

AGENDA

RĀRANGI TAKE

NOTICE OF AN ORDINARY MEETING OF

COUNCIL

to be held on **Thursday, 17 April 2025** commencing at **1 pm** in the Council Chambers,
36 Weld Street, Hokitika and via Zoom

Chairperson		Her Worship the Mayor
Deputy and Southern Ward Member:		Cr Cassin
Northern Ward Members:		Cr Neale, Cr Burden, Cr Phelps
Hokitika Ward Members:		Cr Baird, Cr Davidson, Cr Gillett
Southern Ward Members:		Cr Manera
Iwi Representatives:		Kw Madgwick, Kw Tumahai



In accordance with clause 25B of Schedule 7 of the Local Government Act 2002, members may attend the meeting by audio or audio-visual link.

Council Vision

*By investing in our people, caring for the environment, respecting the Mana Whenua
Cultural heritage, and enabling investment, growth, and development
we will enrich our district and the people that reside here.*

Purpose

The Council is required to give effect to the purpose of local government as prescribed by section 10 of the Local Government Act 2002. That purpose is:

- (a) To enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) To promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

1. KARAKIA TĪMATANGA OPENING KARAKIA

*Kia hora te marino
Kia whakapapa pounamu te moana
Hei hurahai mā tātou
I te rangi nei
Aroha atu, aroha mai
Tātou i a tātou katoa
Hui e! Tāiki e!*

*May peace be widespread
May the sea be like greenstone
A pathway for us all this day
Give love, received love
Let us show respect for each other
Bind us all together!*

2. NGĀ WHAKAPAAHA APOLOGIES

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a member thinks they may have a conflict of interest, they can seek advice from the Chief Executive or the Group Manager Corporate Services Risk and Assurance (preferably before the meeting). It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

4. NGĀ TAKE WHAWHATI TATA KĀORE I TE RĀRANGI TAKE URGENT ITEMS NOT ON THE AGENDA

Section 46A of the Local Government Official Information and Meetings Act 1987 states:

- (7) An item that is not on the agenda for a meeting may be dealt with at the meeting if –
 - (a) the local authority by resolution so decides, and
 - (b) the presiding member explains at the meeting at a time when it is open to the public, -
 - (i) the reason why the item is not on the agenda; and
 - (ii) the reason why the discussion of the item cannot be delayed until a subsequent meeting.
- (7A) Where an item is not on the agenda for a meeting, -
 - (a) that item may be discussed at the meeting if –
 - (i) that item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
 - (b) No resolution, decision, or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.

5. NGĀ MENETI O TE HUI KAUNIHERA MINUTES OF MEETINGS

Minutes circulated.

- **Ordinary Council Meeting Minutes – 27 March 2025**

(Pages 5-13)

MINUTES TO BE RECEIVED:

- Nil

6. ACTION LIST

(Pages 14-16)

7. NGĀ TĀPAETANGA PRESENTATIONS

- **Department of Conservation – Feral Cats**
Department of Conservation representatives will be in attendance at the meeting at **1.15 pm** to provide a verbal update regarding feral cats.

8. PŪRONGO KAIMAHI STAFF REPORTS

- **Financial Performance – March 2025**

Finance Manager

(Pages 17-33)

- **Delegations Manual Amendment – Regulatory and Compliance Group and Planning Department**

Planning Manager

(Pages 34-48)

9. KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI RESOLUTION TO GO INTO PUBLIC EXCLUDED

(to consider and adopt confidential items)

Resolutions to exclude the public: Section 48, Local Government Official Information and Meetings Act 1987. The general subject of the matters to be considered while the public are excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of the resolution are as follows:

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1.	Confidential Minutes – 27 March 2025	Good reason to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
2.	Appointment of New Trustee – Whataroa Cemetery	Good reason to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
3.	Local Waters Done Well Consultation Document	Good reason to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

This resolution is made in reliance on sections 48(1)(a) and (d) of the Local Government Official Information and Meetings Act 1987 and the particular interests or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

Item No.	Interest	Section
1, 2	Protect the privacy of natural persons, including that of deceased natural persons	(S.7(2)(a))
1, 3	Protect information where the making available of the information:	
	(i) (ii) would disclose a trade secret; and would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	(S.7(2)(b))
1, 3	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	(S.7(2)(i))
1	Prevent the disclosure of use of official information for improper gain or improper advantage.	(S.7(2)(j))

**DATE OF NEXT ORDINARY COUNCIL MEETING – 22 MAY 2025 AT 1.00 PM
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**



ORDINARY COUNCIL MINUTES

MINUTES OF THE ORDINARY COUNCIL MEETING OF WESTLAND DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM ON THURSDAY 27 MARCH 2025 COMMENCING AT 1.02 PM

The Council Meeting was live-streamed to the Westland District Council YouTube Channel and presentations are made available on the Council Website.

1. KARAKIA TĪMATANGA OPENING KARAKIA

The opening Karakia was led by Her Worship the Mayor.

2. MEMBERS PRESENT AND APOLOGIES

Chairperson:	Her Worship the Mayor
Deputy and Southern Ward Member:	Cr Cassin
Northern Ward Members:	Cr Neale, Cr Burden
Hokitika Ward Members:	Cr Baird, Cr Gillett
Southern Ward Members:	Cr Manera
Iwi Representatives:	Kw Madgwick, Kw Tumahai

NGĀ WHAKAPAAHA APOLOGIES

Apologies had been received from Cr Phelps and Cr Davidson.

Moved Cr Burden, seconded Cr Baird and **Resolved** that the apologies from Cr Phelps and Cr Davidson be received and accepted.

STAFF PRESENT

B. Phillips, Chief Executive; L. Crichton, Group Manager Corporate Services and Risk Assurance; E. Bencich, Acting Group Manager District Assets; D. Maitland, Executive Assistant; E. Rae, Strategy and Communications Advisor (Via Zoom); P. Coleman, Governance Administrator (via zoom).

Staff present for part of the meeting:

L. Sadlier, Museum Director; M. Waters, Community Services Manager; L. Truman, Finance Manager; A. Paulsen, Asset Strategy and Development Manager; C. Spliid Nielsen, HR Advisor.

Also in Attendance for part of the meeting:

S. Reindler, Chair Council Controlled Organisation Oversight Committee (via zoom).

Withdrawal of Agenda Items:

The Chief Executive advised that two items had been withdrawn from the Council Agenda:

- Department of Conservation Update regarding Feral Cats.
- Local Water Done Well Consultation Document.

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated to the Mayor and Councillors.

The following amendments were noted to the Interest Register:

- Cr Burden removed “Love Hokitika” and added “St John West Coast Area Committee”.

4. NGĀ TAKE WHAWHATI TATA KĀORE I TE RĀRANGI TAKE URGENT ITEMS NOT ON THE AGENDA

Moved Cr Baird, seconded Cr Manera and **Resolved** that in accordance with section 46A(7) of the Local Government Official Information and Meetings Act (LGOIMA) and under section 9.12 of Council’s adopted Standing Orders, the following item be added as an urgent item not on the Agenda for Council’s consideration.

- **Establishment of a Water Services Internal Business Unit – Local Water Done Well – Resolution Rescind**
 1. The reason the item is not on the agenda is that the need for this agenda item arose after the agenda was released.
 2. The reason why the discussion of the item cannot be delayed until a subsequent meeting is to enable staff to follow the correct process regarding an item being delayed due to further investigations.

5. NGĀ MENETI O TE HUI KAUNIHERA MINUTES OF MEETINGS

The Minutes of the previous meeting were circulated.

- **Ordinary Council Meeting Minutes – 27 February 2025**

Moved Cr Gillett, seconded Cr Baird and **Resolved** that the Minutes of the Ordinary Council Meeting held on 27 February 2025 be confirmed as a true and correct record of the meeting.

The Chair approved that their digital signature be added to the confirmed Council Meeting Minutes of 27 February 2025.

Minutes to be received:

- **Risk and Assurance Committee Meeting Minutes – 7 November 2024**

Moved Cr Burden, seconded Cr Neale and **Resolved** that the Minutes of the Risk and Assurance Committee Meeting held on 7 November 2024 be received.

6. ACTION LIST

The Chief Executive spoke to the Action List and provided the following updates:

No.	Item	Update
1.	Council Headquarters	This item will be tabled at the April Council Meeting.
2.	Hokitika Museum Trust Board Formation	This item is on the March Council Agenda.
3.	Department of Conservation – Feral Cats	This item has been rescheduled to the April Council Meeting.
4.	Hokitika Central Business District Parking Strategy	An initial meeting was held. Her Worship the Mayor is working on a list of attendees for future meetings. This item to be amended to read Hokitika CBD Strategy for future Council Meetings.
5.	Consenting and Compliance Committee Terms of Reference	The Terms of Reference will be tabled at the May Council Meeting.
6.	Waste Management and Minimisation Plan	A report will tabled at the April Council Meeting along with the Waste Management and Minimisation Plan for adoption.
7.	Museum Window Repairs	The window cost of \$50,000 has been included in the Long Term Plan.
8.	Tourism Waste Cost	This information has been forwarded to Her Worship the Mayor.
9.	West Coast Wilderness Trail	Her Worship the Mayor advised that there will be another Working Group meeting held, after which time the Terms of Reference will be tabled at a future Council meeting. This item to be added to the Action List for future meetings.

Moved Cr Baird, seconded Deputy Mayor Cassin and **Resolved** that the updated Action List from the Chief Executive be received.

7. NGĀ TĀPAETANGA PRESENTATIONS

- **Dashboard Hokitika Westland isite**
The Chief Executive circulated the Mayor and Councillors with a monthly dashboard reporting from the Hokitika Westland isite.
- **Hokitika Museum**
The Museum Director, spoke to this presentation as follows:

- Kura Pounamu: Whakawatea has been held from 4 December to 27 April 2025, which has attracted 12,180 visitors.
- Hosted a Pounamu sector workshop, with local artists and businesses, and launched a new retail space.
- Partnered with Heritage New Zealand on a West Coast Photo Competition launched on 15 March 2025.
- Engaging with local schools to develop an educational programme. Supporting Kaniere School in hosting a Hei Tiki exhibition.
- Donations received totalled \$5,269.50.
- Working towards the 27 June 2025 Grand Opening of the Hokitika Museum.
- It is intended to refresh the visual identity branding for the Hokitika Museum.

Moved Cr Gillett, seconded Deputy Mayor Cassin and **Resolved** that the presentation be received.

- **Council Controlled Organisation (CCO) Oversight Committee - 6 Monthly Update**

The Chair of the CCO Oversight Committee joined the meeting via Zoom and was introduced to the Council. Mr Reindler provided an update from the CCO meeting held on 27 March 2025, which included presentations from the Chairs of Westroads Limited and Destination Westland Limited on the 6-monthly financial performance through to 31 December 2024 and they also presented the Statements of Intent for FY 2026 and beyond.

Her Worship the Mayor instructed the Acting Group Manager District Assets to provide the Chair of the CCO Oversight Committee with a definition of the scope of works funded for the Hokitika Airport.

Cr Gillett asked for a briefing at the April Council Meeting on who owns the Hokitika Airport, if it is a strategic asset and if it's a strategic asset, should it be consulted in the LTP that this work is being undertaken, if there are cost overruns, where will the extra money come from?

Moved Cr Baird, seconded Cr Manera and **Resolved** that the presentation be received.

The following item was taken out of order to the agenda papers:

- **Council Controlled Organisation Oversight Committee - Letters of Expectation for Westroads Limited and Destination Westland Limited**

Mr Reindler spoke to this item and sought approval from the Council to send the draft letters of expectations to both the Chairs of Westroads Limited and Destination Westland Limited.

Destination Westland Limited and Westroads Limited had forwarded their Statements of Intent to the Council by the due date of 1 March 2025.

The Council meeting adjourned for 10 minutes at 2.05 pm to enable the Mayor and Councillors to read the Draft Letters of Expectation for the CCOs. The meeting resumed at 2.15 pm.

Moved Deputy Mayor Cassin, seconded Cr Burden and **Resolved** that:

1. The Letters of Expectation from the Council Controlled Organisation Oversight Committee be received.
2. Council approve the Letters of Expectation for Destination Westland Limited and Westroads Limited to be released to the respective Chairs.

8. PŪRONGO KAIMAHI STAFF REPORTS

- **Formation of the Hokitika Museum Trust Board**

The Community Services Manager spoke to this item and advised that the purpose of the report is to consider the establishment of a Hokitika Museum Trust Board.

Mr Waters advised that the Council resolved to establish a Hokitika Museum Trust Board on 26 May 2022, however, the establishment of the Museum Trust Board has not advanced since that meeting.

Her Worship the Mayor advised that before a Trust is established, there needs to be an understanding of the current management structure, staffing, operational costs, a full set of financial records, including operational costs, the proposed future plans, and the future projections of the Museum.

Moved Deputy Mayor Cassin, seconded Cr Neale and **Resolved** that:

1. The report be received.
2. Her Worship the Mayor form a working group including Iwi Representation to consider the purpose of the Hokitika Museum Trust Board.
3. The draft Terms of Reference (or Trust Deed) be brought back to the 24 July Council meeting for full Council consideration ahead of formally establishing a Trust.

Kw Madgwick left the meeting at 2.38 pm.

- **Financial Performance Report - February 2025**

The Finance Manager spoke to this item and advised that the purpose of the report was to provide an indication of the Council's financial performance to 28 February 2025.

The Finance Manager provided the following update:

- Essential services - unlikely that this will be met before the end of the year, due to the New Zealand Transport Agency's final budget and the Hokitika Wastewater Treatment Plant (deferred project).
- Debtors - there has been information added as requested last month, and there is a good business practice of debt collection, which is followed.
- Building consents – of the 34 outstanding building consents, 21 are notices to fix.
- Grants debtors – the only outstanding amount relates to Welcoming Communities, with an outstanding amount of \$57,500.

Moved Deputy Mayor Cassin, seconded Cr Baird and **Resolved** that the Financial Performance Report for 28 February 2025 be received.

Kw Madgwick returned to the meeting at 2.40 pm.

- **Adoption of the Draft Infrastructure Strategy and Draft Activity Management Plans**

The Asset Strategy and Development Manager spoke to this item and advised that the purpose of the report was to provide the Draft Infrastructure Strategy and Draft Activity Management Plans.

Moved Cr Baird, seconded Cr Manera and **Resolved** that:

1. The report be received.
2. Council adopt the Draft Infrastructure Strategy and Draft Activity Management Plans.
3. Council directs staff to undertake consultation with the community alongside the 2025–2034 Long Term Plan.

LATE AGENDA ITEM

- **Establishment of a Water Services Internal Business Unit – Local Water Done Well – Resolution Rescind**

The Chief Executive spoke to this item and advised that the preference is not to rescind the internal business unit be the preferred model. This does not affect the Council's ability to make a decision, for the purpose of the LTP, there needs to be a preferred option with costings.

Moved Cr Burden, seconded Cr Manera and **Resolved** that:

1. The report be received.
2. That Council approves to progress with the establishment of an internal business unit for the delivery of water services, with an expectation that any alternative opportunities will be fully investigated. Council will consult separately to the 2025–2034 Long Term Plan on Local Water Done Well and a decision paper will be brought back to Council post consultation.

- **Adoption of Supporting Policies and Documents to the Revenue and Financing Policy for consultation concurrent with the Draft Long Term Plan 2025 – 2034 Consultation**

The Group Manager Corporate Services and Risk Assurance spoke to this item and advised the purpose of the report was to seek Council approval of the Draft Funding Needs Analysis, the Draft Rating Policy the Draft Funding Impact Statement and the Audit Report as supporting policies and principles to the Revenue and Financing Policy, and for consultation as components of the draft Long Term Plan 2025–2034 (Long Term Plan).

Moved Cr Gillett, seconded Cr Baird and **Resolved** that:

1. The report be received.
2. Council adopts the following documents as supporting policies and principles to the Revenue and Financing Policy, and for consultation components of the Long Term Plan 2025–2034:
 - a. Draft Funding Needs Analysis.
 - b. Draft Rating Policy.
 - c. Draft Funding Impact Statement.

- **Adoption of the Revenue and Financing Policy for Consultation Concurrent with the Draft Long Term Plan 2025–2034 Consultation**

The Group Manager Corporate Services and Risk Assurance spoke to this item and advised that the purpose of the report was to seek Council approval of the Revenue and Financing Policy for consultation.

Moved Cr Baird, seconded Deputy Mayor Cassin and **Resolved** that:

1. The report be received.
2. Council adopts the Revenue and Financing Policy for consultation concurrently with the draft Long Term Plan 2025–2034 consultation as provided by the Local Government Act, section 83A.

- **Adoption of the Draft Consultation Document and Draft Long Term Plan (LTP) 2025-2034**

The Strategy and Communications Advisor spoke to this item and advised that the purpose of the report was to provide the Draft Long Term Plan 2025–2034 (LTP) and Draft Consultation Document for adoption.

Moved Cr Baird, seconded Cr Gillett and **Resolved** that:

1. The report be received.
2. Council adopt the Draft Long Term Plan 2025–2034 and Consultation Document.
3. Council directs staff to undertake consultation with the community.

9. KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI

RESOLUTION TO GO INTO PUBLIC EXCLUDED

(to consider and adopt confidential items)

Moved Cr Gillett, seconded Cr Manera and **Resolved** that Council confirm that the public were excluded from the meeting in accordance with Section 48, Local Government Official Information and Meetings Act 1987 at 3.25 pm.

The general subject of the matters to be considered while the public are excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of the resolution are as follows:

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1.	Confidential Minutes – 27 February 2025	Good reason to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
2.	Confidential Minutes to be Received – Risk and Assurance Committee - 7 November 2024	Good reason to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
3.	Ross and Franz Josef Watermains Upgrade – Contract Number 24/25/05 – Tender Approval	Good reason to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
4.	EY Closing Report for the Audit of the 2025-34 Consultation Document	Good reason to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

This resolution is made in reliance on sections 48(1)(a) and (d) of the Local Government Official Information and Meetings Act 1987 and the particular interests or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

Item No.	Interest
1, 2	Protect the privacy of natural persons, including that of deceased natural persons (S. 7(2)(a))
1, 2, 3	Protect information where the making available of the information: (i) would disclose a trade secret; and (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (S. 7(2)(b))
2	Avoid prejudice to measures protecting the health or safety of members of the public. (S. 7(2)(d))
2	Avoid prejudice to measures that prevent to mitigate material loss to members of the public. (S. 7(2)(e))
2	Maintain the effective conduct of public affairs through: (ii) The protection of such members, officers, employees, and persons from improper pressure of harassment (S. 7(2)(f))
2	Maintain legal professional privilege; or (S. 7(2)(g))
2, 4	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or (S. 7(2)(h))
1, 2, 3	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (S. 7(2)(i))
1, 2, 3	Prevent the disclosure of use of official information for improper gain or improper advantage. (S. 7(2)(j))

Moved Cr Gillett, seconded Cr Burden and **Resolved** that the business conducted in the 'Public Excluded Section' be confirmed, and accordingly, the meeting went back to the open part of the meeting at 3.46 pm.

**DATE OF NEXT ORDINARY COUNCIL MEETING – 17 APRIL 2025 AT 1.00 PM
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

MEETING CLOSED AT 3.46 PM

Confirmed by Council at their meeting held on the 17 April 2025.

Mayor Helen Lash
Chair

Date: 17 April 2025

17.04.25 – Council Meeting Action List

Item No.	Date Added	Item	Action	Completion Target Date	Officer	Current Status	Date and Next Steps
1	26.08.21	Council Headquarters, 36 Weld Street	Business case for the scope of work after structural analysis and report.	April 25	Acting Group Manager District Assets	DA are working with the finance staff. The rates affordability will be known once a draft LTP model is completed.	This item will be tabled at the April Council Meeting.
2	26.09.24	Hokitika Museum Trust Board Formation	Information regarding the formation of a trust board		Community Services Manager	Her Worship the Mayor advised that before a Trust is established, there needs to be an understanding of the current management structure, staffing, operational costs, a full set of financial records, including operational costs, the proposed future plans, and the future projections of the Museum.	<ol style="list-style-type: none"> 1. Her Worship the Mayor to form a working group, including Iwi Representation to consider the purpose of the Hokitika Museum Trust Board. 2. The draft Terms of Reference (or Trust Deed) be brought back to the 24 July Council meeting for full Council consideration ahead of formally establishing a Trust.
3	26.09.24	Department of Conservation – Feral Cats	Investigate the Feral Cat programme		Chief Executive	There has been a feral cat programme in South Westland but not in the wider district. DOC will be invited to a future Council meeting to discuss this.	Department of Conservation representatives are presenting to this Council meeting.
4	28.11.24	Hokitika CBD Strategy		May 25	Acting Group Manager District Assets	<p>This process is currently underway.</p> <ul style="list-style-type: none"> • Community parking questionnaire closed 20 December 2024. • Review current feedback and hold further workshops from February 2025. 	<p>This item was amended to read Hokitika CBD Strategy as requested at the March Council Meeting.</p> <p>An initial meeting was held. Her Worship the Mayor is working on a list of attendees for future meetings.</p>
5	30.01.25	Consenting and Compliance Committee Terms of	Refine the Terms of Reference of the Consenting and	March 2025	Chief Executive	The Terms of Reference needs to be refined to ensure this committee can work to the best of its ability.	The Terms of Reference will be tabled at the May Council Meeting.

17.04.25 – Council Meeting Action List

Item No.	Date Added	Item	Action	Completion Target Date	Officer	Current Status	Date and Next Steps
		Reference (ToR)	Compliance Committee.				
6	27.02.25	Waste Management and Minimisation Plan (WMMP)	Council requested information on variable bin sizes, points from Inger Perkins submission and a strategy on community information sharing	April 2025	Acting Group Manager District Assets	At the February Council meeting, submissions were heard on the WMMP. Council requested a follow-up with the submitter who had requested to speak but couldn't attend, a request was also made to follow up on variable bin sizes and charges as suggested in the submission process. A strategy with a focus on community information sharing to be developed.	A report is on the Council Agenda along with the Waste Management and Minimisation Plan for adoption.
7	27.03.25	West Coast Wilderness Trail	A further meeting of the Working Group to be scheduled and Terms of Reference to be tabled at a future Council meeting for adoption.	March 2025	Mayor	Her Worship the Mayor advised that there will be another Working Group meeting held, after which time the Terms of Reference will be tabled at a future Council meeting.	A further meeting of the Working Group has been scheduled Wednesday 30 March at 3.00 pm.
8	27.03.25	Scope of Works for Hokitika Airport	Definition of the scope of works for the Hokitika Airport required.		Acting Group Manager District Assets		Her Worship the Mayor instructed the Acting Group Manager District Assets to provide the Chair of the CCO Oversight Committee with a definition of the scope of works funded for the Hokitika Airport.
9	27.03.25	Council briefing on the Hokitika Airport	Briefing to be organised.		Mayor		Cr Gillett asked for a briefing at the April Council Meeting on who owns the Hokitika Airport, if it is a strategic asset and if it's a strategic asset, should it be consulted in the LTP that this work is

17.04.25 – Council Meeting Action List

Item No.	Date Added	Item	Action	Completion Target Date	Officer	Current Status	Date and Next Steps
							being undertaken, if there are cost overruns, where will the extra money come from?
10	27.03.25	Letters of Expectation for Westroads Limited and Destination Westland Limited	Circulate the letters to the Chairs of the CCOs.		Chief Executive		Letters were circulated to the Chairs of both Destination Westland Limited and Westroads Limited on 28 March 2025.
11	27.03.25	Draft Infrastructure Strategy and Draft Activity Management Plans			Asset Strategy & Development Manager		Council directed staff to undertake consultation with the community alongside the 2025–2034 Long Term Plan.
12	27.03.25	Draft Consultation Document and Draft Long Term Plan 2025-2034			Chief Executive		Council directed staff to undertake consultation with the community on the Draft Consultation Document and Draft Long Term Plan 2025-2034.

Report to Council



DATE: 17 April 2025

TO: Mayor and Councillors

FROM: Finance Manager

FINANCIAL PERFORMANCE – March 2025

1. Summary

- 1.1. The purpose of this report is to provide an indication of Council's financial performance for the month to 31 March 2025.
- 1.2. This issue arises from a requirement for sound financial governance and stewardship with regards to the financial performance and sustainability of a local authority.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2024, which are set out in the Enhanced Annual Plan 2024/2025. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council receive the financial performance report to 31 March 2025.

2. Background

- 2.1. Council receives monthly financial reporting so that it has current knowledge of its financial performance and position against budgets. A more detailed performance report is presented to the Risk and Assurance Committee (R&A Committee), on a quarterly basis which includes non-financial information against KPI's adopted through the Long Term Plan.

3. Current Situation

- 3.1. The information in the report is of a summarised nature, with only permanent variances over \$25,000 having comments. Temporary differences which are mainly budget phasing are not commented on as these will either approximate budget by the end of the financial year, or become a permanent variance which will be noted.
- 3.2. With the inclusion of the sustainability report, it is not necessary to include such detail to Council in the financial report, as the key business indicators are included in the sustainability report. A number of these indicators make up part of the covenants required to be reported half-yearly to the Local Government Funding Agency.

- 3.3. The financial performance report to 31 March 2025 is attached as **Appendix 1** and contains the following elements;
- 3.3.1.Sustainability report
 - 3.3.2.Statement of Comprehensive Revenue and Expense
 - 3.3.3.Notes to the Statement of Comprehensive Revenue and Expense
 - 3.3.4.Revenue and Expenditure Graphs
 - 3.3.5.Funding Impact Statement
 - 3.3.6.Statement of Financial Position
 - 3.3.7.Debtors
 - 3.3.8.Debt position
 - 3.3.9.Capital Report

4. Options

- 4.1. Option 1: That Council receives the Financial Performance Report to 31 March 2025.
- 4.2. Option 2: That Council does not receive the Financial Performance Report to 31 March 2025.

5. Risk Analysis

- 5.1. Risk has been considered and no risks have been identified in receiving the report, however if Council did not receive the report, it could be perceived that there was a lack of financial stewardship leading to reputational risk and conduct risk.

6. Health and Safety

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

7. Significance and Engagement

- 7.1. The level of significance has been assessed as being low as the report is for information purposes only.
- 7.2. No public consultation is considered necessary

8. Assessment of Options (including Financial Considerations)

- 8.1. Option 1: The Council receives the report. This report is to inform Council on the monthly financial position and to encourage financial stewardship.
- 8.2. Option 2: If the Council does not receive the report there will be no oversight of the financial position of Council or whether the costs of Council are being managed in line with budgets.
- 8.3. There are no financial implications to these options.

9. Preferred Option(s) and Reasons

9.1. The preferred option is Option 1.

9.2. The reason that Option 1 has been identified as the preferred option is that the report is administrative in nature and to do nothing could create risks to council. Council would be carrying out its administrative stewardship in receiving the report.

10. Recommendation(s)

10.1. That the Financial Performance Report for 31 March 2025 be received.

Lynley Truman
Finance Manager

Appendix 1: Finance Performance Report for 31 March 2025

Appendix 1



Financial Performance

Year to 31 March 2025

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Due to the earlier scheduling of the April meeting before Easter, there has been limited time for Finance to complete a full review and make any further necessary adjustments, such as additional accruals and forecast updates. Any required adjustments and re-forecasts will be updated in the April report.

Sustainability Report

Total revenue	Total expenditure	Total surplus/(deficit)
\$26.05M	\$28.19M	\$(2.14)M
Is 1.18% less than the total budget of \$26.36M	Is 9.19% more than the total budget of \$25.82M	Is 496.33% less than the total budget of \$0.54M

SUSTAINABILITY

Surplus/(Deficit) Key Variances

Budgeted surplus/(deficit)	\$0.54M
Actual surplus/(deficit)	<u>\$(2.14)M</u>
Variance:	\$(2.68)M

Key Variances:

Land Transport grant funding	\$(1.32)M
Non-Cash Swaps	\$(0.76)M
Emergency road maintenance	\$(0.40)M
Audit costs for LTP	\$(0.19)M
Demolition of racecourse stand costs	<u>\$(0.14)M</u>
Total key variances:	\$(2.81)M

Refer to the Notes to the Statement of Comprehensive Revenue & Expenditure for further information on these and other variances.

Rates to operating revenue **65.90%**

Rates Revenue	\$17.17M
Operating Revenue	\$26.05M

65.9% of operating revenue is derived from rates revenue. Rates revenue includes penalties, water supply by meter and is gross of remissions. Operating revenue excludes vested assets, and asset revaluation gains.

Balanced budget ratio **92.40%**

Operating revenue	\$26.05M
Operating expenditure	\$28.19M

Operating revenue should be equal or more than operating expenditure. Operating revenue excludes vested assets and asset revaluation gains. Operating expenditure includes depreciation and excludes landfill liability and loss on asset revaluations. Year to date revenue is 92.4% of operating expenditure. Operating Revenue is less than Operating Expenditure for two main reasons: Grant timing, specifically Roding grants, majority of which is expected in the 2nd half of the year and non-cash loss on swaps \$0.72M. Further explanation can be found in the Notes to Revenue and Expenditure.

Interest to rates revenue (LGFA Cov.)	3.19%
--	--------------

Net interest and finance	\$0.55M
Rates Revenue	\$17.17M

3.19% of rates revenue is paid in interest. Our set limit is 25% of rates revenue. Net interest is interest paid less interest received. 3.19% indicates that interest revenue is less than interest expense. Rates revenue includes penalties, water supply by meter and gross of remissions.

Interest to operating revenue	2.10%
--------------------------------------	--------------

Net Interest and finance	\$0.55M
Operating revenue	\$26.05M

2.1% of operating revenue is paid in interest. Our set limit is 10% of operating revenue. Net interest is interest paid less interest received. 2.1% indicates that interest revenue is less than interest expense.

Liquidity Risk (LGFA Cov.)	122.00%
-----------------------------------	----------------

Gross debt	\$34.32M
Undrawn committed facilities	\$3.98M
Cash and cash equivalents	\$7.18M

The liquidity risk policy requires us to maintain a minimum ratio of 110% which is also an LGFA covenant. Council's current liquidity risk is 122%.

Essential services ratio	52.83%
---------------------------------	---------------

Capital expenditure	\$2.33M
Depreciation	\$4.42M

Essential Services (ES) are Water Supply, Wastewater, Stormwater, and Rooding. Capital expenditure should be equal to or more than depreciation for essential services. Year to date capex is 52.83% of depreciation. This is largely due to low spend in Rooding to date. This is due to a timing issue where the majority of invoices are usually received in the second half of the year, as well as a change to the Land Transport Programme where funding for capital projects has been reallocated. It is unlikely that this benchmark will be met this financial year.

Statement of Comprehensive Revenue and Expenditure

	Notes	Full Year Forecast (\$000)	Full Year Budget (\$000)	YTD Budget (\$000)	Actual YTD (\$000)	Variance YTD (\$000)	Var/Bud %
Revenue							
Rates	01	23,044	22,958	17,083	17,169	86	0.50%
Grants and subsidies	02	8,698	13,268	5,335	4,431	(904)	(16.94%)
Interest Revenue	03	1,139	1,121	841	859	19	2.21%
Fees and Charges	04	3,047	2,603	1,955	2,399	444	22.70%
Other Revenue	05	1,655	1,610	1,149	1,194	45	3.91%
Total Operating Revenue		37,583	41,560	26,363	26,052	(311)	(1.18%)
Expenditure							
Employee Benefit expenses	06	7,345	7,162	5,374	5,557	183	3.41%
Finance Costs	07	1,847	1,760	1,320	1,407	87	6.60%
Depreciation	08	9,015	9,074	6,806	6,746	(59)	(0.87%)
Other Expenses	09	21,151	19,618	12,322	14,484	2,162	17.54%
Total Operating Expenditure		39,357	37,614	25,822	28,195	2,373	9.19%
Operating Surplus/(Deficit)		(1,774)	3,946	541	(2,143)	(2,683)	(496%)

Notes to the Statement of Comprehensive Revenue and Expenditure

Comments are provided on permanent variances over \$25,000.

01 Rates

Variance is due to metered water charges being higher than forecast.

02 Grants and subsidies

Transport:

- The budget spread for transport grants has been reviewed to align with expectations.
- Transport grants to date total \$2,394k (this does not include the Gorge Bridge claim mentioned below).

Other Grants received:

- \$160k for Otira Conveniences, fully offset by carryover budget.
- \$150k 2nd claim for the Hokitika Gorge Bridge (\$50k of this project is funded by WDC, the rest is grant funded).
- \$142k funding for Franz Josef Water Treatment Plant Emergency works.

03 Interest Revenue

- \$248k of interest revenue relates to CCTO interest recovered (refer also note 7 offset).
- Swaps under budget by \$155k (but refer to note 9)

04 Fees and charges

- Building and resource consent fees are over by \$99k and \$197k respectively due to higher consent numbers than anticipated as well as higher complexity (leading to more hours charged).
- The above increased revenue is offset by higher costs as per Note 09.
- Waste disposal levies are \$75k over, and refuse site fees for rubbish removal to Butlers Landfill are \$48k over, both

05 Other Revenue

- Of the Local Water Done Well project costs incurred so far, 2 thirds of this is recoverable, being \$37k.

06 Employee benefit expenses

- No specific material variances.

07 Finance Costs

- Includes unbudgeted interest expense on loans held on behalf of our CCTO (refer also note 3 offset)

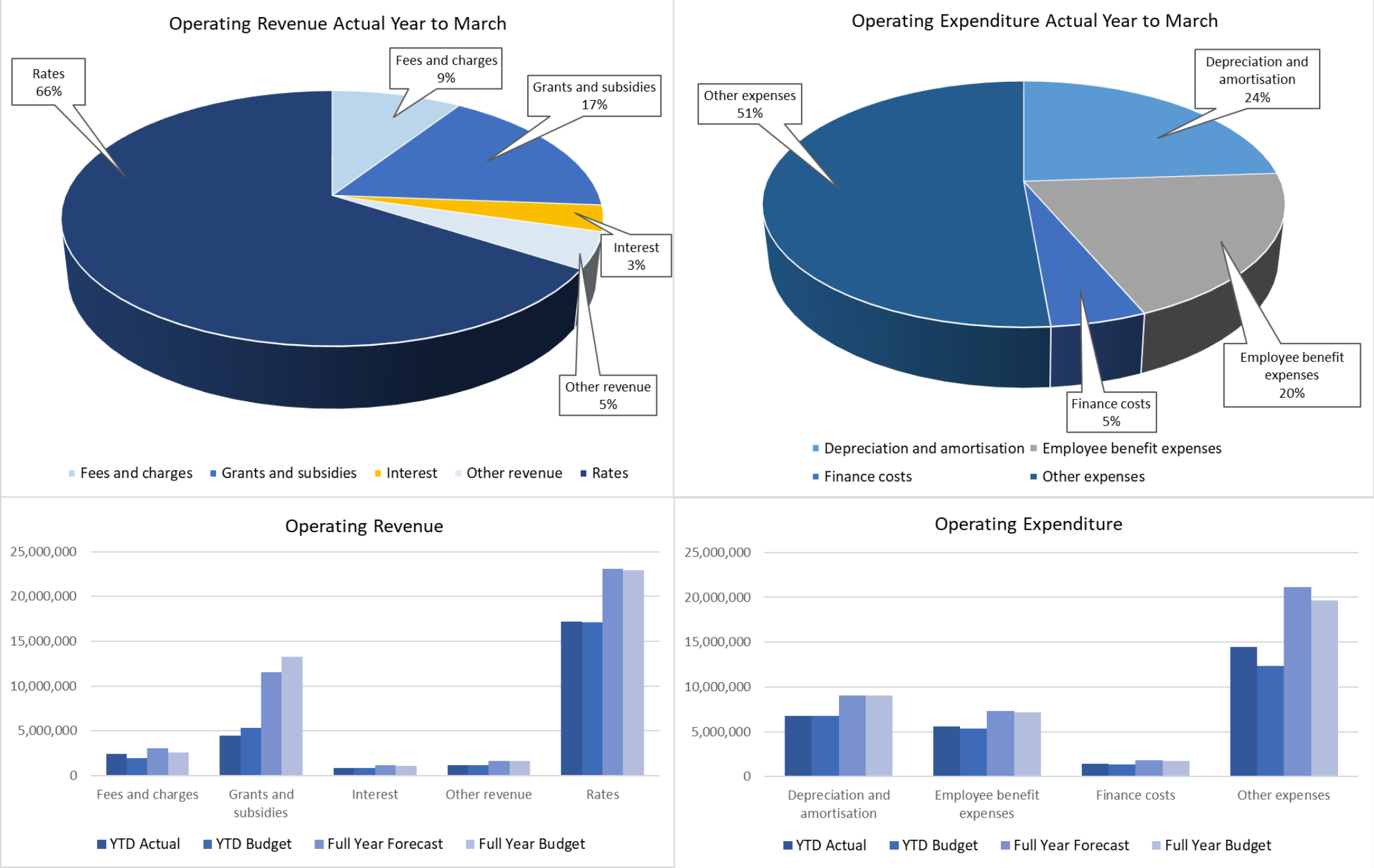
08 Depreciation

Depreciation is on track.

09 Other expenses

- Non-cash loss on swaps of \$765k recognized this year due to a significant drop in interest rates. Swaps are market driven and also move to par as they move to the maturity date.
- \$193k LTP audit costs were budgeted in the prior year so there is an approved carried forward budget.
- \$141k demolition costs for the Westland Racecourse were not budgeted for but are funded by reserves.
- Building & Resource consent processing costs are \$105k over (refer also to note 4 offset).
- Legal fees relating to Resource and Building consents are \$117k over (refer also to note 4).
- \$79k consultancy fees for the Local Water Done Well support package project - currently at planning stage. (Refer also to note 5 offset)
- Hokitika refuse collection costs are over by \$130k due to pricing escalations.
- Recoverable \$398k emergency road maintenance for slip removal following the weather event on 09 Nov.

Revenue & Expenditure Graphs



Funding Impact Statement

Funding Impact Statement for Whole of Council				
	2024 Annual Plan \$000	2024 Annual Report \$000	2025 Annual Plan \$000	2025 Actual \$000
(SURPLUS) / DEFICIT OF OPERATING FUNDING				
Sources of Operating Funding				
General rates, uniform annual general charges, rates penalties	11,131	11,174	10,925	8,092
Targeted Rates	8,135	7,717	12,034	9,077
Subsidies and grants for operating purposes	2,638	3,508	4,242	2,632
Fees and charges	2,232	2,744	2,603	2,358
Interest and dividends from investments	518	1,482	1,371	1,122
Local authorities fuel tax, fines, infringement fees, and other receipts	985	1,413	1,360	962
Total Operating Funding (A)	25,639	28,038	32,534	24,242
Applications of Operating Funding				
Payments to staff and suppliers	21,916	25,210	24,306	20,035
Finance Costs	1,130	1,803	1,760	1,407
Total Applications of Operating Funding (B)	23,047	27,013	26,066	21,442
Surplus/(Deficit) of Operating Funding (A - B)	2,592	1,025	6,468	2,800
(SURPLUS) / DEFICIT OF CAPITAL FUNDING				
Sources of Capital Funding				
Subsidies and grants for capital expenditure	7,205	6,373	9,026	1,799
Increase (decrease) in debt	6,887	4,500	3,888	-
Gross proceeds from sale of assets	-	125	-	-
Total Sources of Capital Funding (C)	14,092	10,998	12,914	1,799
Application of Capital Funding				
Capital Expenditure:				
- to meet additional demand	252	177	818	124
- to improve the level of service	10,600	6,656	7,600	2,909
- to replace existing assets	9,770	4,598	12,602	2,005
Increase (decrease) in reserves	(3,938)	591	(1,638)	(439)
Increase (decrease) of investments	-	-	-	-
Total Applications of Capital Funding (D)	16,684	12,023	19,382	4,599
Surplus/(Deficit) of Capital Funding (C - D)	(2,592)	(1,025)	(6,468)	(2,800)
Funding Balance ((A - B) + (C - D))	-	-	-	-

Statement of Financial Position

	At 31 March 2025 \$000	Annual Plan 2024/25 \$000	Actual 2023/2024 \$000
Assets			
Current assets			
Cash & cash equivalents	7,181	7,022	5,320
Debtors & other receivables	4,861	3,776	3,613
Inventory	233	-	208
Tax receivable	-	-	-
Derivative financial instruments	7	53	181
Other financial assets	4,467	128	8,271
Total Current Assets	16,749	10,978	17,594
Assets held for sale			
Land held for sale	446	-	446
Total Assets Held for Sale	446	-	446
Non-current assets			
Council Controlled Organisation	12,480	12,695	12,480
Deferred Tax	-	-	-
Intangible assets	119	74	141
Assets Under Construction	10,585	16,450	5,435
Derivative financial instruments	72	642	441
Other Financial Assets	1,702	776	1,703
Investment property	-	-	-
Property, Plant and Equipment	527,197	555,720	533,816
Term Inventory	-	-	-
Total Non-current assets	552,155	586,357	554,016
Total Assets	569,350	597,335	572,056
Liabilities			
Current liabilities			
Creditors & other payables	2,125	3,825	3,548
Employee benefit liabilities	760	545	589
Borrowings	7,918	6,000	8,218
Derivative financial instruments	-	-	-
Other	1,748	619	987
Total Current Liabilities	12,551	10,989	13,343
Non-current liabilities			
Deferred Tax	68	-	68
Employee benefit liabilities	42	32	36
Provisions	3,137	3,335	3,137
Borrowings	28,826	31,707	28,826
Derivative financial instruments	239	-	18
Total Non-Current Liabilities	32,312	35,073	32,084
Total Liabilities	44,863	46,062	45,427
Net Assets	524,487	551,273	526,630

	At 31 March 2025 \$000	Annual Plan 2024/25 \$000	Actual 2023/2024 \$000
Equity			
Retained Earnings	162,605	178,124	164,747
Restricted Reserves	10,295	7,110	10,295
Revaluation reserves	351,458	365,878	351,458
Other comprehensive revenue and expense reserve	130	161	130
Total Equity	524,487	551,273	526,630

Debtors 31 March 2025

31/03/2025 Current Year

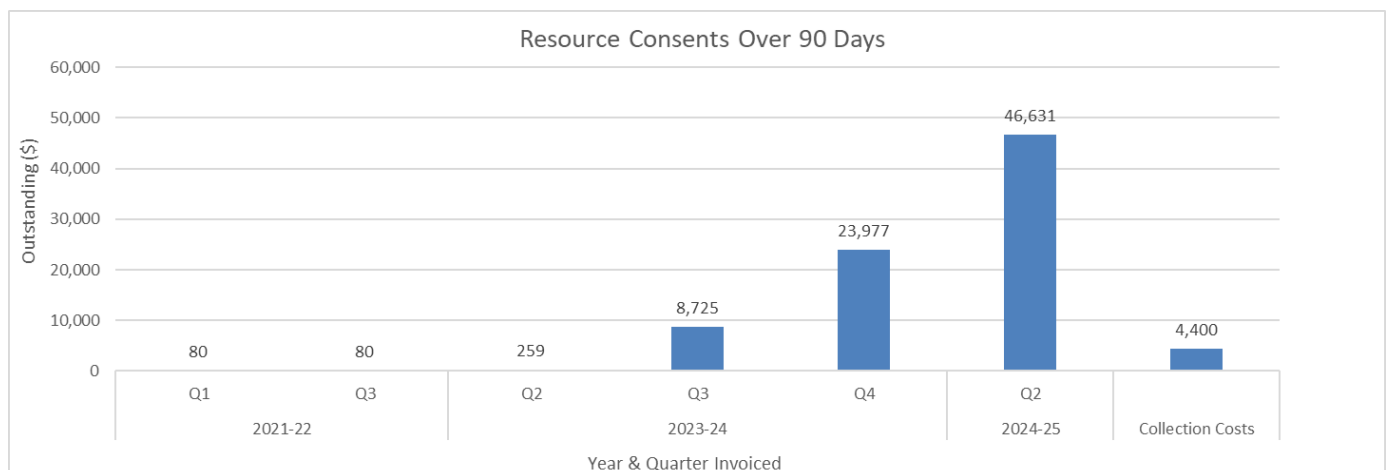
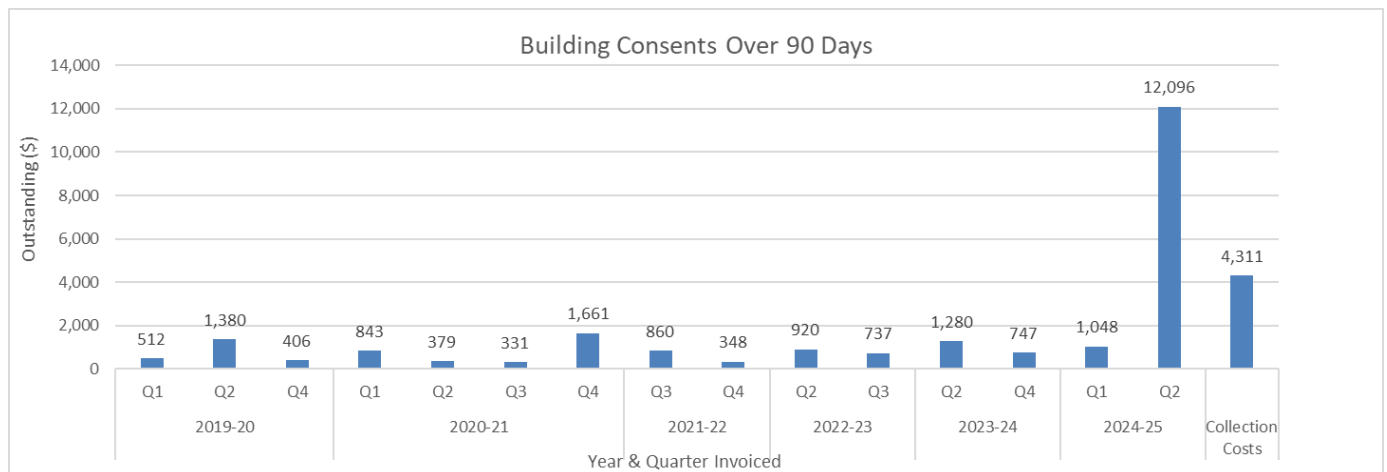
Type	Over 90 Days	60-90 Days	30-60 Days	Current	Total (\$)
Building Consents	27,858	5,668	10,109	21,299	64,934
Building Warrants	737	-	2,542	1,545	4,823
Resource Consents	84,152	2,095	4,710	33,844	124,801
Sundry Debtors	63,635	15,494	21,833	233,073	334,034
Grants Debtors	-	-	-	660,957	660,957
Grand Total	176,382	23,257	39,194	950,716	1,189,549

Grants outstanding as at 31/03/2025

Date Invoiced	Project	Total (\$)
7/03/2025	Hokitika Swimming Pool - Final Claim	138,000
11/03/2025	Civil Defence - Better Off Funding	26,368
14/03/2025	Mayors Taskforce for Jobs - Tranche 2	64,783
26/03/2025	Cycle Trail - Annual Opex Funding	51,750
27/03/2025	Infrastructure for Housing Development	380,055
		660,957

31/03/2024 Prior Year Comparison

Type	Over 90 Days	60-90 Days	30-60 Days	Current	Total (\$)
Building Consents	37,525	-	2,835	84,034	124,393
Building Warrants	2,148	-	248	1,130	3,525
Resource Consents	17,440	12,875	2,650	22,400	55,365
Sundry Debtors	42,107	5,676	39,851	271,474	359,108
Grant Debtors	372,659	-	198,373	0	571,031
Grand Total	471,878	18,551	243,956	379,038	1,113,422



Rates Debtors 31 March 2025

Rates Debtors at 28 February 2025		1,015,170
Adjustments	(1,286)	
Less payments received	(580,345)	
Paid in advance change	144,325	
Previous years write off's	(94)	
Write off's	(7,224)	
Penalties	-	
Discounts	-	
Court Cost	-	
		(444,625)
Total Rates Debtors at 31 March 2025		570,545
Arrears included above at 31 March 2025	570,545	
Arrears at 31 March 2024	537,799	
Increase/(decrease) in arrears		32,746

Rates debtors reduced over March by 43.8% as the 3rd instalment of the year was invoiced in January. Rates are invoiced quarterly and the majority of payments are due on the 20th month following the invoice date, however we are continuing to arrange more payment plans which spread the rates cost over the year.

Debt Position

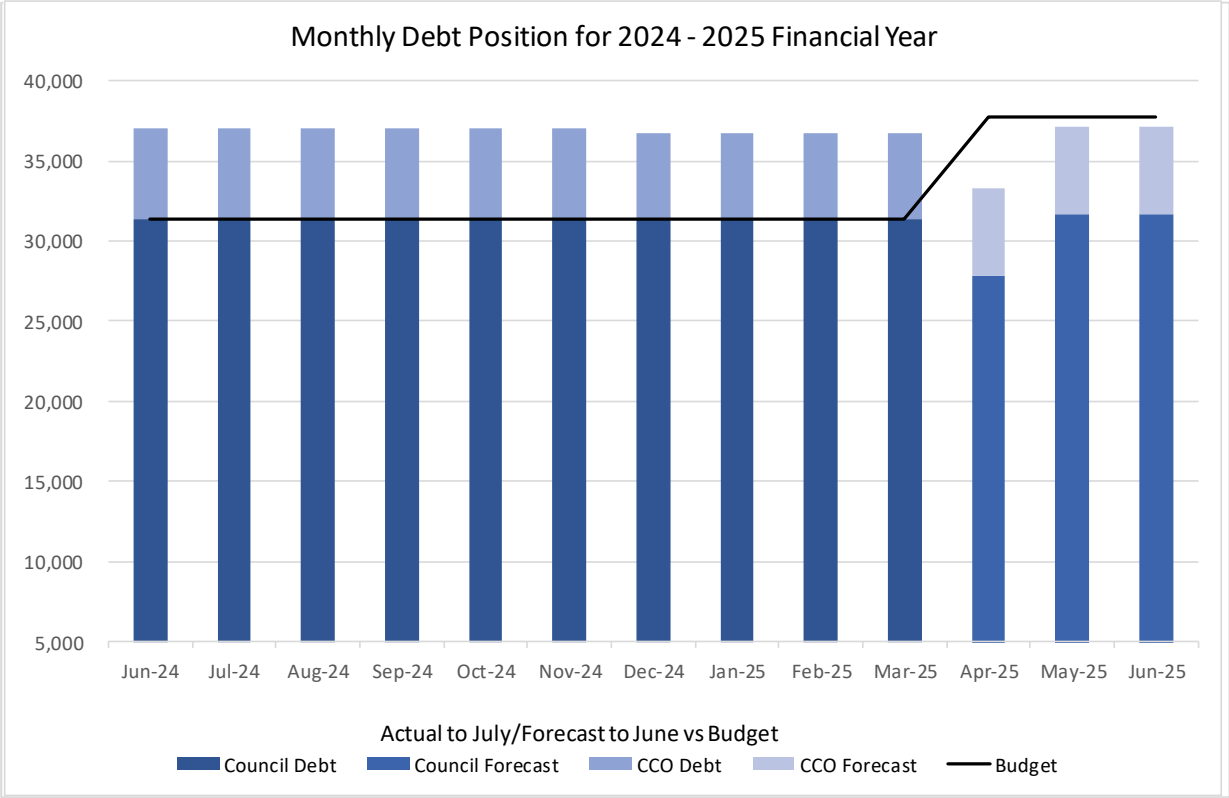
Debt Position 2024/2025 (\$000)

	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25
Actual Debt Position	37,044	37,044	37,044	37,044	37,044	37,044	36,744	36,744	36,744	36,744			
Budget	31,318	31,318	31,318	31,318	31,318	31,318	31,318	31,318	31,318	31,318	37,706	37,706	37,706
Forecast											33,244	37,120	37,120

Forecast Debt Position for 2024-2025 Financial Year

Forecast as at	Jun-24
Opening balance	37,044
Loan funded capex forecast	3,876
Forecast repayments	-3,800
Forecast balance June 2025	37,120

Figures include CCTO loans not originally budgeted for



Capital Expenditure

Capital Projects 2024/25 As at 31/03/2025			
Project / Activity	YtD Expenses	Annual Plan	Forecast
Leadership	313,917	577,291	455,499
Planning & Regulatory Services	0	186,939	0
Library & Museum	46,838	113,126	67,182
Water Supply	639,652	2,516,011	1,084,273
Waste Water	485,713	4,555,618	669,232
Solid waste	81,850	767,891	692,840
Storm water	206,189	1,392,340	238,962
Cemeteries	19,324	98,129	98,129
Swimming pools	(3,533)	635,249	7,163
Facilities & leisure services - other	1,573,795	2,611,444	3,451,313
Parks & reserves	377,666	1,036,786	447,833
Land transportation	443,969	9,240,974	3,765,181
Better Off Funded Projects	290,691	622,586	290,691
Less Operational Better Off Funding	(110,077)	(392,804)	(110,077)
	180,614	229,782	180,614
Unbudgeted capital expenditure	299,522	0	357,531
Funded Projects	388,829	0	388,829
Total	5,164,422	24,354,384	12,014,658
Total Less Operational Better Off Funding	5,054,344	23,961,580	11,904,580

For full details, please refer to report from District Assets.

Report to Council



DATE: 17th April 2025

TO: Mayor and Councillors

FROM: Planning Manager

Delegations Manual Amendment – Regulatory and Compliance Group and Planning Department

1. Summary

- 1.1. The purpose of this report is to request approval from Council for amendments to Part IV of the Delegations Manual adopted by the Council on 8 December 2024 (**current Delegations Manual**). The amendments are in relation to the Regulatory and Compliance Group and Planning Department delegations. Most of the amendments relate to the delegation of functions, powers, and duties under the Resource Management Act 1991 (**RMA**).
- 1.2. The amendments also include new delegations for the Council's functions, powers, and duties under the Fast Tracks Approval's Act 2024 (**FTAA**), so far as they relate to the Regulatory and Compliance Group and Planning Department functions.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2024, which are set out in the Enhanced Annual Plan 2024/2025. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council approves the proposed amendments to the current Delegations Manual as outlined in **Appendix 1**.

2. Background

- 2.1 A legal review of the Regulatory and Compliance Group's delegations was recently undertaken.
- 2.2 The amendments sought are the result from a legal review of the Regulatory and Compliance Group and Planning Department delegations in the current Delegations Manual. This review concluded that RMA delegations did not reflect the Council's current statutory functions, powers, and duties of the RMA, and noted that all the functions, powers, and duties were delegated to a single person, namely the Planning Manager. The RMA's restrictions on sub-delegation mean that others within the Regulatory and Compliance Group and Planning Department cannot be assigned these functions, powers, and duties by the Planning Manager.
- 2.3 That review identified that the delegations were somewhat unclear, and that many functions, powers, and duties under the RMA had not been delegated to council officers, additionally the review has shown that under the current Delegation Manual, RMA delegations were no longer fit for purpose.
- 2.4 It recommended that the current Delegations Manual be amended to:

2.4.1 Improve clarity;

2.4.2 Ensure that the RMA delegations were complete; and

2.4.3 Provide for council officers at the appropriate level of seniority and expertise to exercise RMA functions, powers, and duties.

2.5 Unlike most other statutory regimes, RMA functions, powers, and duties cannot be subdelegated by council officers, and must be delegated directly to the relevant officers by the Governing Body. It is therefore important that the delegations are comprehensive.

2.6 The FTAA, which has only recently been enacted, and its functions, powers, and duties have not yet been delegated. The timeframes set in the FTAA are short, and effective delegation of functions, powers, and duties is essential if these are to be met.

3. Current Situation

3.1. The current Delegations Manual delegates RMA functions, powers or duties to Planning Manager. It is not clear whether those functions, powers or duties have also been delegated to the Chief Executive Officer or the Group Manager Regulatory and Compliance that sit immediately above the Planning Manager in the Council's reporting structure. Under s 34A of the RMA, the Planning Manager is not able to sub-delegate any of these functions to staff that report to them.

3.2. The list of functions, powers or duties under the RMA is also not complete, with the result that a number of regulatory functions, powers or duties sit with the governing body.

3.3. The FTAA was enacted on 23 December 2024, and none of the Council's functions, powers, and duties under it have been delegated, and therefore all sit with the governing body. The functions, powers, and duties are largely operational in nature.

4. Options

4.1. Option 1: The proposed amendments in Appendix 1 are approved and the current Delegations Manual is updated accordingly.

4.2. Option 2: Appendix 1 is not approved, and the current Delegations Manual is unchanged.

4.3. Option 3: The RMA functions remain with the governing body.

5. Risk Analysis

5.1. The current Regulatory and Compliance Ground and Planning Department delegations do not allow for any RMA functions, powers or duties to be exercised at a level below the level of Planning Manager. While this allows a high-level oversight and risk management, it does create other risks.:

5.1.1 There is a risk that decisions will be made without the proper delegations. This could result in decisions being vulnerable to challenge.

5.1.2 Inadequate regulatory and compliance systems and processes may result in poor-quality or inefficient decision-making and associated liability.

5.1.3 The current Delegations Manual creates a risk that statutory timeframes are not met because of decision-making bottlenecks. This may result in the Council being subject to criticism or have to discount fees and charges that they would otherwise be able to recover.

5.2. There are also RMA functions, powers, and duties that have not been delegated in the current Delegation Manual. This includes (but not limited to) those in relation to:

- 5.2.1 the appointment of hearing commissioners;
- 5.2.2 the functions, powers, and duties of hearing commissioners;
- 5.2.3 the application of the Resource Management (Discount on Administrative Charges) Regulations 2010;
- 5.2.4 hearing and determining objections;
- 5.2.5 considering requests for direct referral to the Environment Court; and
- 5.2.6 issuing, varying and cancelling consent notices.

5.3. The amendments set out at Appendix 1 ensure that delegations reflect current legislative requirements and organisational structures, therefore managing risks.

6. Health and Safety

6.1. Health and safety has been considered, and the stress associated with the current Planning Department delegations has been identified as a potential concern. Currently, all RMA functions, powers or duties that have been delegated to council officers sit with the Planning Manager. The manager is not able to sub-delegate these decisions to others, and the ability of those they report to exercise the delegations is not clear. This means that the full operational burden of RMA decision-making processes falls to a single council officer.

7. Significance and Engagement

7.1. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy. The current Delegations Manual is not up to date with legislative requirements. The proposed amendments are an operational matter that will allow the Council to meet its vision and statutory obligations. No public consultation is considered necessary.

8. Assessment of Options (including Financial Considerations)

8.1. There are no financial implications associated with either option.

8.2. Section 10 of the Local Government Act 2002 states the purpose of local government is:

- 8.2.1 to enable democratic local decision-making and action by, and on behalf of, communities; and
- 8.2.2 to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

8.3. Good management and effective administrative practice dictate that decisions should be made at the lowest competent level. This provides for more expeditious administration and reflects the reality of many decisions required in local government.

8.4. Council has a duty to administer the RMA efficiently within its district. It is therefore important that delegations are kept up to date with the current RMA legislation.

8.5. The Council is bound by tight timeframes under the FTAA. It is therefore important that delegations provide for this regime.

8.6. The above aims are met by option 1, but not by options 2 or 3.

9. Preferred Option(s) and Reasons

9.1. The preferred option is Option 1.

9.2. The reasons that Option 1 has been identified as the preferred option are as follows:

9.2.1 It allows for more efficient decision-making, removing bottlenecks and allowing regulatory timeframes to be met;

9.2.2 It allows risks to be managed at an appropriate level of seniority; and

9.2.3 It improves clarity for those exercising delegations.

10. Recommendation(s)

10.1. That the report be received.

10.2. That the attached proposed amended delegations are approved, and replace the corresponding sections of the current Delegations Manual as follows:

Current Delegations Manual	Attached Proposed Delegations
26.3 Group Manager Regulatory and Compliance	26.3 Regulatory and Compliance Group
26.3.1 General Delegations	26.3.1 Group Manager Regulatory and Compliance General Delegations
26.3.2 Planning Manager	26.3.2 Planning Department
	26.3.2.1 Resource Management Act Delegations Table
	26.3.2.2 Other Statutory Delegations Table

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Appendix 1: Planning Delegations Manual with FTAA.

Appendix 1

26.3 Regulatory and Compliance Group

The tiers within the Regulatory and Compliance Group are as follows:

<u>Tier</u>		<u>Compliance</u>	<u>Building Control</u>	<u>Planning</u>
1	Chief Executive			
2	Group Manager Regulatory and Compliance			
3		Compliance Team Leader Regulatory	Building Control Manager	Planning Manager
4				Planning Team Leader
5				Senior Planner
6				Planner

“Officer” in tiers 4-6 include contractors that are engaged by the Council to carry out the same functions as the named roles in the table above and who are, at the relevant time, under the direction and control of the Chief Executive of the Council.

Any power delegated to a tier of officer can be exercised by officers in tiers above that person in their reporting line.

26.3.1 Group Manager Regulatory and Compliance General Delegations:

- Approve and issue and/or renew licenses for trading in public places.
- The functions, powers, duties and discretions of the Council pursuant to the Dog Control Act 1996.
- Issue permits for operations of an amusement device (Amusement Devices Regulations 1978, Regulation 11).
- Issue Cleansing Orders (Section 41 Health Act 1956) and carry out Disinfection of Premises (Section 81 Health Act 1956).
- Action under Section 183 Local Government Act 2002 in relation to removal of growth likely to constitute a fire hazard.
- Delegation of functions pursuant to Regulation 22 (1) Housing improvement Regulations 1947.
- Service of notices to occupiers of private land, to clear litter (Section 10, Litter Act 1979).
- Issue notices pursuant to Section 29 of the Health Act 1956.
- Issue of demolition requisitions and enforcement of demolition orders under Section 48 and Section 51 of the Health Act 1956

- Issue of certificate pursuant to Sections 42 and 48 of the Health Act.
- Issue of repair notices under Section 42 of the Health Act.
- Approve and issue and/or renew Certificates of Registration for all premises referred to in the Health (Registration of Premises) Regulations 1996.
- Issue Certificates of Exemption pursuant to Regulation 6 of the Food Hygiene Regulations 1974 and Regulation 14 of the Camping Ground Regulations 1985.
- Refund fees in respect of any withdrawn applications in proportion to the remainder less cost incurred by the time of withdrawal.
- Cancel a building line restriction pursuant to Section 327A of the Local Government Act, 1974 subject to all buildings being in conformity with the Operative District Plan.
- Approve of the creation of a right of way pursuant to Section 348 of the Local Government Act, 1974.
- Remedy contravention under the Forest and Rural Fires Act 1977 and to initiate proceedings to recover costs for such actions.
- File prosecutions for offences under the Forest and Rural Fires Act 1977.
- Issue fire restriction notices and burning permits pursuant to the Forest and Rural Fires Act 1977.
- The functions, powers and duties vested in Council pursuant to Council Bylaws, excluding those the making and amending of a bylaw and those powers that are given to warranted officers.
- All the functions, powers and duties delegated to the ~~Planning Manager~~, Building Control Manager, and Environmental Health Officer.

NOTE: The Group Manager Regulatory and Compliance may subdelegate any or all of the above.

- Remit fees and charges for volunteer or not-for-profit organisations. (Decisions to be reported back to the next meeting of Council.)
- Affix the Common Seal in accordance with Clause 32.1 of this manual.

26.3.2 Planning Department

Sub-delegation is prohibited under the Resource Management Act 1991, and so the powers under that Act are delegated by the Council directly to relevant officers, rather than to the Chief Executive, and then to officers via sub-delegation. These delegations are set out in the Resource Management Act Delegations Table at 26.3.2.1.

Regardless of the tier referred to in the Resource Management Act Delegations Table below, the Chief Executive, Group Manager Regulatory and Compliance, and Planning Manager all have the authority to exercise all of the powers, duties and functions listed. Where a power, duty or function is delegated to tier 5 or below, it can also be exercised by those who the delegate report to directly.

Where a delegation relates to litigation, it includes the ability to instruct counsel in relation to that

power.

The tier referred to in the table relates to the minimum tier that holds the delegation, and it can be exercised by those in tiers above that officer within the planning department.

Delegations to Hearing Commissioners (HC) are held by those officers or elected members who have been approved as Commissioners.

26.3.2.1 Resource Management Act Delegations Table

All powers, functions and duties are to be exercised in accordance with the requirements of the empowering section.

The table below sets out the powers of the Council as regulator or territorial authority. The Council's power as landowner to participate in processes under Resource Management act, by way of submission or otherwise, is a matter for the department responsible for the affected asset.

The delegations set out in the table below not preclude the Council from referring any matter to a committee (including a subcommittee) of the Council for a decision for any reason.

Any powers, functions or duties under the Resource Management Act 1991 not set out in the table below is delegated to the Chief Executive.

Resource Management Act section	Power	Tier
Regional Council Applications	In conjunction with the Group Manager: District Assets, make a submission on any Resource Consent notified by the West Coast Regional Council and give affected person approval on behalf of the Council.	3
Regional Council Plans	Make a submission for minor amendments and changes to any Plan or Policy Statement notified by the West Coast Regional Council <i>Any submission must be consistent with Council policy and any major change to a Plan or Policy Statement will be considered by the Council.</i>	3
Section 10(2)(b)	Grant an extension to the discontinuance period for an existing use right to be preserved.	3 HC
Section 34A	Power to appoint independent hearing commissioner to a hearing.	3
Section 36(5)	Remit fees and charges for volunteer or not-for-profit organisations. Decisions to be reported back to the next meeting of Council. Assess and require a person to pay any additional actual and reasonable charges.	3

Resource Management Act section	Power	Teir
Section 36AA	Calculate and apply any discount due in accordance with the Resource Management (Discount on Administrative Charges) Regulations 2010.	4
Section 36AA	Review the application of the Resource Management (Discount on Administrative Charges) Regulations 2010 following a request from the applicant	4
Section 36AAB	Approve the reimbursement of a fee where an application is withdrawn, and the processing costs are less than the fee. Adjust or write off any outstanding fees where it is determined that the fee requires adjustment, or it is unreasonable or not possible to try and collect it.	3
Sections 37 and 37A	Waive and extend time limits. Waive compliance with information requirement. Direct that the omission or inaccuracy in the information be rectified.	4
Section 38	Authorise an Officer/s to carry out all or any of the functions of an enforcement officer Power as an enforcement officer under the Resource Management Act.	1
Hearing Powers		
Section 39	Duty to ensure hearings are held in public and without unnecessary formality.	HC
Section 40(2)	Power, if it is considered that there is likely to be excessive repetition, to limit the circumstances in which parties having the same interest in a matter may speak or call evidence in support.	HC
Section 41(4)	Power to request and receive, from any person who makes a report under section 42A or who is heard by the authority or who is represented at the hearing, any information or advice that is relevant and reasonably necessary to determine the application.	HC
Section 41A	Power to regulate how the hearing is conducted.	HC
Section 41B	Power to make directions to provide evidence within time limits.	HC
Section 41C	Power to make directions or requests before or at hearing.	HC
Section 41C(5)	Duty to provide a copy of any further information requested and received before the hearing, to the applicant and every person who made a submission, as directed in the Act.	5
Section 42	Power to make sensitive information orders.	HC

Resource Management Act section	Power	Teir
Section 42A	Power to, at any reasonable time before a hearing or, if no hearing is to be held, before the decision is made, require an officer of a local authority or to commission a consultant or any other person employed for the purpose, to prepare a report on information provided on any matter by the applicant or any person who made submissions.	3
Resource Consents		
Section 87BA	Make determination on issuing permitted certificates for boundary activities.	3
Section 87BB	Give written notice that a marginal or temporary non-compliant activities is a permitted activity.	3
Section 87E	Determine requests for applications to be directly referred to the Environment Court.	2
Section 87F	Appoint a planner to prepare a report on the application for direct referral.	3
Section 88	Determine whether an application for a resource consent is incomplete and if so, return the application with written reasons for that determination.	6
Section 91	Determine not to proceed with the notification or hearing of an application pending application for additional consents.	6
Section 91C	Determine whether to return applications that have remained on hold for a total of more than 130 working days with written reasons.	6
Section 91F	Determine whether to return non-notified applications that have been suspended for a total of more than 20 working days with written reasons.	6
Section 92	Require further information to be provided, or to commission a report.	6
Section 92A	Set time limits within which further information requested must be provided.	6
Section 95A	Determine whether public notification of an application is required.	6
Section 95B	Determine whether to give limited notification where an application is not publicly notified.	6
Section 99	Initiate pre-hearing meetings. Act as chairperson at pre-hearings meetings.	3 HC
Section 99A	Refer applicants and persons who made submissions on the application to mediation. Appoint a delegated mediator.	3
Section 100	Determine that a hearing is necessary.	3

Resource Management Act section	Power	Teir
Section 100A	Select a commissioner when an applicant has requested one be appointed.	3
Section 101	Fix a date, time and place for a hearing.	4
Section 102	Make a decision to establish a joint hearing where applications in relation to the same proposal have been made to two or more consent authorities.	2
Section 103	Decide and arrange the holding of combined hearings where two or more applications are made to Council.	3
Section 104 Section 104A Section 104B Section 104C Section 104D Section 105 Section 106 Section 108 Section 108A Section 220	Determine resource consent application.	4 HC
Section 109	Decide whether any work subject of a bond or covenant is completed satisfactorily.	3
Section 110	Authorise the refund or return of a financial contribution in accordance with this section.	3
Section 114	Determine what other authorities and persons are considered appropriate to be notified of a decision on a resource consent application.	4
Section 116	Support or oppose any application made to the Environment Court pursuant to Section 116 for early commencement of a consent.	3
Section 124	Allow the holder of the consent to continue to operate pending determination of an application for a new consent for the same activity.	4
Section 125	Extend the period after which a resource consent lapses.	4
Section 126	Cancel a resource consent by written notice served on the consent holder. Revoke a notice to cancel a resource consent and state a period after which a new notice may be served.	3 HC
Section 127	Decide on an application for change to or cancellation of resource consent conditions.	4

Resource Management Act section	Power	Teir
Sections 128 to 132	Initiate review of a condition of a resource consent and decide following the review.	4
Section 133A	Correct minor mistakes or defects in resource consent within 20 working days of decision.	4
Section 138	Refuse to accept the surrender of part of a resource consent.	4
Section 139	Grant or refuse an application for a Certificate of Compliance.	4
Section 139A	Grant or refuse an application for an existing use certificate	4
Water conservation orders		
Section 201	Apply to the Minister for a Water Conservation Order	3
Section 205	Make a submission to a tribunal concerning an application made under section 204	3
Subdivision and reclamations		
Section 221	Issue, vary and cancel a consent notice.	4
Section 222	Issue a Completion Certificate.	4
Section 223	Approve and certify a survey plan.	5
Section 224	Certify all conditions of subdivision consent are met and that a survey plan under s 223 has been approved.	5
Section 226(1)(e)	Issue a certificate.	4
Section 232	Agree to an esplanade strip instrument.	4
Section 234	Grant or decline an application to vary or cancel an esplanade strip. Certify a varied or cancelled esplanade strip.	4
Section 237B	Agree to the creation, variation, or cancellation of access strip easements.	4

Resource Management Act section	Power	Teir
Section 237C	Close esplanade strip or access strip during periods of emergency or public risk likely to cause loss of life, injury, or serious damage to property.	3
Section 237D	Give written agreement that an esplanade reserve or riverbed ceasing to be vested in the territorial authority and classified or included in an existing reserve.	2
Sections 237E, 237F and 237G	Pay compensation in relation to esplanade reserves or strips in the required circumstances.	2
Section 237H	Object to the level of compensation determined by a registered valuer	2
Section 240	Cancel a covenant in whole or in part, in accordance with 240(4).	2
Section 241	Cancel in whole or in part, an amalgamation condition.	4
Section 243	Give written consent to the revocation, variation or transfer of easements.	4
Environment Court proceedings and other litigation Delegations in this part include the power to instruct external legal counsel and experts for the purposes of proceedings and litigation.		
Sections 274 and 313	File a notice of wish to be heard.	2
Section 294	Apply to the Environment Court for a rehearing.	2
Section 299	Appeal to the High Court.	2
Section 301	Give notice of intention to appear and be heard on appeal to the High Court (when an appeal is brought by another party).	2
Section 311	Apply to the Environment Court for a declaration.	2
Sections 316 and 320	Apply for enforcement order or interim enforcement order.	3
Section 318	Notify the Registrar that the Council wishes to be heard in relation to orders sought against it.	3
Section 325A	Cancel or confirm an abatement notice. Approve a request for change or cancellation of an abatement notice, and to give written notice of this.	4

Resource Management Act section	Power	Teir
Section 329	Issue water shortage direction	3
Emergency Works		
Sections 330 and 330A	In the case of emergency work, take preventative or remedial action, or require such action to be taken, advise the consent authorities (including regional council) of action taken, and apply for consent if necessary.	2
Section 331	Require reimbursement of actual and reasonable costs where occupier does not act as required.	3
Seized Property		
Section 336	Consider an application to return seized property.	3
Section 336(6)	Dispose of seized property in certain circumstances.	3
Prosecutions and Infringement Offences		
Section 343B	Serve an infringement notice as provided for in section 343C for an infringement offence, following discussions with direct manager. <i>Note: section requires that infringement notice be issued by an enforcement officer</i>	5
Sections 338 and 343B	Where no infringement notice is to be served, refer a case to the CE, and recommend: — Prosecution for an offence under s 338; or — File a charging document under section 14 of the Criminal Procedure Act 2011 for an infringement offence following legal review of investigation materials, and discussions with team leader	5
Sections 338 and 343B	Decide whether initiate a prosecution. File charging document under section 14 of the Criminal Procedure Act 2011.	2
	Discontinue prosecutions or withdrawn infringement notices	3
Miscellaneous		
Section 355	Reclaim land by applying to the relevant Minister for any right, title, or interest in the land reclaimed, which is land of the Crown, to be vested in the Council	2
Section 357(6), (7) and (8)	Object to the territorial authority, as requiring authority, in relation to notice of requirement.	2

Resource Management Act section	Power	Teir
Objections and Appeals		
Sections 357C and 357D	Grant an extension of time to lodge an objection. Consider, hear and determine any objections made under sections 357, 357A, or 357B.	3 HC
General	Determine whether to take Environment Court actions conditional on consultation with CE and legal and reporting any court action taken to the relevant committee.	3
General	Determine whether to initiate High Court, Court of Appeal or Supreme Court proceedings on points of law arising from a judgement of the Environment Court. Conditional on consultation with CE and legal and reporting any court action taken to the relevant committee	3
General	Agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the Environment Court, up to a value of \$10,000. Conditional on consultation with Group Manager and legal and reporting any settlements to the relevant committee.	3
Resource Management (Forms, Fees, and Procedure) Regulations 2003		
Sections 10, 10A, 12 and 12A	Serve persons affected. Require notice to be affixed to a conspicuous place.	3

26.3.2.2 Other Statutory Delegations Table

<i>Council to consider whether the following delegations should also be included.</i>		
Local Government Act 1974		
Section 319B(1)	Allocate numbers, and change the number allocated to any area of land or building within the Council's district.	3
Section 327A	Cancel a building line restriction.	3
Section 348	Approve of the creation of a right of way.	3
Local Government Act 2002		
Section 162	Make an application to the District Court seeking an injunction to restrain a person from committing a breach of a bylaw.	3

Section 179	Contract out administration of enforcement.	3
Fast Track Approvals Act 2024		
17(3)	Provide comments to the Minister regarding any competing applications that have been lodged, or any existing resource consents of the kind referred to in s 30(3)(a).	5
20	Respond to a request for further information from the Minister for Infrastructure.	5
30	Advise as to whether there are existing resource consents to which, or that there are no existing resource consents of that kind. Notify the authorised persons and holders of any existing consent as required by this section.	5
47(5)	Notify the Minister when a competing application has been determined and any rights of appeal that relate to that application have been exhausted.	5
53	Provide comments on substantive applications.	5
67	Provide further information or report in respect of a substantive application. Decline to provide the information or report and provide reasons for doing so.	5
70	Provide comments on draft conditions the Council will have statutory responsibility to enforce or monitor compliance with.	5
76	Respond to any ministerial request for further information. Provide advice in relation to request a decision is called in or transferred to a Minister.	5
90-91	Respond to a request for information that the EPA considers is held by the Council. The obligation to provide information under s 90 is subject to qualifications set out in s 91 where that information is sensitive to an iwi or a hapū.	5
104	Seek to recover actual and reasonable costs incurred in consulting. Provide assistance before an application is lodged, and in performing or exercising its functions, duties, or powers.	5
Schedule 3, clause 3	Nominate members for the expert panel.	3
Schedule 3, Clause 12	Assist the panel by providing advice if requested.	5