025
Infrastructure Funding and Financing Amendment Bill Government Bill	Would give effect to refinements to the vehicle for special purpose vehicles.	Signalled in Ministerial speech on 28 February, Expected in September 2025
Biosecurity Amendment Bill Government Bill	Bill to give effect to any policy decisions to modernise this legislation. Consultation closed December 2024. .	Mid-late 2025
Public Works Act Amendment Bill #2	Bill to implement results of the wider PWA review.	Signalled by Ministers of Land Information and Infrastructure.
Land Transport Legislation Bill Government Bill	Bill to place government under an obligation to prepare the GPS Land Transport with a ten-year investment horizon (as signalled in the draft GPS). Will empower road tolling. Will be needed to	Signalled by minister – expected in late-2025.

	empower transition away from fuel excise, and value capture.	
Waste Management Bill	Speculative – implementing the conclusions of the 2023 consultation on waste management (also apparently the current consultation).	Not clear how fast this is progressing within MFE. Mid-late 2025.
Emissions Trading Scheme Amendment Bill	Introduces the split gas approach and methane targets referred to in the National/Act agreement.	Not clear how fast this is progressing within MFE.
Hazard Substances and New Organisms Amendment Bill	Liberalises the laws around GMOs as set out in the National/Act agreement.	Not clear how fast this is progressing.
Climate Adaptation Bill	Bill sets the legal framework for powers and responsibilities with respect to climate adaptation. If there is a climate adaptation fund it will be in this Bill.	Late 2025.
Electoral Amendment Bill	Will remove the rights of prisoners to vote.	Late 2025.
GST Amendment Bill	Speculative – a Bill may be needed to give effect to any decision to hypothecate a share of the revenue from GST for new builds to the sector.	Signalled in the ACT/National agreement for investigation. Likely to be and end of 2025 (if at all).

7. **Senior Housing**

Following last month's resolution, Council's senior housing portfolio will continue to be managed in-house on a day-to-day basis. Rental amounts will be adjusted to better reflect the costs of providing the service, while remaining below market rent levels.

8. Feedback from our senior tenants, gathered the day after the Council decision, was positive, and we thank them for their time and engagement throughout this process.

9. The Senior Housing Working Group has now completed its work in line with its Terms of Reference, delivering a positive outcome for both our seniors and the wider community. With the scope now fulfilled, the working group has formally concluded. Future councillor involvement will occur through the annual plan process next triennium when rental amounts are considered.
10. **Residents Survey – A New Approach**
The Residents Survey (previously known as the ‘Customer Satisfaction Survey’) is a key way of understanding how well Council is meeting community expectations and is an important KPI for the Chief Executive.
11. This year we are introducing an improved approach to ensure the results are more representative and robust.
12. Rather than relying on a “self-selection” method, where only those who choose to respond take part, the survey will now use a randomised selection process. This new method ensures residents from all parts of the district, across all demographic groups, have an equal chance to be included.
13. An independent research company will manage this process to recognised statistical standards, giving Council reliable results that reflect the views of the community as a whole.
14. These improvements will give us a stronger foundation for decision-making, allowing results to be benchmarked and tracked over time.
15. The findings will also directly inform Annual Report KPI reporting, ensuring alignment between community feedback and Council’s statutory obligations. A full report will be provided once the survey is complete.
16. **Timeline**
 - Survey design and set-up: September 2025
 - Data collection: Sep-October 2025
 - Analysis and reporting: October/November 2025
 - Final report to Council: December 2025/January 2026
17. **Research provider**
The survey will be carried out by KeyResearch, an independent and experienced research provider used by several councils across New Zealand. This guarantees impartiality, maintains professional standards, and allows benchmarking of results against other local authorities.
18. **Cost**
Several potential suppliers were approached for this work, and KeyResearch was selected as they offered a cost-effective solution while also providing a robust methodology.

19. The total cost of the survey is \$27,760, which covers survey design, random sample selection, data collection, analysis, and a comprehensive report.
20. **External Relationships**
Key CE meetings this month have included NZ First MP Jamie Arbuckle. Mr Arbuckle is New Zealand First Whip, Deputy Chair of the Justice Select Committee, Member of the Finance and Expenditure Select committee, NZ First Caucus Spokesperson for Environment, Fisheries and Aquaculture, Horticulture, RMA, Internal Affairs and Tourism. This was a chance to discuss opportunities and concerns relating to areas within his portfolio. We also hosted a team from National Infrastructure Funding and Financing (NIFF) who are now responsible for IAF funding, Meetings have also been held with MBIE staff and West Coast CEs to discuss Local Water Done Well Arrangements.
21. **Regulatory and Emergency Management Update**
See **Attachment 1**.
22. **DRAFT RECOMMENDATION**
That the Chief Executive Officer's Report dated 27 August 2025 be received.

Regulatory Report

August 2025

Simon Bastion

Group Manager, Regulatory Services

Group Manager Update

Building Consent Reform.

A significant announcement from the beehive regarding building consent reform.

- Changes to liability settings and measures to enable voluntary BCA consolidation will be made by amending the Building Act 2004. The Government expects to introduce a Bill to Parliament in early 2026.
- The Government is investigating supporting mechanisms for proportionate liability. These may include:
 - Requiring home warranties for certain building projects, with an option to opt out
 - Requiring professional indemnity insurance
- Regulatory changes to support BCA consolidation will include removing the requirement for a Territorial Authority (TA) to be a BCA providing they transfer their building control functions to another accredited BCA, removing restrictions on TAs transferring their building consent functions to a non-TA organisation, and updating and standardising regulations to eliminate duplication and incentivize collaboration

Cabinet's agreement to "remove the minimum required distance between single storey buildings under 10 square metres and a property boundary or other residential building (setback distance). Cabinet has also agreed to reduce the setback distance to one metre for single storey buildings between 10 and 30 square metres."

<https://www.beehive.govt.nz/release/green-light-garden-sheds-and-garages>

The changes will make it easier and cheaper for property owners to build useful structures like:

- Garden sheds for storing tools and bikes
- Sleepouts or hobby spaces
- Small garages or workshops

These changes are expected to be in force by late 2025.

LIMS:

New requirements for Land Information Memorandums (LIMs) in New Zealand, specifically relating to natural hazard information, are set to come into effect on July 1, 2025. These changes, introduced by the Local Government Official Information and Meetings Amendment Act, aim to improve the clarity and comprehensiveness of hazard information provided in LIMs.

Councils will need to provide "understandable information" about natural hazards and their potential impacts, including those exacerbated by climate change. This means going beyond simply identifying hazards and potentially requiring councils to explain the nature of those hazards and their potential impacts.

LIMs will now require a dedicated section for natural hazard information, sourced from the council's district plan, relevant Building Act information (like consents on hazardous land), and other hazard information grouped by type (e.g., earthquake, flooding).

Building Team

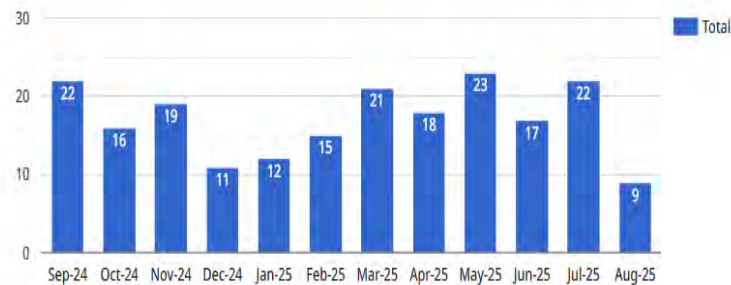
Building Consents

Building Consents

Issued 22 building consents for July

BC Granted/Issued

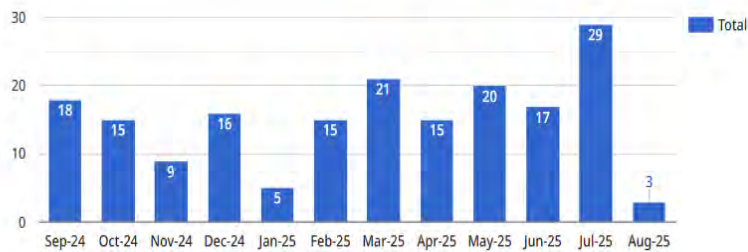
Monthly for All Building Types and All Complexities



29 CCC issued for July – very high. All issued within 20 working days

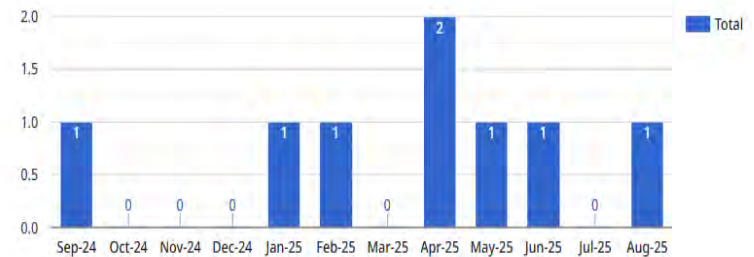
CCC Decision to Issue

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

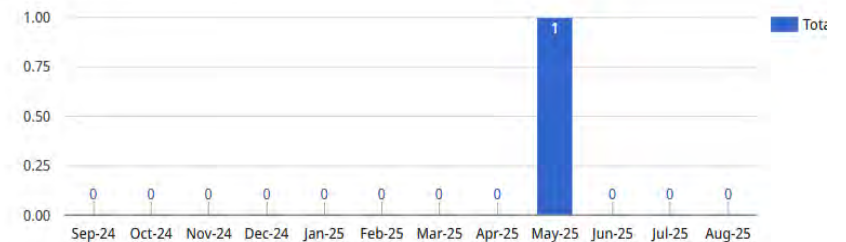


1 consent overdue by 1 day: Consent was sent to external contractor on high days – The statutory time frame for BC has been exceeded for the following reason: Picked up on high days, significant discussion with Buller DC staff re S72 issues and information not provided with the consent.

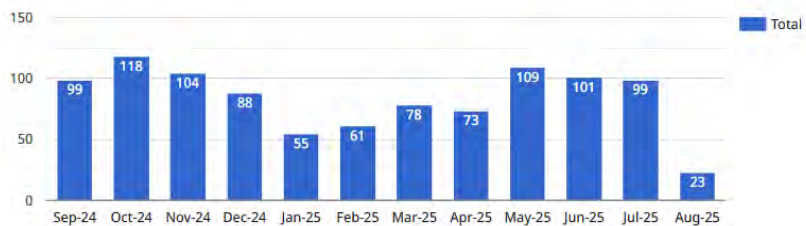
2 x compliance schedules issued with CCC

Number of CCC Decision Outside of Statutory Time Frame - 21 or More Stat Days

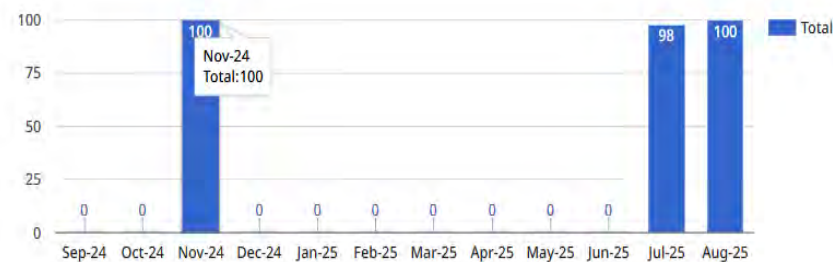
Monthly for All Building Types and All Complexities



Inspections Undertaken
Monthly for All Building Types and All Complexities



% Bookings Completed On Time
Monthly for All Building Types and All Complexities



Reason - Inspection booking time noted as 5 days - It seems the Customer Requested Date was set as the 11th, and it was booked and completed on the 18th. The 18th is the 5th working day after the 11th.

Upon investigating this inspection - the BCO and agent discussed a suitable time to do the inspection, and this was moved to the 18th. It is really irrelevant that the time clock started at the 11th July as this was successfully negotiated between each party. The only way that this would not happen is if the booking was cancelled and re-booked rather than just moving the inspection.

Planning Department

TE TAI O POUTINI PLAN (TTPP) UPDATE:

Te Tai o Poutini Plan (TTPP)

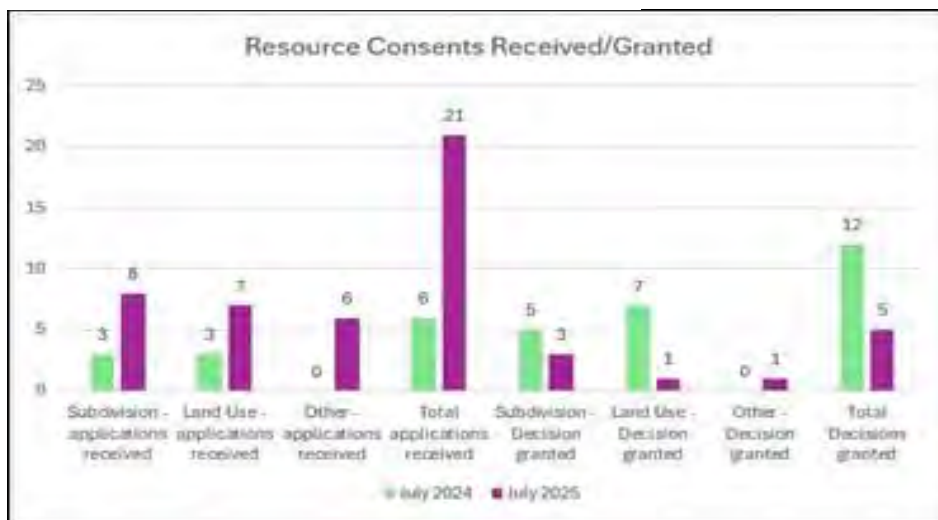
The scheduled hearings on TTPP have been completed.

The independent Hearings Panel are now deliberating on the submissions received on the Plan and any additional information they heard or requested during the hearings process.

It is anticipated that the TTPP Committee will make decisions on each of the chapters individually in September.

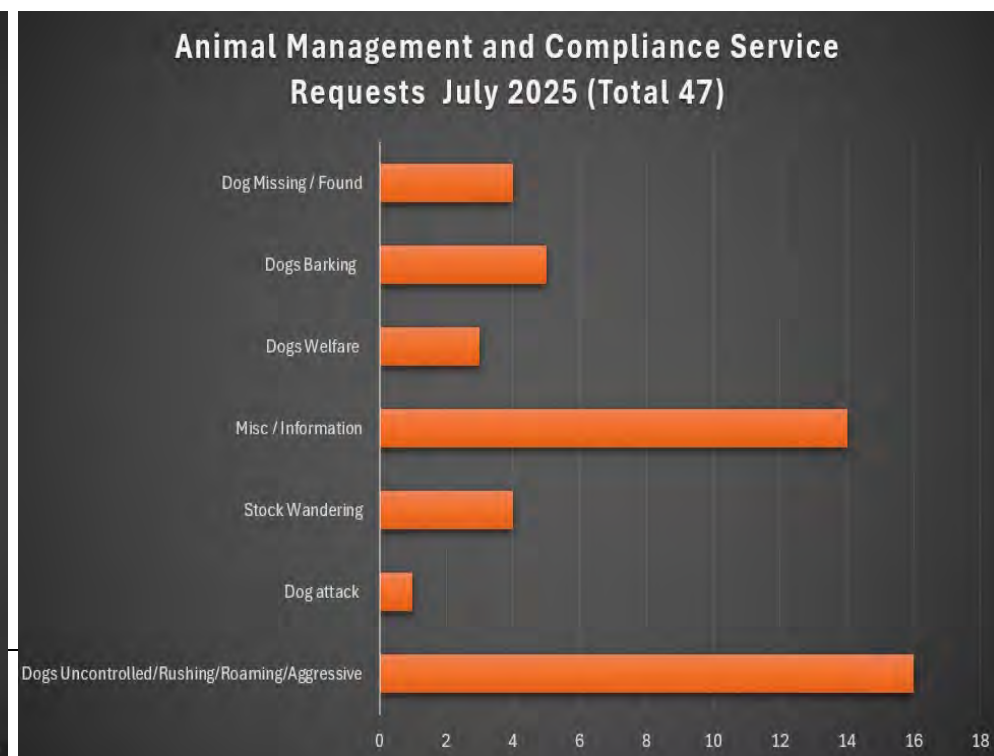
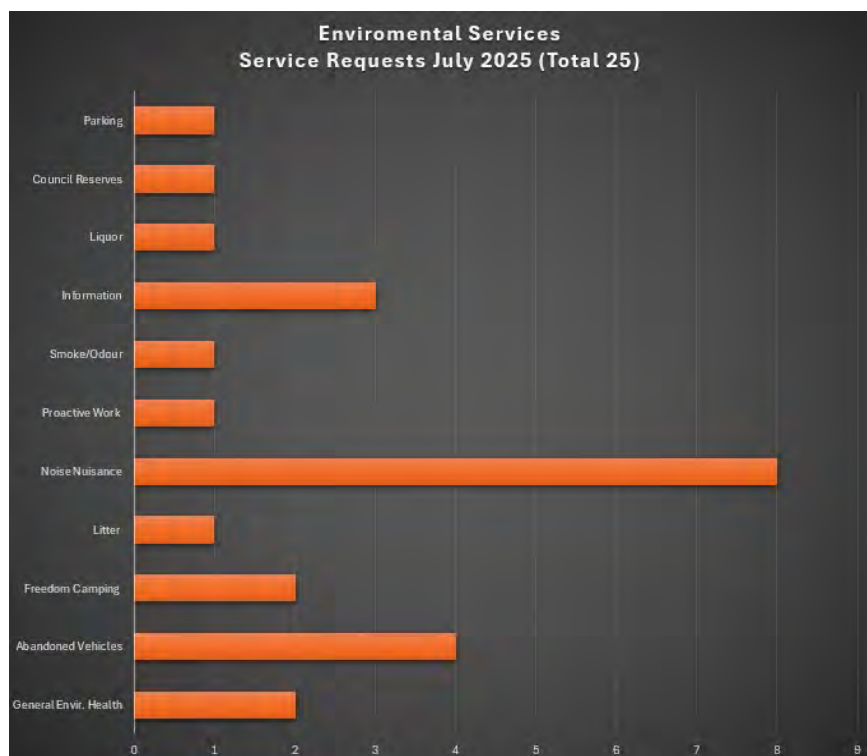
The Buller Planning team are fielding enquires related to the TTPP and are able to correspond with the TTPP Planners as required.

Task	Timeline
Recommendations report received by TTPP Committee and TAT	8-10 September 2025
TAT meetings	2 days during 11-15 Sept
TAT discussions with TTPP Committee members	15 -18 September
Full TTPP Committee and TAT workshop	19 September
Full day decision meetings as required during the week of	22 -26 September
Public notification and printing arrangements made	29 September - 9 October
Public Notification of Decisions version of TTPP	10 October 2025



	July	July
	2024	2025
Subdivision - applications received	3	8
Land Use - applications received	3	7
Other - applications received	0	6
Total applications received	6	21
Subdivision - Decision granted	5	3
Land Use - Decision granted	7	1
Other - Decision granted	0	1
Total Decisions granted	12	5
Planning Checklists	23	30
Form 4s issued	3	5
RMA RFIs Sent		5
LIM applications received	12	28
LIMs issued	17	29
Enquiries	244	290

Planning enquiries, Land Information Memorandums and the number of Resource Consent applications received in July 2025 have increased in comparison to July 2024. The team are working hard to deal with complex legislative requirements and respond to customer enquires in a fair and reasonable timeframe.



Compliance Team

Animal Control:

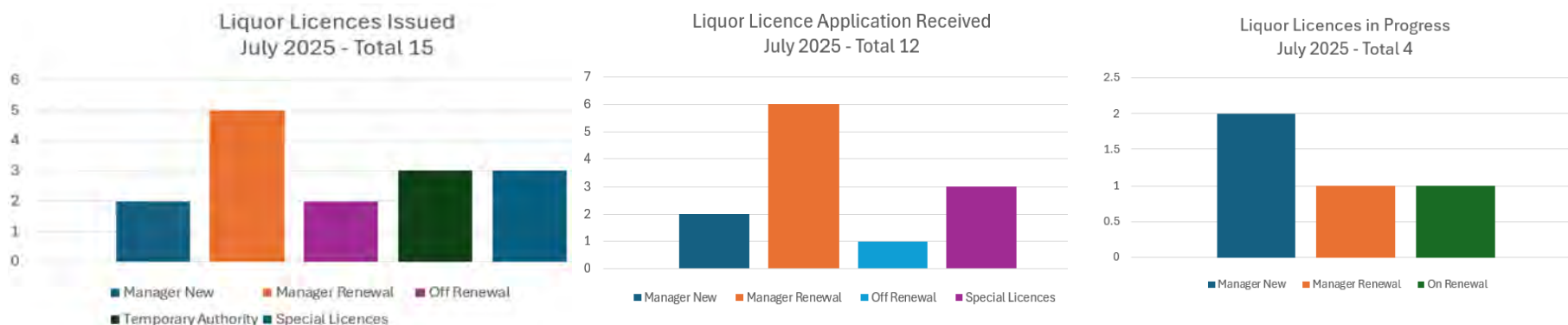
- New round of dog registrations is underway. The dog registration period closed on the 15th August – penalties to apply from this date.

General Compliance Complaints:

- An increase in noise complaints related to a couple of addresses
- Working closely with Police & Allied security on the call out process.

Alcohol

- 12 new applications received for June
- Awaiting DLC Chair report on Seddonville Hotel
- Alcohol Harm Prevention training course held in Greymouth – two staff attended



Policies Under Review

Dangerous, Affected and Insanitary Buildings Policy

- Public consultation complete
- Presented to RAC
- One submission received
- Recommended to be amended slightly before adoption

Class 4 Gambling and TAB Venues Policy

- Report went to RAC
- Draft policy been prepared
- Statement of Proposal to go to committee in September for endorsement.
- The recommendation of the committee will be presented along with the draft documents (with any changes recommended by the committee) to Council on 24 September 2025 for adoption as the basis for public consultation.

Trade Waste Bylaw

- Preparation of review
- Extended consultation period
- Draft to go to appropriate committee in November

Navigation and Safety

- Reviewed by staff.
- Legal advice received
- Further reports to Council will be made as the process moves forward

Other Bylaws and Policies currently under review:

- Dog Control Policy
- Traffic
- Fires in the Open-Air Bylaw
- Banning of Alcohol in Public Places Bylaw
- Freedom Camping Bylaw
- Solid Waste Bylaw
- Fencing of Swimming Pools Policy (in line with new legislation)

Master Planning Update

- Stage three works are continuing well, the below provides high lights of the previous months activities undertaken.
- The Westport Master Plan, 'Cutting our own track' won the LGNZ SuperIdea award at the July LGNZ Conference. This is an important recognition of the significant works undertaken by BDC and the Resilient Westport team.
- BDC has met online with the Insurance Council NZ representatives, a West Coast visit is planned for the next month to Mayors, Chairs & Iwi, with a direct Westport focus being planned post Mayors, Chairs & Iwi.
- Several insurance meetings have been held with industry; this is to ensure a wide understanding and support of the PARA framework and resilience measures being taken for Westport and surrounds.
- A key meeting with banking sector is occurring this month, this directly aligns with the Insurance meetings being held, ensuring that that wide understanding and support is enabled.
- Progress is being made with the Climate Commission in advance of their visit to Westport next month, several online meetings have occurred. The Climate Commission will be using Westport as the Case Study for 2026's biannual report on adaptation to Government.
- Members of the project team were invited to Wellington to present at the ACAN Hui, this was an opportunity to showcase the works, build connections, with costs being met by the event organisers.
- Building Research Association of New Zealand (BRANZ) funding application for a research grant has been submitted, this research project will align with required business case outputs to enable investment.
- PIP (Priority Infrastructure Project) application – stage one – has been successfully submitted, with a further online meeting having been held with the Infrastructure Commission, who are supportive of the application.

Growth and Development Update

- Demand for accommodation to align with industry growth continues, BDC is working alongside industry partners and developers to ensure that an appropriate amount, and typology of housing and accommodation is delivered across the district – with a current key focus on Reefton.
- Development is continuing at Omau/Cape Foulwind, a recent meeting with developers has indicated a willingness to work alongside Council on developing a detailed plan for the area – ensuring that common understanding of infrastructure requirements over time.
- Demand remains high around Westport for further development opportunities; the housing market is still slightly constrained.
- Infrastructure Acceleration Fund (IAF) activities continue, with approval to construct stage one infrastructure now provided. This aligned with the Te Tai o Poutini Plan (TTPP) rezoning will see further green fields subdivisions enabled.

BULLER DISTRICT COUNCIL

27 AUGUST 2025

AGENDA ITEM: 12

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**
- 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

27 AUGUST 2025

AGENDA ITEM: 13

Prepared by: Simon Pickford
Chief Executive Officer

PUBLIC EXCLUDED REPORT

1. **REPORT SUMMARY**

Subject to the Local Government Official Information and Meetings Act 1987 (LGOIMA) s48(1) right of Local Authority to exclude public from proceedings of any meeting on the grounds that:

2. **DRAFT RECOMMENDATION**

That the public be excluded from the following parts of the proceedings of this meeting.

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	<p>(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</p> <p>(s 7(2)(j)) - prevent the disclosure or use of official information for improper gain or improper advantage.</p> <p>(s 7(2)(b)) - protect information where the making available of the information would</p> <ul style="list-style-type: none">i. Disclose a trade secretii. Be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
PE 2	Jamie Cleine Mayor	CEO Performance Review	<p>(s7(2)(a)) - protect the privacy of natural persons, including that of deceased natural persons</p>