



# AGENDA

RĀRANGI TAKE

NOTICE OF AN ORDINARY MEETING OF

## COUNCIL

to be held on **Thursday, 29 April 2021** commencing at **1.00pm** in the Council Chambers, 36 Weld Street, Hokitika and via Zoom

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Chairperson:	His Worship the Mayor	
Members:	Cr Carruthers (Deputy)	Cr Davidson
	Cr Hart	Cr Hartshorne
	Cr Kennedy	Cr Keogan
	Cr Martin	Cr Neale
	Kw Tumahai	Kw Madgwick

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

## **Council Vision:**

*We work with the people of Westland to grow and protect our communities, our economy and our unique natural environment.*

## **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**

### **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 (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 separately via Microsoft Teams.

- **Ordinary Council Meeting Minutes – 25 March 2021**

## 6. ACTION LIST (Pages 6 - 8)

## 7. NGĀ TĀPAETANGA PRESENTATIONS

- **Te Tai o Poutini Plan (TTPP) Fast Track Proposal**  
Jo Armstrong, Project Manager, Te Tai o Poutini Plan  
(Approx. 1.15pm)
- **Junk2Funk Concept, Walls Motors Site**  
Claire O’Connell, Producer, Junk2Funk Wearable Arts  
(Approx. 1.45pm)

## 8. PŪRONGO KAIMAHI STAFF REPORTS

- **Financial Performance as at March 2021** - (Pages 9 - 25)  
Prabath Jayawardana, Finance Manager, Westland District Council
- **Road Naming for Unnamed Roads in Kumara and Takutai** - (Pages 26 - 31)  
Karl Jackson, Transportation Manager, Westland District Council
- **Proposed Committee Restructure** - (Pages 32 - 51)  
Simon Bastion, Chief Executive, Westland District Council
- **Hokitika Waste Water Treatment Plant (WWTP) - Oversight Committee** - (Pages 52 - 54)  
Simon Bastion, Chief Executive, Westland District Council
- **Adoption of Amended Statement of Technical Changes to the Long Term Plan 2018 - 2028** - (Pages 55 – 57)  
Emma Rae, Strategy and Communications Advisor, Westland District Council
- **Re-Adoption of the Westland District Council Water Supply Bylaw 2016** - (Pages 58 - 79)  
Martin Ross, 3 Waters Engineer, Westland District Council

## 9. ADMINISTRATIVE RESOLUTION

<p><b>Susan Teresa</b> <b>GOOCH</b></p>	<p>Warrant of Appointment - Building Control Officer</p>	<p>To act in the Westland District as:</p> <ul style="list-style-type: none"> <li>• An Officer pursuant to Section 174 of the Local Government Act 2002; and</li> <li>• An Authorised Officer pursuant to Section 222 of the Building Act 2004; and</li> <li>• An Enforcement Officer pursuant to Section 371b of the Building Act 2004; and</li> <li>• An Officer under the Westland District Council Bylaws; and</li> <li>• An Enforcement Officer pursuant to Section 38 of the Resource Management Act 1991.</li> </ul>
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## 10. CITIZENSHIP CEREMONY

*(Ceremony to be held at approximately 3.00pm to be followed by a light afternoon tea with recipients, their guests and elected members.)*

## 11. 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 – Council Meeting 25 March 2021.	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 or withholding exists.  Section 48(1)(a)
2.	Development West Coast 6 Monthly Update.	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 or withholding exists.  Section 48(1)(a)
3.	Appointment of District Licensing Committee Members.	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 or withholding exists. Section 48(1)(a)
4.	Franz Josef Master Plan.	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 or 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
3	<b><i>Other reasons for withholding official information</i></b> Where this section applies, good reason for withholding official information exists, for the purpose of section 5, unless, in the circumstances of the particular case, the withholding of that information is outweighed by other considerations which render it desirable, in the public interest, to make that information available. (Section 7)
3	Subject to sections 6, 8, and 17, this section applies if, and only if, the withholding of the information is necessary to— (Section 7 (2))
1,3,4	Protect the privacy of natural persons, including that of deceased natural persons. (Section 7(2)(a))
1,2,4	Protect information where the making available of the information: (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. (Section 7(2)(b))
1,2	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Section 7(2)(i))
3,4	Maintain the effective conduct of public affairs through— (i) the free and frank expression of opinions by or between or to members or officers or employees of any local authority, or any persons to whom section 2(5) applies, in the course of their duty; or (ii) the protection of such members, officers, employees, and persons from improper pressure or harassment. (Section 7(2)(f))

**DATE OF NEXT ORDINARY COUNCIL MEETING – 27 MAY 2021  
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

### 29.04.21 - Council Meeting - Action List

Date of Meeting	Item	Action	Completion Date/Target Date	Officer	Status
28.06.18	<p>Kaniere School Students – Cycle trail</p> <ol style="list-style-type: none"> <li>1. Crossing Progress</li> <li>2. Crossing Placement</li> <li>3. Site Visit</li> </ol> <p>(3 Actions merged 26.11.20 and updated)</p>	<p>Council staff to get back to the Kaniere School Students regarding the proposal.</p> <p>25.03 – Simon B to review the hard left corner as vehicles exit the bridge. Should the road layout be changed? Suggested going straight ahead and then turn left? Report back to the next Council Meeting.</p>	Oct 2020	DA & CE	<p>On the location of the crossing itself, this has been specifically situated to provide the correct level of advanced warning while also achieving optimum advanced sign visibility to all motorists. Relocation of this crossing closer to the bridge intersection would compromise the effectiveness and safety of this setup.</p> <p>The materials have been received for the crossing. Site visit to be confirmed in the near future so work can begin on installing the crossing.</p> <p>The site for the crossing has been agreed. Additional footpaths to be implemented as well.</p>
22.08.19	Fox Landfill	Council support staff in progressing their investigations into the engineering methodology, financial implications and funding mechanisms of the long-term options.	June 2021	GM & DA	<p>The PGF Funding application is supporting the relocation of the landfill material to Butlers Landfill plus funding to do a final sweep of Fox River for any visible remaining material has been successful. Glacier Guides has completed the river clean up</p> <ul style="list-style-type: none"> <li>• Fox River Landfill dig out and transfer to Butlers is 100% completed and signed off by external consultants that all material has been removed. Rock wall remediation underway.</li> <li>• Butler’s Landfill upgrade work to be consented and tender awarded – anticipate the process being completed by end of April.</li> </ul>
28.11.19	Iwi representation around the Council table	Mayor to write to the Minister of Local Government seeking advice.	In progress	Mayor & CE	Response received from DIA. Further discussions to be completed on next steps.

Date of Meeting	Item	Action	Completion Date/Target Date	Officer	Status
		25.03 – Meeting to be scheduled with Cr Hart and Cr Martin			Meeting to be set to start the process. Cr Martin & Cr Hart to be involved.
22.10.20	Hokitika Waste Water Treatment Plant	Provide monthly updates to Council	On going	CE & LS	3 Waters Stimulus Funding Delivery Plan conditionally approved for the Hokitika WWTP feasibility work. More detailed milestones and costs to be submitted for approval. Stantec has been appointed to prepare a cost proposal and commence with the stakeholder engagement process. IWI workshop date to be confirmed.  Meeting was held, report to Council to be presented today.
10.12.20	Committee/Subcommittee Meetings Structure	Review of the current structure.	April 2021	CE	To be presented at this meeting.
10.12.20	Gillespies Beach Miners Cemetery Closure	Update the community on the closure and advise of the future maintenance plan. Made reference to direct contact with historical families such as the Williams & Sullivan's.	2020/2021	CE & DA	DA has reach out to the effected members – no reply. Will provide another 30 days and consider this action completed.
10.12.20	Speed Limit Register Review – Stage 2	Review of the speed limits on the below roads/areas: Kokatahi/Kowhitirangi Area Old Christchurch Road Kaniere Road Lake Kaniere Road and surrounding areas (Hans Bay, Sunny Bight, Lake Kaniere)	2021	KJ	ON HOLD - To be conducted post NZTA speed limits review
10.12.20	Ross Chinese Gardens – Flooding issues	Update to Council on progress	Feb 2021	CE	Meeting held 27 <sup>th</sup> Jan. Decision to get pricing to raise the Liang ting above the water line in the existing position. Also community and DoC to discuss Jones Creek entrance to the Lake. Second meeting held and agreed way forward. Require some engineering input and RC. Working with DoC on this. Cr Keogan to work on a Masterplan with the Community.

Date of Meeting	Item	Action	Completion Date/Target Date	Officer	Status
25.03.21	Enviroschools Letter	WDC staff to send a letter to the West Coast Regional Council ahead of their Long Term Planning process advocating for them to get behind the Enviroschools Programme.		CE	Letter completed and sent 26.03.21
25.03.21	Mark Davies, DOC to speak at an upcoming Council Meeting.	Invite Mark Davies to speak to Council as the Operations Director around the issues DOC are facing with the National Park Management Plan. How can council Help?	April 2021	MS	Scheduled to speak at the May Council Meeting.
25.03.21	Workshop with WHL Directors and DW	To be scheduled to discuss pensioner housing strategy to report back to the Economic Development Committee.	Pre May Meeting	CE	To be confirmed
25.03.21	Kumara Gardens	Update to Council at the next meeting.	April 2021	CE	
25.03.21	Jobs for Nature	To follow up on progress and provide an update to Council at the next meeting.	April 2021	CE	



# Report to Council



**DATE:** 29 April 2021  
**TO:** Mayor and Councillors  
**FROM:** Finance Manager

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## **FINANCIAL PERFORMANCE: MARCH 2021**

### **1. Summary**

- 1.1. The purpose of this report is to provide an indication of Council's financial performance for nine months to 31 March 2021.
- 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 May 2018, which are set out in the Long Term Plan 2018-28. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council receive the financial performance report to 31 March 2021.

### **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 Audit and Risk Committee on a quarterly basis which includes non-financial information against KPI's adopted through the Long Term Plan.
- 2.2 The Audit and Risk Committee received a report to the end of December 2020 and did not find any issues of concern.

### **3. Current Situation**

- 3.1. The financial performance report has had some changes made to the format and the actual data presented.
- 3.2. The information in the report is now of a more summarised nature, with only permanent variances over \$25,000 having comments. Temporary differences which are mainly budget

phasing are not now commented on as these will either approximate budget by the end of the financial year, or become a permanent variance which will be noted.

3.3. With the inclusion of the sustainability report, it is not now necessary to include such detail to Council in the financial report, as the key business indicators are included in the sustainability report.

3.4. The financial performance report to 31 March 2021 attached as **Appendix 1** and contains the following elements;

3.4.1. Sustainability report

3.4.2. Statement of Comprehensive Revenue and Expense

3.4.3. Notes to the Statement of Comprehensive Revenue and Expense

3.4.4. Statement of Financial Position

3.4.5. Revenue and Expenditure Graphs

3.4.6. Debtors

3.4.7. Debt position

3.4.8. Capital expenditure

#### **4. Options**

4.1. Option 1: The Council receives the Financial Performance Report to March 2021

4.2. Option 2: The Council does not receive the Financial Performance Report to March 2021

#### **5. Risk Analysis**

5.1. Risk has been considered and no risks have been identified.

#### **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. There are no financial implications to this option.

8.3. Option 2: If the Council does not receive the report there will be no oversight of the financial position of Council or whether the activity groups are achieving their KPIs.

8.4. There are no financial implications to this option.

## **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 would create a financial risk 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 March 2021 be received.

**Prabath Jayawardana**  
**Finance Manager**

**Appendix 1:** Financial Performance to March 2021

## Appendix 1



# Financial Performance Year to March 2021

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## Sustainability Report

Total revenue	Total expenditure	Total surplus/(deficit)
<b>\$28.15M</b>	<b>\$19.58M</b>	<b>\$8.57M</b>
Is 52.18% more than the total budget of \$18.50M	Is 6.12% more than the total budget of \$18.45M	Against a budgeted surplus of \$0.08m

### SUSTAINABILITY

#### Rates to operating revenue 42.42%

Rates Revenue	\$11.94M
Operating Revenue	\$28.15M

42.42% 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 143.76%

Operating revenue	\$28.15M
Operating expenditure	\$19.58M

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 143.76% of operating expenditure.

#### Interest to rates revenue (LGFA Cov.) 3.51%

Net interest and finance costs	\$0.42M
Rates Revenue	\$11.94M

3.51% of rates revenue is paid in interest. Our set limit is 25% of rates revenue. Net interest is interest paid less interest received. Rates revenue includes penalties, water supply by meter and gross of remissions.

#### Interest to operating revenue 1.49%

Net Interest and finance costs	\$0.42M
Operating revenue	\$28.15M

1.49% of operating revenue is paid in interest. Our set limit is 10% of operating revenue. Net interest is interest paid less interest received.

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**Liquidity Risk (LGFA Cov.)****153%**

Gross debt	\$23.82M
Undrawn committed facilities	\$3.98M
Cash and cash equivalents	\$11.60M

Cash and cash equivalents includes a \$3M prefunded loan. 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 153%

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**Essential services ratio****118.63%**

Capital expenditure	\$5.19M
Depreciation	\$4.38M

Capital expenditure should be equal or more than depreciation for essential services. Year to date capex is 118.63% of depreciation. Essential Services are Water Supply, Wastewater, Stormwater, and Rooding.

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## Statement of Comprehensive Revenue and Expense

Statement of Comprehensive Revenue and Expense							
For the period ended March 2021							
	Notes	Full Year Forecast (\$000)	Full Year Budget (\$000)	YTD Budget (\$000)	Actual YTD (\$000)	Variance YTD (\$000)	Var/Bud %
<b>Revenue</b>							
Rates	01	15,934	15,907	11,915	11,942	27	0.22%
Grants and subsidies	02	7,738	5,593	4,274	13,240	8,966	209.80%
Interest Revenue	03	35	43	32	24	(8)	-24.53%
Fees and Charges	04	1,907	1,947	1,475	1,434	(41)	-2.75%
Other revenue	05	1,918	1,209	805	1,514	709	88.10%
<b>Total operating revenue</b>		<b>27,532</b>	<b>24,700</b>	<b>18,501</b>	<b>28,154</b>	<b>9,653</b>	<b>52.18%</b>
<b>Expenditure</b>							
Employee Benefit expenses	06	4,454	4,236	3,172	3,390	218	6.88%
Finance Costs	07	660	867	650	443	(207)	-31.82%
Depreciation	08	7,362	7,141	5,355	5,577	221	4.14%
Other expenses	09	13,270	12,373	9,276	10,173	897	9.67%
<b>Total operating expenditure</b>		<b>25,746</b>	<b>24,616</b>	<b>18,453</b>	<b>19,583</b>	<b>1,130</b>	<b>6.12%</b>
<b>Operating Surplus/(Deficit)</b>		<b>1,785</b>	<b>84</b>	<b>48</b>	<b>8,571</b>	<b>8,523</b>	



## Notes to the Statement of Comprehensive Revenue and Expense

### 01 Grants and subsidies

The variance of \$8.97m is mainly due to unbudgeted grants received for below projects;

- \$3.428m for 3 Waters Reform projects
- \$2.2m for Old Christchurch Road project and Corn street extension project
- \$400k for Jackson Bay wharf project
- \$539k for Community halls and War memorial renovation projects
- \$1.8m for Butlers new cell development project
- \$319k for Carnegie building project
- \$500k for Mayors task force job funding project
- \$128k for Waterfront development project
- \$45k received from NZ Libraries Partnership programme towards library staff cost
- \$122k for Haast potable water storage project
- \$64k for Franz water pump station project

These favourable variances are partially offset by lower than planned variances from NZTA (\$351k) and Responsible camping operational grants (\$215k). This is mainly due to operational reasons and budget phasing.

Although the YTD actual grant income is \$13.2m, only a portion of this will be recognized as income in this financial year based on spending and the remaining portion will be recognised in future years when grant conditions are met. This adjustment will be made at the year end and hence does not reflect in the YTD actual. However we have estimated that the forecast grant income will be \$7.7m based on forecasted spending and adjusted the grant income under full year forecast column to indicate the end of year position.

### 02 Fees and charges

Actual income is lower than planned mainly due to reduced refuse site fees (\$106k) due to low tourism activities in the region. This unfavourable variance is partially offset by the higher than expected LIM fees \$32k and building processing fees \$32k due to growing interest in the property market recently.

### 03 Other Revenue

Actual income is higher than planned mainly due to a gain on swaps (\$403k) as a result of movement in market forces such as interest rates, Civil defence recoveries on the 2019-20 flood events (\$209k) and 3W infrastructure stocktake & water connection recoveries (\$50k) income none of which were budgeted for.

### 04 Employee benefit expenses

Actual salary cost is higher than planned due to additional grant funded library roles, establishment of an In-house Human Resources function and transfer of museum staff to Council from Destination Westlands Limited during the year none of which were budgeted

### 05 Finance costs

This variance is mainly due to lower than expected interest rate prevailing in the market and efficient liquidity management.

**06 Depreciation and amortisation**

Actual depreciation is higher than anticipated due to capitalisation of some significant Rooding assets and Franz Josef Wastewater assets in last (2019-20) Financial year.

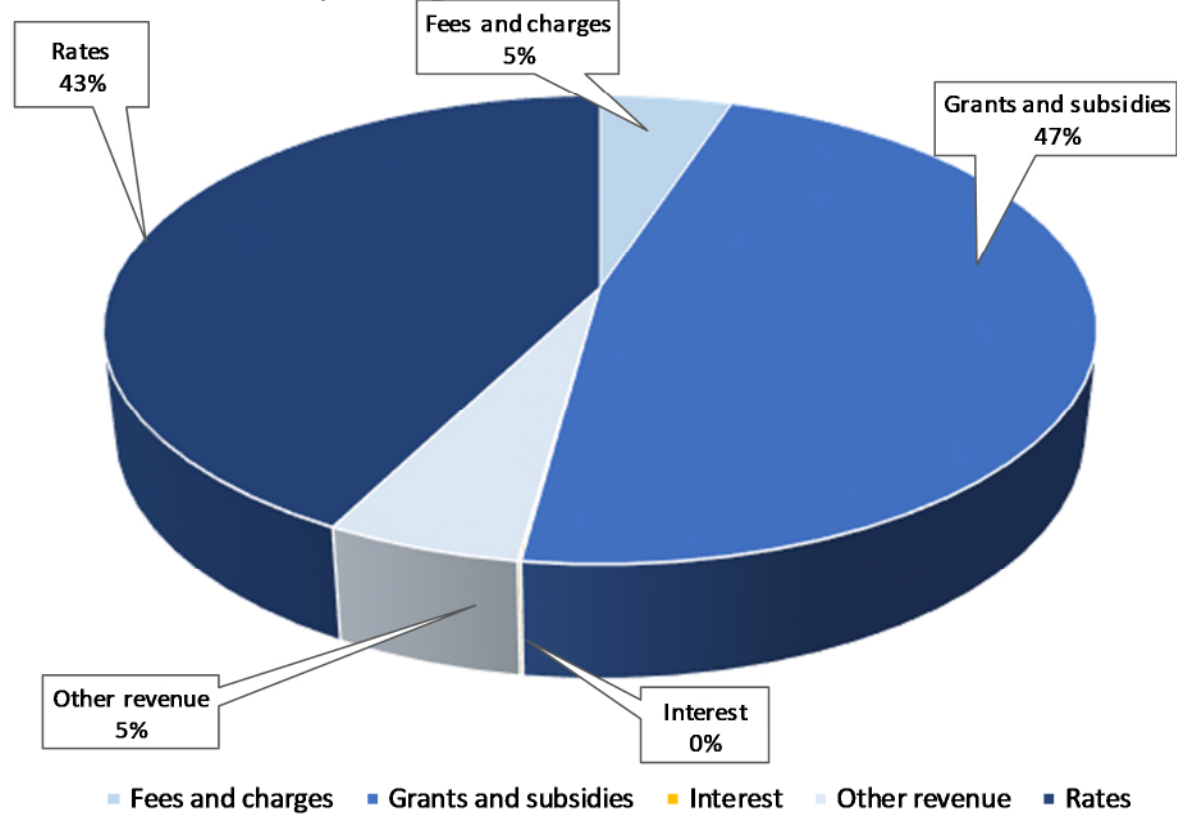
**07 Other expenses**

The variance is mainly due to unbudgeted expenditure incurred on Mayors Task Force for Jobs programme (\$174k) which is fully grant funded and unbudgeted rooding expenditure; drainage maintenance is \$282k higher than planned due to effects of 2019 storm events, \$213k on additional bridge inspections and \$181k on special purpose road repairs. The rooding expenditure is fully or partially subsidised by NZTA and therefore the true variance that is not due to unbudgeted additional grant is \$203k.

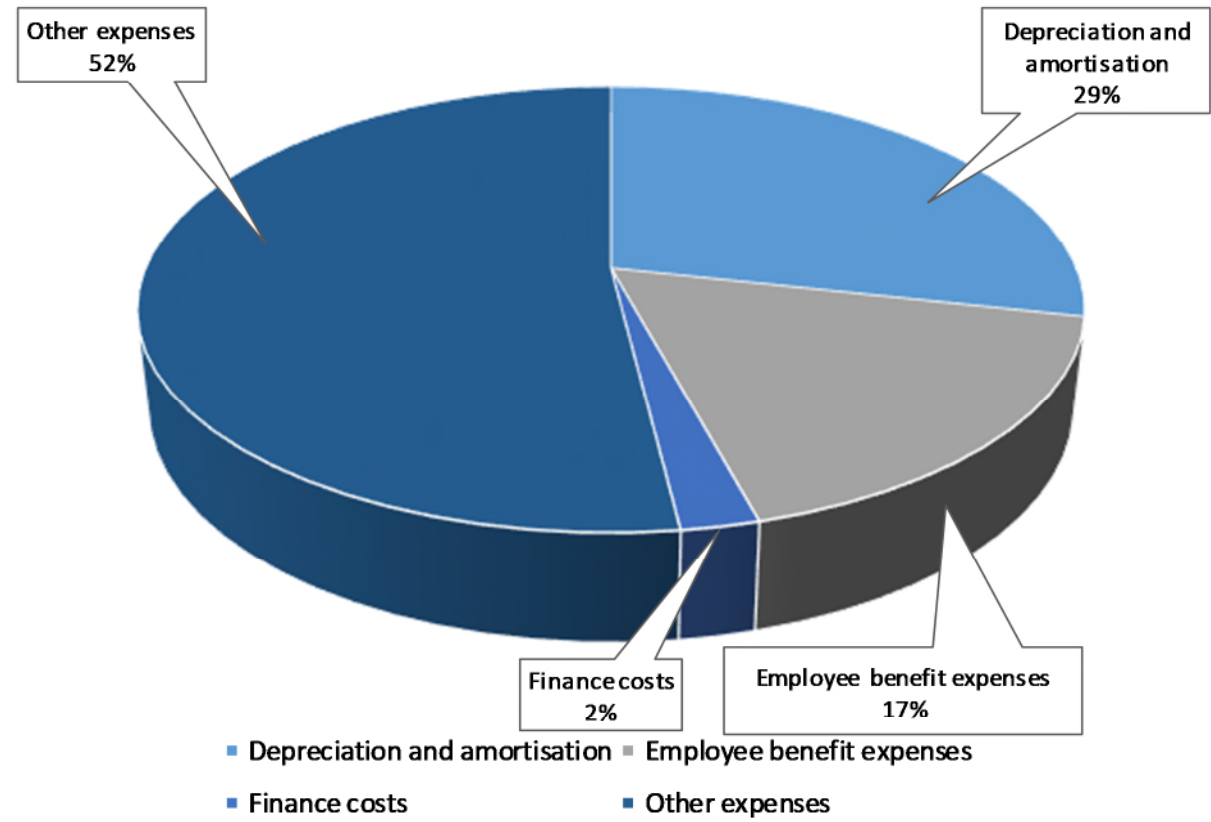
## Statement of Financial Position

Statement of Financial Position For the period ended March 2021			
	March 2021 (\$000)	Annual Plan 20/21 (\$000)	Actual 19/20 (\$000)
<b>Current Assets</b>			
Cash & cash equivalents	11,578	3,689	5,123
Debtors & other receivables	5,503	5,251	4,211
Other financial assets	-	-	48
<b>Total Current Assets</b>	<b>17,081</b>	<b>8,941</b>	<b>9,382</b>
<b>Non-current Assets</b>			
Council Controlled Organisation	8,695	8,695	8,695
Intangible assets	58	329	74
Assets Under Construction	10,674	1,474	2,955
Other Financial Assets	465	366	314
Property, Plant and Equipment	400,112	407,540	405,665
<b>Total Non-current assets</b>	<b>420,004</b>	<b>418,405</b>	<b>417,703</b>
<b>Total Assets</b>	<b>437,085</b>	<b>427,346</b>	<b>427,085</b>
<b>Current Liabilities</b>			
Creditors & other payables	929	2,807	3,407
Employee benefit liabilities	465	374	476
Tax payable	3	3	3
Borrowings	3,000	-	3,000
Derivative financial instruments	-	-	34
Other	1,155	395	425
<b>Total Current Liabilities</b>	<b>5,552</b>	<b>3,579</b>	<b>7,345</b>
<b>Non-current Liabilities</b>			
Borrowings	20,818	25,626	16,618
Employee benefit liabilities	41	38	42
Provisions	2,040	2,222	2,040
Derivative financial instruments	658	673	1,097
Other Non-current liabilities	32	32	32
<b>Total Non-Current Liabilities</b>	<b>23,589</b>	<b>28,591</b>	<b>19,829</b>
<b>Total Liabilities</b>	<b>29,141</b>	<b>32,170</b>	<b>27,174</b>
<b>Net Assets</b>	<b>407,944</b>	<b>395,175</b>	<b>399,912</b>
<b>Equity</b>			
Retained earnings	159,121	142,381	151,089
Restricted Reserves	9,038	10,774	9,038
Revaluation reserves	239,721	241,956	239,721
Other comprehensive revenue and expense reserve	64	64	64
<b>Total Equity</b>	<b>407,944</b>	<b>395,175</b>	<b>399,912</b>
<b>Note:</b>			
<b>Cash &amp; Cash Equivalents</b>	<b>\$</b>		
Unbudgeted Grants	5,500		
Prefunding of LGFA Loan	3,000		
Bank balance from operations	3,078		
	<u>11,578</u>		

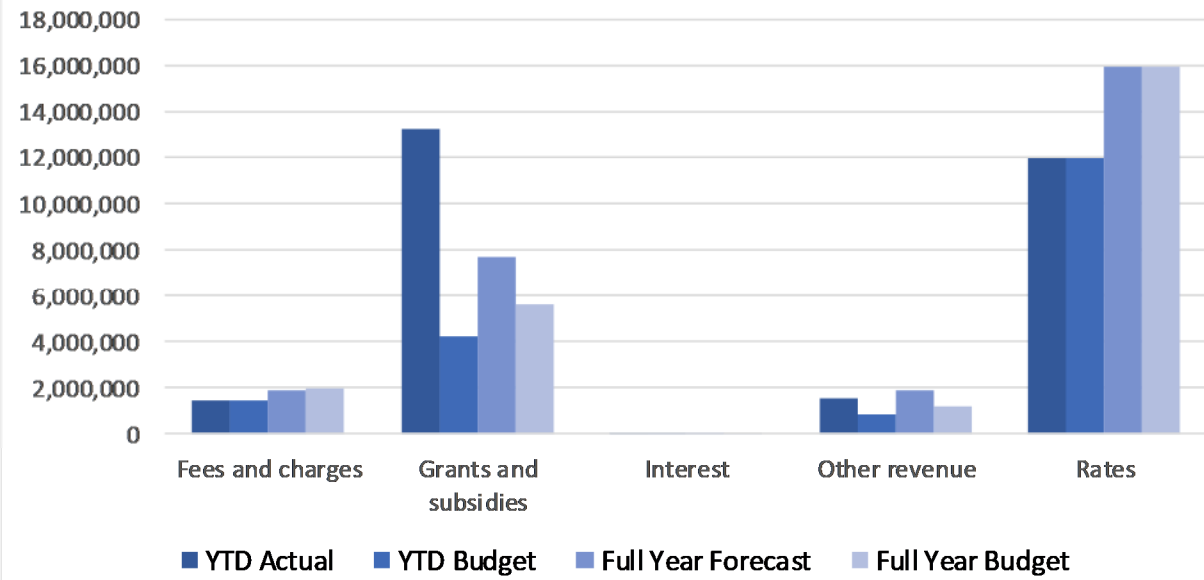
Operating Revenue Actual Year to March



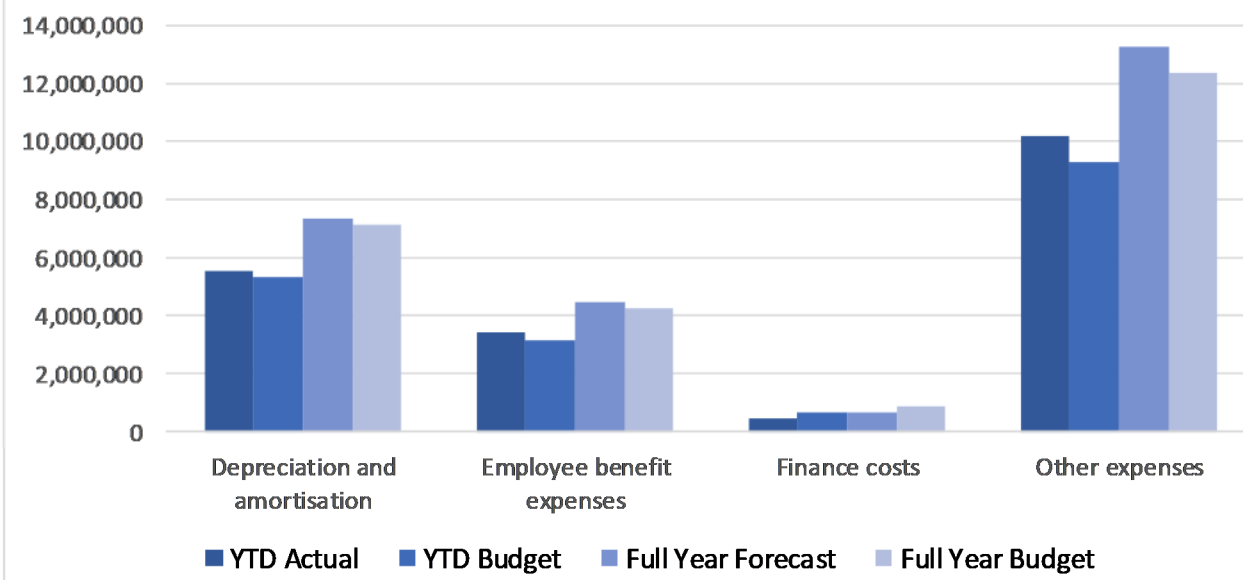
Operating Expenditure Actual Year to March



Operating revenue



Operating expenditure



## Debtors as at 31 March 2021

Type	Over 90 Days	60-90 Days	30-60 Days	Current	Total (\$)
Building Consents	23,714	8,644	4,428	2,420	39,206
Building Warrants	235			(290)	(55)
Resource Consents			253	(574)	(322)
Sundry Debtors	79,862	17,167	30,481	3,215,951	3,343,460
<b>Grand Total</b>	<b>103,811</b>	<b>25,812</b>	<b>35,161</b>	<b>3,217,507</b>	<b>3,382,290</b>

## Rates Debtors as at 31 March 2021

<b>Rates Debtors at 28 February 2021</b>		<b>1,065,048</b>
Rates instalment		
Less payments received	-578,114	
Paid in advance change	144,725	
Previous years write off's	-29,294	
Write off's	-22,981	
Penalties	19,817	
Discounts	-52	
Court Cost		
		-465,899
<b>Total Rates Debtors at 31 March 2021</b>		<b>599,149</b>
Arrears included above at 31 March 2021	599,149	
Arrears at 31 March 2020	508,705	
<b>Increase/(decrease) in arrears</b>		<b>90,443</b>

Note- the increase in rates arrears is a timing lag attributable to the post-pandemic economic environment.

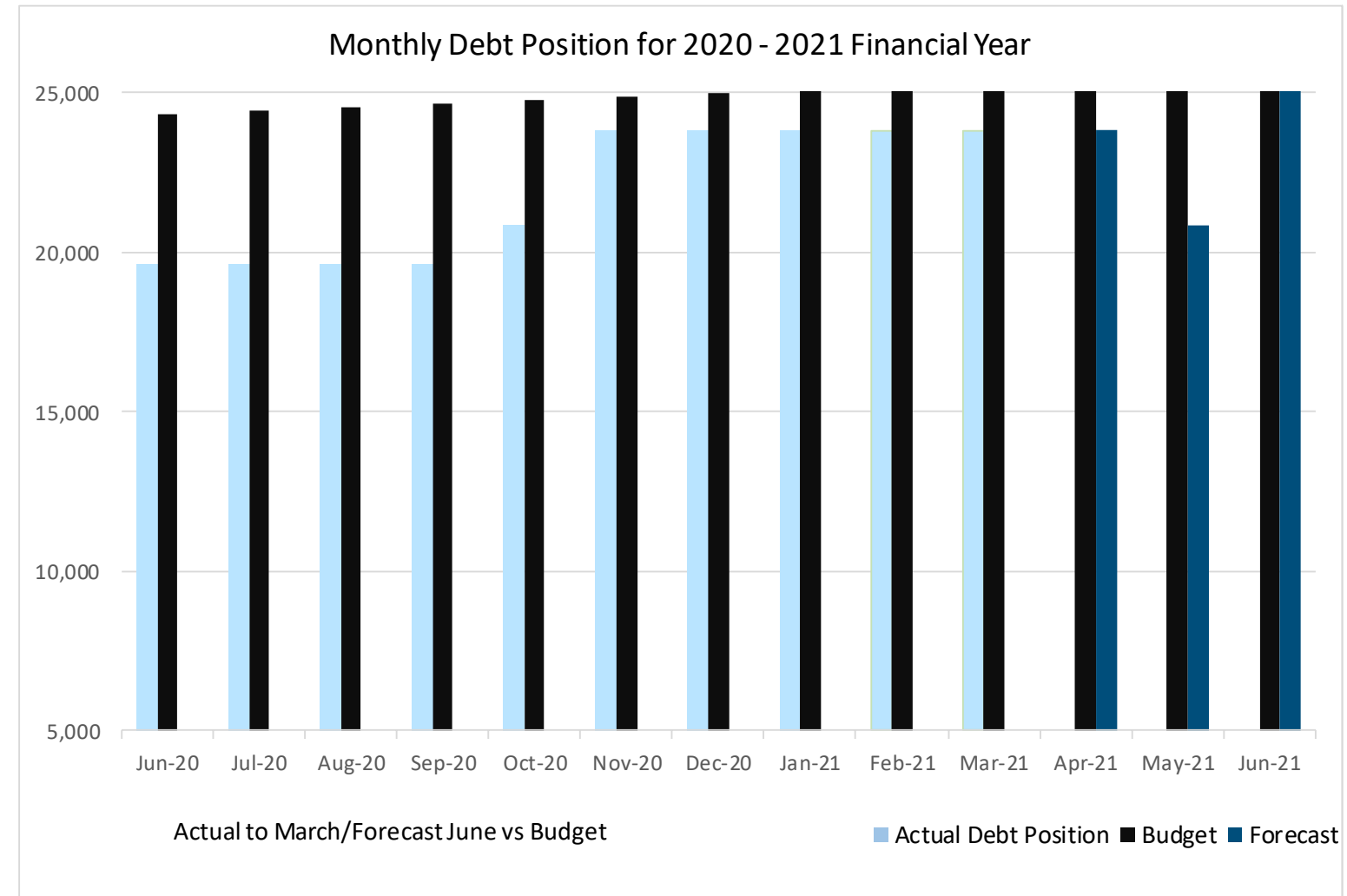
## Debt Position

### Debt Position 2020/2021 (\$000)

	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21
Actual Debt Position	19,618	19,618	19,618	19,618	20,818	23,818	23,818	23,818	23,818	23,818			
Budget	24,339	24,446	24,554	24,661	24,768	24,875	24,983	25,090	25,197	25,304	25,412	25,519	25,626
Forecast											23,818	20,818	25,618

### Forecast Debt Position for 2020-2021 Financial Year

Forecast as at	<b>Jun-21</b>
Opening Balance	19,618
Loan funded capex forecast	10,200
Forecast repayments 2020-21	-4,200
<b>Forecast balance June 2021</b>	<b>25,618</b>



Actual debt includes prefunding of \$3m to repay a loan that is due to mature in May 2021 to take advantage of lower interest rates prevailing in the market.

## Capital Expenditure

CAPITAL EXPENDITURE 2020-2021								
	Budgets		YTD Actual Expenditure	Budget Remaining	YTD Spent as a % of AP	Notes	Commitments	Commitment as a % of Budget Remaining
	2019-2020 Carried Forward Budget	Full Year Annual Plan (AP)						
Leadership	51,810	371,112	209,546	253,621	50%	Main projects included in this section are Council HQ refurbishment project, Refurbishment of visitor area project, Council HQ generator project, Website development and teleconferencing equipment projects. All the projects are on track except for the refurbishment of the visitor centre area project which is on hold pending further discussions around the location of Council Chambers. Also included is the purchase of the motor vehicle for the CEO.	115,464	46%
Planning & Regulatory Services	-	6,000	-	6,000	0%	This is the Noise meter project which is due to be ordered shortly.	-	0%
Facilities, and Leisure Services - Park & Reserves	102,278	847,710	4,291	945,698	0%	The main projects included in this section are Cass Square development projects (New Toilet, upgrade of playground equipment etc.), enhancement of WCWT project, Ross and Whataroa playground equipment upgrade projects. The Cass Square new toilets and the pavilion building improvements are now on hold as they are tied to the Masterplan for Cass Square and the race course. Apart from the proposed dog park which is not expected to be completed in this financial year, all projects are on track to be completed.	25,224	3%
Facilities, and Leisure Services - Other	615,857	1,291,395	493,539	1,775,100	26%	Some of the major projects included in this section are Carnegie building project, Civil Defence emergency projects (Containers & Operations centre), Hokitika swimming pool, and Hokitika and Franz Josef revitalization plan projects. The Hokitika swimming pool works will not commence until winter and are not expected to be completed in this financial year. Some minor museum works are on hold. All other projects with the exception of Jacksons Bay Wharf, are expected to be completed as planned in this financial year.	976,417	55%

## Capital Expenditure

Solid Waste	183,523	515,000	136,009	562,514	19%	The Butlers intermediate capping project has been postponed until 2022 due to post Covid stimulus funding received to transfer the Fox Landfill waste to Butlers Landfill. The Fox Glacier landfill armoring project has been cancelled also due to the stimulus funded programme. Franz Josef landfill armoring, Haast capping, Hari Hari and Neils Beach landfill are all on hold. The remaining projects have either been completed or are expected to be completed as planned.	21,943	4%
Stormwater	1,625,312	1,382,240	144,193	2,863,359	5%	The Hokitika stormwater mains replacement and new developments are on hold and the Jollie St extension has been deferred until 2021/22. The design and scope of the Linvingstone St pump upgrade is in progress but this project is not likely to be completed in this financial year. All other projects are on track for completion as planned.	62,468	2%
Transportation	-	2,776,940	1,545,517	1,438,549	56%	All capital projects will be completed before the year end as planned. Some of the major projects included here are Sealed Road Resurfacing (completed), Unsealed Road Metalling, Structures Component Replace project, Drainage Renewals, Sealed Road Pavement Rehabilitation project, Local, and SPR Low Cost Low Risk resilience project (also completed).	18,928	1%
Wastewater	1,532,881	2,681,156	373,829	3,844,448	9%	All the projects are on track to complete in this financial year except for the Hokitika Outfall structure project which was cancelled due to change in project scope. However this has been replaced by the WWTP upgrade project which is being funded by post Covid stimulus funding. Other Major projects included in here are Franz Josef Pump Station Upgrade project which is now complete, Hokitika and Franz Josef Waste Water Mains Replacement projects.	44,326	1%
Water Supply	1,144,069	1,335,550	496,774	2,150,034	20%	The Fox Glacier Plant and mains upgrade projects has been awarded and is progressing. The Ross new intake project is currently under construction. Construction has commenced at the Arahura water treatment plant but is not expected to be completed in this financial year. Other projects are also on track to be completed.	603,336	28%



## Capital Expenditure

<b>Total Capital Expenditure</b>	<b>5,255,730</b>	<b>11,207,103</b>	<b>3,403,696</b>	<b>13,839,322</b>	<b>21%</b>	Due to the lags in receiving invoices from some major contractors, the value of outstanding commitments are now incorporated to provide a better indication of progress.	<b>1,868,106</b>	<b>13%</b>
<b>Projects in WIP from 2019-2020</b>	<b>656,901</b>	<b>-</b>	<b>683,750</b>	<b>119,366</b>	<b>104%</b>	The main projects included in this section are Sunset point development project which is almost complete and Franz Josef - Mains upgrade programme. All projects are on track to be completed in this financial year.	<b>39,244</b>	<b>33%</b>
<b>Total Unbudgeted Capital Expenditure</b>	<b>15,997,134</b>	<b>-</b>	<b>3,657,072</b>	<b>13,101,071</b>	<b>23%</b>	The main projects included here are the sealing of Old Christchurch Road (\$1.5M PGF grant funded), Butlers new cell development project (\$3.3M) which is on track but not expected to be completed in this financial year and the Stimulus Funded 3Waters Reform projects (\$6.9M) which are commencing as contracts are being awarded.	<b>3,364,086</b>	<b>26%</b>
<b>Total Capital Expenditure</b>	<b>21,909,765</b>	<b>11,207,103</b>	<b>7,744,518</b>	<b>27,059,759</b>	<b>23%</b>		<b>5,271,436</b>	<b>19%</b>

# Report to Council



**DATE:** 29 April 2021  
**TO:** Mayor and Councillors  
**FROM:** Transportation Manager

---

## ROAD NAMING FOR UNNAMED ROADS IN KUMARA AND TAKUTAI

### 1. Summary

- 1.1. The purpose of this report is to assign road names to two unnamed roads within the District.
- 1.2. This issue arises from various sources,
  - 1.2.1 A resident of Kumara has requested that an unnamed road that they currently live on is allocated the name that is in line with what locals already know the road to be, and
  - 1.2.2 A developer has requested that a new road within his completed subdivision is allocated a name from the two options presented.
- 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 May 2018, which are set out in the Long Term Plan 2018-28. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council adopts the preferred road names that have been put forward for consideration.

### 2. Background

- 2.1. There are three reasons why this report has come to Council.
  - 2.1.1. A resident in Kumara presently living along the unnamed road to the eastern edge of the Kumara Township has applied to have the name officially recognised by the local name by which it is known (Boundary Road). Presently the applicant has a property address allocated off the Otira Highway and they believe that this does not accurately represent their true location given the proximity to Kumara and the unnamed road that their property is situated on. As such they have requested a number to be allocated off the Unnamed Road.
  - 2.1.2. When Takutai Terrace development was extended up to the second terrace a road name was never submitted on the subdivision plans. Normal procedure for this is that names are suggested by a developer at the time of subdivision and these are tested for suitability by Council Officers prior to being finalised and included on the official plans. Once the plans are approved and submitted to Land Information New Zealand (LINZ) the name is officially registered. This process was missed in this instance so now a name must be approved by Council (by way of resolution) for registration on the LINZ database.
  - 2.1.3. All the land parcels on these two sections of unnamed road need to be allocated street numbering. In order to do so the roads must first have names to allocate numbers to.

Presently the Kumara sections are numbered off the Otira Highway and these will need to be renumbered off the newly allocated road name. The residents are aware of this and have requested this to occur.

### **3. Current Situation**

3.1. Presently neither road has been allocated any name. However only one choice has been presented for the Kumara Road. This is because the request is to formalise what is already a widely known local name for a road the forms a boundary between the township of Kumara and the settlement of Dillmanstown.

### **4. Options**

4.1. Option 1: Council names the unnamed section of road on the eastern side of the Kumara Township (as detailed in appendix 1) "Boundary Road" and that the unnamed new section of road off Takutai Terrace (as detailed in appendix 2) be named "Ricochet Road".

4.2. Option 2: Council names the unnamed section of road on the eastern side of the Kumara Township (as detailed in appendix 1) "Boundary Road" and that the unnamed new section of road off Takutai Terrace (as detailed in appendix 3) be named "Haul Road".

4.3. Option 3: Council declines all suggested names and calls for public suggestions on suitable/acceptable names for these roads.

### **5. Risk Analysis**

5.1. Risk has been considered and no risks have been identified.

### **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 this is largely an administrative formality.

7.2. No public consultation is considered necessary

### **8. Assessment of Options (including Financial Considerations)**

8.1. Option 1 – Council names the unnamed section of road on the eastern side of the Kumara Township (as detailed in appendix 1) "Boundary Road" and that the unnamed new section of road off Takutai Terrace (as detailed in appendix 2) be named "Ricochet Road".

8.1.1. The following financial implications have been identified. Once allocated, Council will need to provide name blade signs for each location. Cost for these is approximately \$300 per site installed and able to be accommodated within existing budget allocations.

8.2. Option 2 – Council names the unnamed section of road on the eastern side of the Kumara Township (as detailed in appendix 1) "Boundary Road" and that the unnamed new section of road off Takutai Terrace (as detailed in appendix 3) be named "Haul Road".

8.2.1. The following financial implications have been identified. Once allocated, Council will need to provide name blade signs for each location. Cost for these is approximately \$300 per site installed and able to be accommodated within existing budget allocations.

8.3. Option 3 – Option 3: Council declines all suggested names and calls for public suggestions on suitable/acceptable names for these roads.

8.3.1. Cost for signs once names have been allocated will be approximately \$300 per site installed, however there will be an additional cost for staff time to carry out and evaluate a public consultation process. This could add a minimum of \$2000 to the overall process.

## 9. Preferred Option(s) and Reasons

9.1. The preferred option is Option 1 - Council names the unnamed section of road on the eastern side of the Kumara Township (as detailed in appendix 1) "Boundary Road" and that the unnamed new section of road off Takutai Terrace (as detailed in appendix 2) be named "Ricochet Road".

9.2. The reason that Option 1 has been identified as the preferred option is that it provides the most appropriate names for the two unnamed roads. Boundary Road is the only option provided for Kumara as the residents already refer to the road by that name. Ricochet Road is the preferred option for Takutai as it provides a better and more unique and interesting connection to the mining history of the area.

## 10. Recommendation(s)

10.1. That the report be received.

10.2. Council resolves to adopt Option 1 - Council names the unnamed section of road on the eastern side of the Kumara Township (as detailed in appendix 1) "Boundary Road" and that the unnamed new section of road off Takutai Terrace (as detailed in appendix 2) be named "Ricochet Road".

**Karl Jackson**  
**Transportation Manager**

**Appendix 1:** Map of unnamed road, eastern side of the Kumara Township, proposed name Boundary Road.

**Appendix 2:** Map of unnamed road, Takutai Terrace, proposed name Ricochet Road.

**Appendix 3:** Map of unnamed road, Takutai Terrace, proposed name Haul Road.



Scale: 1:1000  
Original Sheet Size A4

Projection: NZGD49 / New Zealand Map Grid  
Bounds: 2361455.83170042,5839434.04452311  
2361647.97575298,5839672.91888889

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Scale: 1:2000  
Original Sheet Size A4

Projection: NZGD49 / New Zealand Map Grid  
Bounds: 2342294.40934518, 5827855.41425865  
2342691.74484302, 5828349.38356855

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# Report to Council



**DATE:** 29 April 2021  
**TO:** Mayor and Councillors  
**FROM:** Chief Executive

---

## **PROPOSED COMMITTEE RESTRUCTURE**

### **1. Summary**

- 1.1. The purpose of this report is to recommend to Council a proposal to restructure the existing Standing Committees and Sub-Committees and that consideration be given to meeting frequency to recognise that elected members and Iwi representatives have commitments to other organisations, boards and committees outside of Council.
- 1.2. This issue arises through discussions at the 5 November 2020 Audit and Risk Committee workshop, which identified the need to streamline the Council's committee structure.
- 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 May 2018, which are set out in the Long Term Plan 2018-28. Refer page 2 of the agenda. This report concludes by recommending that from 1 July 2021, Council adopt the amended Committee Structure as proposed.

### **2. Background**

- 2.1 The reason the report has come before the Council is due to a discussion at the 10 December 2020 Council Meeting, following the identification of the issue at the aforementioned workshop, that the Committee Structure could be revised to reduce cross-reporting with various Committees about the same subjects, and the associated staff resourcing that is required to service the Committees.

### **3. Current Situation**

- 3.1. The current situation is that Council has six Standing Committees comprising of the Audit and Risk, Capital Projects and Tenders, Economic Development, Planning and Regulatory Services, Community Development and the CE's Review Committee. The Council also has 2 subcommittees - the West Coast Wilderness Trail and the Parks, Reserves and Environment.
- 3.2. The proposal is to dis-establish the Economic Development Committee and transfer all delegations to the full Council.
- 3.3. The proposal to rename the Planning and Regulatory Committee to the Planning Committee and transfer regulatory delegations to the full Council.
- 3.4. The proposal to dis-establish the Parks, Reserves and Environment Subcommittee and transfer all delegations to the Planning Committee.



- 3.5. The current and proposed Committee structure is attached as **Appendix 1.**
- 3.6. The Proposed Committee structure responsibilities is attached as **Appendix 2.**
- 3.7. The current and proposed elected members Committee membership attached as **Appendix 3.**
- 3.8. The amended Terms of Reference for the proposed Committees is attached as **Appendix 4.**

#### **4. Options**

- 4.1. Option 1: Adopt the amended Committee Structure (including the proposed dis-establishment of the Economic Development Committee, the Parks, Reserves and Environment Subcommittee and the removal of Regulatory functions to full Council), and adopt the amended Terms of Reference.
- 4.2. Option 2: Not adopt the amended Committee Structure and Terms of Reference, and continuing with the status quo.
- 4.3. Option 3: Council propose further amendments to the Committee Structure and Terms of Reference.

#### **5. Risk Analysis**

- 5.1. Risk has been considered and a risk has been identified around the staff workload in relation to Committees and is covered in item 6.1 above. Potential risks could be staff missing legislative deadlines, reports that have not been well researched due to time constraints, and could potentially result in the omission of information that may have the potential to change a decision that Council may make if the information was included.

#### **6. Health and Safety**

- 6.1. Health and Safety has been taken into consideration, and the health and wellbeing of staff has been identified on multiple occasions by both Councillors and executive staff as a risk to the organisation, due to the current workloads that staff have been placed under.

#### **7. Significance and Engagement**

- 7.1. The level of significance has been assessed as being of low significance as it is administrative in nature.
- 7.2. No public consultation is considered necessary as the public will be made aware of any administrative changes via this report and attachments, and information on the Committee Structure will be updated on the Council Website.

#### **8. Assessment of Options (including Financial Considerations)**

- 8.1. Option 1 is the preferred option which is to adopt the Committee Structure amendments and changes to the Terms of Reference for the Committees. This will enable a more streamlined approach to the Committee Structure.
- 8.2. Option 2 is not the preferred option.
- 8.3. Option 3 is for Council to determine.
- 8.4. The following financial implications have been identified and relate to the Remuneration of members who may no longer chair committees, leaving the remainder of the funding pool to be reallocated as applicable. Councillors only receive a payment for Chairing a Committee of Council and not sub-committees. The proposed structure does not change the current chairs.

## 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 Committee structure would become more streamlined and reporting would become more efficient for both elected members and staff.

## 10. Recommendation(s)

10.1 That the report be received.

10.2 That Council adopt the amended Committee structure in Appendix 1 as follows:

### Standing Committees:

- Audit and Risk Committee
- Capital Projects and Tenders Committee
- Planning Committee
- Community Development Committee
- CE's Review Committee

### Subcommittee:

- West Coast Wilderness Trail Subcommittee

### Disestablishment and/or transfer of the following delegations

- Economic Development Committee
- Parks, Reserves and Environment Committee
- Regulatory delegations transferred to full Council.

10.3 That Council adopt the amended Terms of Reference for the 5 Standing Committees.

10.4 That the meeting calendar be updated to reflect the frequency and scheduling of Committee Meetings.

**Simon Bastion**  
**Chief Executive**

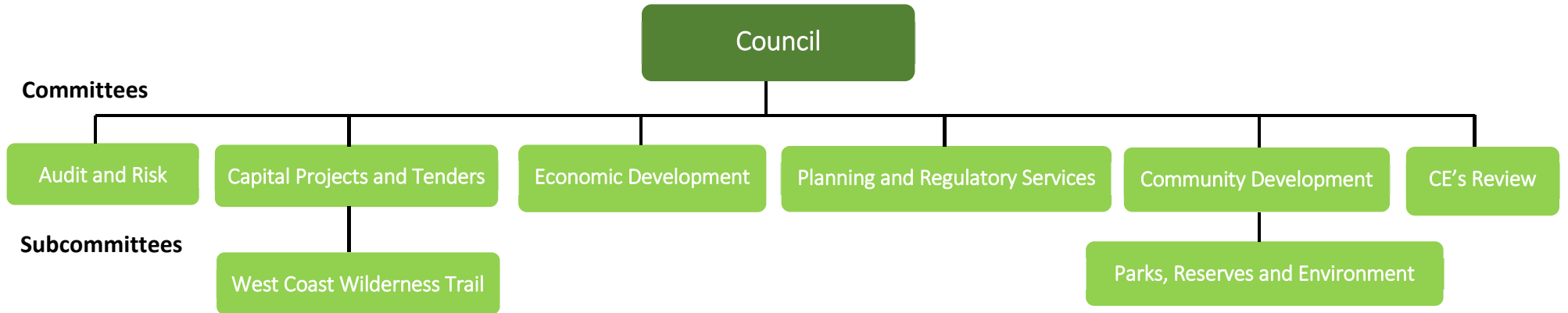
**Appendix 1:** Current and Proposed Committee Structure

**Appendix 2:** Proposed Committee Structure Responsibilities

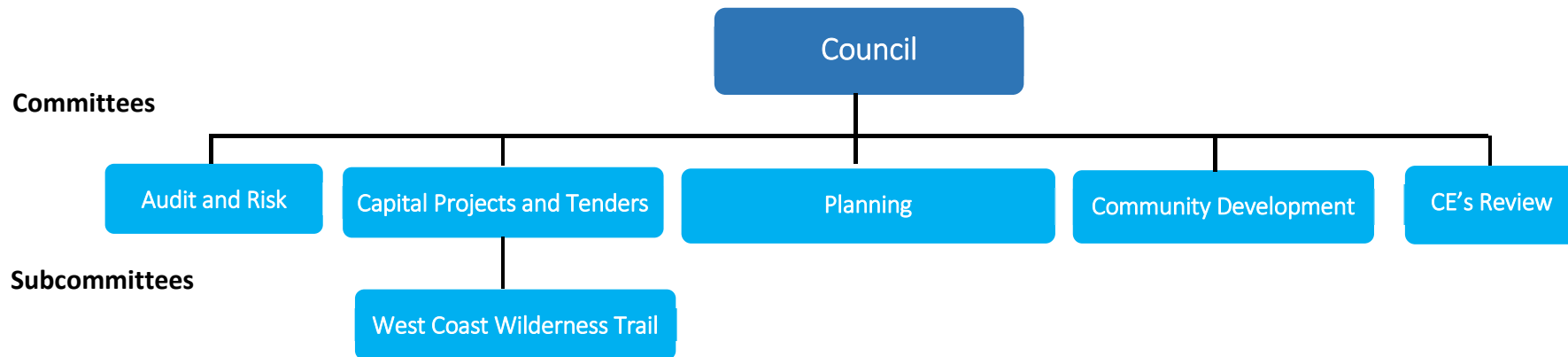
**Appendix 3:** Current and Proposed Elected Members Committee Membership

**Appendix 4:** Amended Terms of Reference for Committees

### CURRENT COMMITTEE STRUCTURE



### PROPOSED COMMITTEE STRUCTURE



PROPOSED COMMITTEE/SUBCOMMITTEE RESPONSIBILITIES

- **Economic Development Committee** – To be merged with Council as the activities of this committee align with Council’s purpose and responsibility around policy and strategies. The independent committee members from Destination Westland, Westroads and Development West Coast would now report directly to Council.
- **Parks, Reserves and Environment Subcommittee** – To be merged with the Planning Committee.
- **Regulatory Services** – Will now report to full Council.

Audit and Risk Committee	Capital Projects and Tenders Committee	Planning Committee	Community Development Committee	Chief Executive’s Review Committee	West Coast Wilderness Trail Subcommittee
<p><b>Responsibilities</b></p> <p><b>External Audit</b></p> <ul style="list-style-type: none"> <li>- Engage with Council’s external auditors</li> <li>- Recommendations to Council for external audits</li> <li>- Review of the annual &amp; LTP audit</li> <li>- Monitor managements response to audit reports and expectations</li> </ul> <p><b>Internal Controls</b></p> <ul style="list-style-type: none"> <li>- Monitor corporate policies make recommendations</li> <li>- Review/Monitor the documentation of policies and procedures</li> <li>- Work with the CE around the quality of cost-effective internal control and risk management systems</li> <li>- Proper application of process</li> <li>- Monitor the delivery of the internal audit work programme</li> <li>- Review of the annual internal audit plans</li> </ul>	<p><b>Internal Responsibilities</b></p> <p>Responsible for considering all capital expenditure proposals within the LTP with particular focus on:</p> <ul style="list-style-type: none"> <li>- Strategic Plan Objectives</li> <li>- Financial sustainability for each proposal</li> <li>- Prioritisation of projects reflects the community needs</li> <li>- Receiving tender reports for evaluation</li> <li>- Approving project tenders post tender evaluation</li> <li>- Report to full Council on a regular basis concerning all large capital project updates as required</li> <li>- Review risk profiles for projects</li> </ul>	<p><i>(Parks, Reserves and Environment Subcommittee to be merged with this committee.)</i></p> <p>Responsible for the oversight of all matters relating to Council’s planning functions and the development of policies and strategies in relation to those functions.</p> <ul style="list-style-type: none"> <li>- Resource Management Act 1991</li> <li>- Westland District Plan</li> <li>- Te Tai o Poutini Plan</li> <li>- Reserves Act 1977</li> <li>- Responsibility for all matters related to the District’s environment, including the environment of neighbouring districts and water bodies</li> <li>- Parks and Reserves Management</li> <li>- Hokitika CBD Revitalisation</li> <li>- Other planning matters not otherwise defined</li> </ul>	<p>Focuses on matters relating to social, cultural and the community wellbeing.</p> <ul style="list-style-type: none"> <li>- Promotes active citizenship, community participation and community partnerships</li> <li>- Seeks to address cultural, social and economic disadvantage and promote equality for residences of Westland</li> <li>- Works alongside Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio</li> <li>- Works in partnership of key agencies, organisations, communities of place, identity and interest</li> <li>- Contributes to social and community wellbeing</li> </ul> <p>As required it considers and reports to Council on issues such as:</p> <ul style="list-style-type: none"> <li>- Community Organisations</li> <li>- Culture and Heritage</li> <li>- Youth Development</li> <li>- Public Health</li> <li>- Safe Communities</li> </ul>	<p>Remain the status quo</p>	<p>Remain the status quo</p>

<ul style="list-style-type: none"> <li>- Assess recommendations are properly implemented</li> <li>- Oversee Health and Safety Requirements</li> <li>- Review Policies and Bylaws</li> <li>- Monitor Insurance Policies</li> </ul>			<ul style="list-style-type: none"> <li>- Local and community events, programmes and activities</li> <li>- Community Development and support, including grants</li> <li>- Community Engagement and participation</li> <li>- Communities of place, identity and interest</li> <li>- Creative communities</li> </ul>		
<p><b>Members:</b></p> <ul style="list-style-type: none"> <li>- Rachael Dean (Independent Chair)</li> <li>- His Worship the Mayor</li> <li>- Deputy Mayor Carruthers</li> <li>- Cr Anna Hart</li> <li>- Cr Jane Neale</li> <li>- Kw Francois Tumahai</li> <li>- Kw Paul Madgwick</li> </ul>	<p><b>Members:</b></p> <ul style="list-style-type: none"> <li>- Deputy Mayor David Carruthers (Chair)</li> <li>- His Worship the Mayor</li> <li>- Cr Paul Davidson</li> <li>- Cr Anna Hart</li> <li>- Cr Ian Hartshorne</li> <li>- Kw Francois Tumahai</li> <li>- Kw Paul Madgwick</li> </ul>	<p><b>Members:</b></p> <ul style="list-style-type: none"> <li>- Cr Latham Martin (Chair)</li> <li>- His Worship the Mayor</li> <li>- Cr Paul Davidson</li> <li>- Cr Ryan Kennedy</li> <li>- Cr Neale</li> <li>- Kw Francois Tumahai</li> <li>- Kw Paul Madgwick</li> <li>- Heritage and cultural representation from the Westland District</li> <li>- Community representation from the Southern, Northern and Hokitika Wards.</li> </ul>	<p><b>Members:</b></p> <ul style="list-style-type: none"> <li>- Cr Latham Martin (Chair)</li> <li>- His Worship the Mayor (ex officio)</li> <li>- Deputy Mayor David Carruthers</li> <li>- Cr Paul Davison</li> <li>- Cr Jenny Keogan</li> <li>- Cr Jane Neale</li> <li>- Kw Francois Tumahai</li> <li>- Kw Paul Madgwick</li> <li>- Southern Ward Representative</li> <li>- Community Representation</li> </ul>	<p><b>Members:</b></p> <ul style="list-style-type: none"> <li>- His Worship the Mayor (Chair)</li> <li>- Deputy Mayor David Carruthers</li> <li>- Cr Latham Martin</li> <li>- Cr Jenny Keogan</li> </ul>	<p><b>Members:</b></p> <ul style="list-style-type: none"> <li>- Cr Paul Davidson (Chair)</li> <li>- His Worship the Mayor</li> <li>- Kw Francois Tumahai</li> <li>- Kw Paul Madgwick</li> <li>- Cr Peter Haddock (GDC)</li> <li>- John Wood, WCWT</li> <li>- Jackie Gurden, WCWT</li> <li>- Tim Brownlee (Trustpower)</li> <li>- Nicole Kunzmann, DOC</li> </ul>

## Current Elected Members Committee Membership


Member	CE's Review Committee	Audit and Risk Committee	Capital Projects and Tenders	Economic Development	Planning and Regulatory	Community Development	West Coast Wilderness Trail	Parks Reserves and Environment	Committee Numbers
His Worship the Mayor				Chair					8
Deputy Mayor Carruthers			Chair						3
Cr Davidson							Chair		5
Cr Hart									3
Cr Hartshorne									2
Cr Kennedy									1
Cr Keogan									3
Cr Martin					Chair	Chair			5
Cr Neale									3
Kw Madgwick									7
Kw Tumahai									7

## Proposed Elected Members Committee Membership

Member	CE's Review Committee	Audit and Risk Committee	Capital Projects and Tenders	Planning	Community Development	West Coast Wilderness Trail	Committee Numbers
His Worship the Mayor							6
Deputy Mayor Carruthers		<i>(proposed)</i>	Chair				4
Cr Davidson						Chair	4
Cr Hart							2
Cr Hartshorne							2
Cr Kennedy							1
Cr Keogan							2
Cr Martin				Chair	Chair		3
Cr Neale				<i>(proposed)</i>			3
Kw Madgwick							5
Kw Tumahai							5

## TERMS OF REFERENCE

### Audit and Risk Committee

	<b>Authorising Body</b>	Mayor / Council
	<b>Status</b>	Standing Committee
	<b>Title</b>	Audit and Risk Committee
	<b>Approval Date</b>	<del>27 February 2020</del> <u>27 April 2021</u>
	<b>Administrative Support</b>	Chief Executive Office
	<b><u>Quorum</u></b>	<u>Chair plus 2 members (must include 1 Councillor)</u>

This document outlines the Terms of Reference for the Audit and Risk Committee.

The Chief Executive ~~Officer~~ (CE) will assign the Group Manager, Corporate Services (GMCS) to the Committee. The GMCS will be responsible for coordinating agendas and be the principal point of contact for committee members.

#### 1. Purpose

To assist the Council to discharge its responsibilities for:

- Monitoring the Council's external and internal audit process
- Recommend to Council an appropriate risk management strategy and monitor the effectiveness of that strategy
- Ensure the independence and effectiveness of Council's Internal Audit processes
- Monitor existing corporate policies and recommend new corporate policies to prohibit unethical, questionable or illegal activities
- Provide a communication link between management, Internal auditors/external auditors and Council
- Support measures to improve internal controls

#### 2. Responsibilities

##### External Audit

- Engage with Council's external auditors regarding the external audit work programme and agree the terms and arrangements of the external audit
- Recommend to Council the terms and arrangements for the external audit programme
- Review of effectiveness of the annual audit and Long Term Plan audit
- Monitor management's response to audit reports and the extent to which external audit recommendations concerning internal accounting controls and other matters are implemented

##### Internal Control

- Monitor existing corporate policies and recommend new corporate policies to prohibit unethical, questionable or illegal activities. This also includes a reviewing/monitoring role of the documentation of policies and procedures
- In conjunction with the CE be satisfied with the existence and quality of cost-effective internal control and risk management systems, the proper application of processes, and agree the scope of the annual internal audit work programme
- Monitor the delivery of the internal audit work programme
- Review the annual internal audit plans and assess whether resources available to internal audit are adequate to implement the plans, and
- Assess whether all significant recommendations of the internal audit have been properly implemented by management.
- Oversee health and safety requirements.
- Review policies and bylaws.
- Monitor insurance policies.

### **Other Matters**

- Review the effectiveness of the risk assessment/management policies and processes
- Review the effectiveness of the control environment established by management including computerised information systems controls and security. This also includes a review/monitoring role of the documentation of policies and procedures.
- ~~Health and Safety.~~
- Review the process of the development of the financial strategy as required by the Long Term Plan. Monitor Council's treasury activities to ensure that it remains within policy limits, where there are good reasons to exceed policy, that this be recommended to Council; and
- Engage with internal and external auditors on any specific one-off audit assignments
- The Audit and Risk Committee will also periodically review its own effectiveness and report the results of that review to the Council.

### **3. Delegated Authority**

- The Audit and Risk Committee shall have delegated authority to approve the appointment of the internal auditor, risk management and internal audit programmes, audit engagement letters and letters of undertaking for audit functions, and additional services provided by the external auditor.
- The audit and risk committee can conduct and monitor special investigations in accordance with Council policy, including engaging expert assistance, legal advisors or external auditors, and where appropriate, recommend action (s) to Council.

### **The audit and risk Committee can recommend to Council**

- Adoption, or non-adoption of completed financial and non-financial performance statements
- Governance policies associated with Councils financial, accounting, risk management, compliance and ethics programmes, and internal control functions
- Accounting treatments, changes in generally accepted accounting practice
- New accounting and reporting requirements

### **Power to delegate**

The audit and risk committee may not delegate any of its responsibilities, duties or powers.



#### 4. Committee Meetings, records and reporting structure

- The committee will meet at least quarterly in each financial year.
- One meeting must consider the draft annual report prior to adoption of the annual report by Council
- Minutes of the committee be presented to the Council for its consideration
- Report to the Council at least twice a year on the effectiveness of internal controls, risk management and financial reporting, noting any recommendations for improvement.
- ~~A quorum of 50% plus one of the committee is required to conduct committee business.~~
- The committee will be attended by a representative of External Audit for one meeting each year

#### **Role of Chair**

The role of Chair is key to achieving committee effectiveness, to achieve this;

- The chair should meet with the GMCS before each meeting to discuss and agree the business for the meeting.
- The Chair should take ownership of, and have final say in, the decisions about what business will be pursued at any particular meeting.
- The Chair should ensure that after each meeting appropriate reports (minutes) are prepared from the Audit and Risk Committee to the Council.
- Encourage good, open relationships between the Audit and Risk Committee, CE, GMCS and internal and external auditors.

#### **Committee Membership**

- Independent Chair
- His Worship the Mayor
- Deputy Mayor Carruthers
- Councillor Hart
- Councillor Neale
- Kw Madgwick
- Kw Tumahai


The Committee Chair will usually be the spokesperson on matters of public interest within the committee's scope of work. Some issues may be of such public interest that it is more appropriate for the Mayor to be the spokesperson. On technical matters or where the status is still at the staff proposal level, senior staff may be the appropriate spokesperson. Where necessary and practical the Mayor, Committee Chair and senior staff will confer to determine the most appropriate course of action for advising the public.

[The Committee shall record minutes of all its proceedings.](#)

**The Terms of Reference were adopted by Council on the 27 February 2020 and  
amended on the 27 April 2021.**

## TERMS OF REFERENCE

### Community Development Committee

	<b>Authorising Body</b>	Mayor / Council
	<b>Status</b>	Standing Committee
	<b>Title</b>	Community Development Committee
	<b>Approval Date</b>	<del>27 February 2020</del> <u>27 April 2021</u>
	<b>Administrative Support</b>	Chief Executive Office
	<b>Quorum</b>	<u>Chair plus 2 members</u>

**Purpose:**

To assist the Council with the development of community services which contribute to the character, culture, and identity of the Westland ~~d~~istrict, and to pursue an active community role in active partnership with local communities.

The Community Services Committee covers a wide range of issues, altogether ensuring Westland is a vibrant, inclusive and safe district to live for all people, all ages and abilities.

**Responsibilities:**

The focus of the Community Services Committee is matters relating to social, culture~~a~~l and community well-being.

The Committee:

- Promotes active citizenship, community participation and community partnerships
- Seeks to address cultural, social, and economic disadvantage and promote equity for all people residing in Westland
- Work alongside Te Runanga o Ngāti Waewae and Te Rūnanga Makaawhio
- Works in partnership with key agencies, organisations, communities of place, identity and interest
- Is innovative and creative in ways it contributes to social and community wellbeing

The Community Development Committee considers and reports to council on issues and activities relating to:

- Community organisations
- Culture and Heritage
- ~~Sports, recreation and leisure services and facilities~~
- ~~Open spaces in the public realm: Parks, Reserves, Gardens, Cemeteries, Memorials, Statues and Public Art~~
- Youth
- ~~Civic Awards~~
- Public Health
- Safe Community
- Local and Community events, programmes and activities
- Community Development and support, including grants
- Community engagement and participation
- Communities of place, identity and interest
- Creative Communities

**Commented [MS1]:** Community Service Awards to full Council.

• [Hokitika CBD Revitalisation](#)

Terms of Reference – Community Development Committee – [Amended 29.04.21](#)

Page | 2

### **Delegations to the Committee:**

The Community Development Committee shall have the following delegated powers and be accountable to Council for the exercising of these powers.

In exercising the delegated powers, the committee will operate within:

- policies, plans, standards or guidelines that have been established and approved by Council;
- the overall priorities of Council;
- the needs of Iwi and the local communities; and
- the approved budgets for the activity.

The Community Development Committee shall have delegated authority to:

- Power to co-opt other members as appropriate
- All powers necessary to perform the Committee's responsibilities, except:
  - Powers that the Council cannot legally delegate or has retained for itself;
  - Where the Committee's responsibility is limited to making a recommendation only
  - Approval of expenditure
  - Deciding significant matters for which there is high public interest and which are controversial;
  - The commissioning of reports on new policy where that policy programme of work has not been approved by the Council;
  - Power to establish subcommittees

### **Limitations:**

In respect of matters requiring financial input the Community Development Committee's power is limited to the extent that provision has been made in the annual budgets and in the Long Term Plan.

### **Membership**

The Community Development Committee will comprise the following, one of which will be the chairperson:

- Cr Martin (Chair)
- His Worship the Mayor
- Deputy Mayor Carruthers
- Cr Davidson
- Cr Keogan
- Cr Neale
- Kw Madgwick
- Kw Tumahai
- Community Representation

### **Chairperson**

The Chairperson is responsible for:

- The efficient functioning of the Committee;
- Setting the agenda for Committee meetings in conjunction with the Chief Executive Officer; and
- Ensuring that all members of the Committee receive sufficient timely information to enable them to be effective Committee members.

The Chairperson will be the link between the Committee and Council staff.

### **Quorum**

The quorum at any meeting of the Committee shall be Chairperson and any (3) Members.

### **Relationships with Other Parties**

The Chief Executive is responsible for servicing and providing support to the Committee in the completion of its duties and responsibilities. The Chief Executive shall assign council staff as required to provide these functions on his/her behalf.

The Chairperson may request the Chief Executive and staff in attendance to leave the meeting for the duration of the discussion. The Chairperson will provide minutes for that part of the meeting.

### **Contacts with Media and Outside Agencies**

The Committee Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.

Committee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the Committee's delegations.

The Chief Executive will manage the formal communications between the Committee and its constituents and for the Committee in the exercise of its business. Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of the District Council.

### **Conduct of Affairs**

The Committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, Council's Standing Orders and Code of Conduct.

### **Public Access and Reporting**

Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:

- Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
- Extraordinary meetings of the Committee must be held in accordance with Standing Orders.


The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in s.48 of the Local Government Official Information and Meetings Act 1987.

The Committee shall record minutes of all its proceedings.

**The Terms of Reference were adopted by the Council on the 27 February 2020 and amended on 27 April 2021.**

## TERMS OF REFERENCE

### Capital Projects and Tenders Committee

 <p><b>WESTLAND</b> DISTRICT COUNCIL</p>	<b>Authorising Body</b>	Mayor / Council
	<b>Status</b>	Standing Committee
	<b>Title</b>	Capital Project and Tenders Committee
	<b>Approval Date</b>	<del>27 February 2020</del> <u>27 April 2021</u>
	<b>Administrative Support</b>	Chief Executive Office
	<u><b>Quorum</b></u>	<u>Chairperson and any 2 members</u>

#### Purpose

The purpose of the Capital Projects & Tenders Committee is to ensure that all major capital expenditure (as defined in the WDC Tender Policy) is supported by a quality proposal, advances the Council's strategic objectives and is financially sustainable.

In addition, the Committee is to ensure tender evaluations are robust and appropriate decisions taken to advance capital projects.

#### Responsibility

The Capital Projects and Tenders Committee is responsible for considering all capital expenditure proposals within the Long Term Plan, with a particular focus on:

- The contribution each proposal would be to achieve the Strategic Plan objectives
- Financial sustainability of each proposal
- Ensuring the prioritisation of projects reflects the community needs
- Approving project tenders post tender evaluation

In connection with each Project, the Committee shall receive regular reports from management containing such information it deems relevant to fulfil its mandate, including but not limited to information concerning:

- Project timetable, critical path events and progress to completion
- Major project milestones, including variance analysis and mitigation strategies
- Key issues or disputes and proposed mitigation strategies
- Project budget updates, showing actual expenditures versus budget, use of contingencies and projected final expenditures
- Assist with bridging project barriers outside the influence of staff

Report to the full Council on a regular basis concerning all large Capital Project updates as required.

#### DELEGATIONS TO THE COMMITTEE:

The Capital Projects and Tenders Committee shall have the following delegated powers and be accountable to Council for the exercising of these powers. In exercising the delegated powers, the committee will operate within:

- Policies, plans, standards or guidelines that have been established and approved by Council;
- The overall priorities of Council;
- The needs of Iwi and the local communities; and
- The approved budgets for the activity.
- The power to establish sub-committees.
- Review risk profiles for projects.

The Capital Projects and Tenders Committee shall have delegated authority to:

- Power to co-opt other members as appropriate
- All powers necessary to perform the Committee's responsibilities Except:
  - Powers that the Council cannot legally delegate or has retained for itself
  - Where the Committee's responsibility is limited to making a recommendation only
  - The approval of significant expenditure not contained within approved budgets (excluding emergency expenditure or for Health & Safety issues)
  - The approval of final policy
  - Deciding significant matters for which there is high public interest and which are controversial
  - The commissioning of reports on new policy where that policy programme of work has not been approved by the Council

### **Power to Delegate**

The Capital Projects and Tenders Committee may not delegate any of its responsibilities, duties or powers.

### **Membership**

The Capital Projects and Tenders Committee will comprise the following, one of which will be the chairperson:

Deputy Mayor Carruthers (Chairperson)  
His Worship the Mayor (ex-Officio)  
Cr Davidson  
Cr Hart  
Cr Hartshorne  
Kw Madgwick  
Kw Tumahai

### **Chairperson**

The Chairperson is responsible for:

- The efficient functioning of the Committee;
- Setting the agenda for Committee meetings in conjunction with the Chief Executive Officer; and
- Ensuring that all members of the Committee receive sufficient timely information to enable them to be effective Committee members.

The Chairperson will be the link between the Committee and Council staff.

### **Quorum**

~~The quorum at any meeting of the Committee shall be Chairperson and any two members.~~

### **Frequency of Meetings**

The Committee shall meet as ~~required but not less than quarterly and when required.~~

### **Relationships with Other Parties**

The Chief Executive is responsible for servicing and providing support to the Committee in the completion of its duties and responsibilities. The Chief Executive shall assign council staff as required to provide these functions on his/her behalf.

The Chairperson may request the Chief Executive and staff in attendance to leave the meeting for the duration of the discussion. The Chairperson will provide minutes for that part of the meeting.

### **Contacts with Media and Outside Agencies**

The Committee Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.

Committee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the Committee's delegations.

The Chief Executive will manage the formal communications between the Committee and its constituents and for the Committee in the exercise of its business. Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of the District Council.

### **Conduct of Affairs**

The Committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, Council's Standing Orders and Code of Conduct.

### **Public Access and Reporting**

Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:

- Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
- Extraordinary meetings of the Committee must be held in accordance with Standing Orders.

The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in s.48 of the Local Government Official Information and Meetings Act 1987.


The Committee shall record minutes of all its proceedings.

**The Terms of Reference were adopted by Council on the 27 February 2020 and  
amended 27 April 2021.**



# TERMS OF REFERENCE

## Planning ~~and Regulatory Services~~ Committee

	<b>Authorising Body</b>	Mayor / Council
	<b>Status</b>	Standing Committee
	<b>Title</b>	Planning <del>and Regulatory Services</del> Committee
	<b>Approval Date</b>	<del>27 February 2020</del> <u>27 April 2021</u>
	<b>Administrative Support</b>	Chief Executive Office
	<u>Quorum</u>	<u>Chair plus 2 members</u>

### Purpose

To undertake functions as requested or delegated by Council from time to time provided the functions conform to the Local Government Act 2002.

### Responsibility

The Committee shall have the responsibility for the oversight of all matters relating to Council's Planning ~~and Regulatory~~ functions and the development of policies and strategies in relation to those functions.

The matters within this committee's responsibilities include (but are not limited to):

- Resource Management Act 1991
- ~~and the Westland District Council District Plan.~~
- Te Tai o Poutini Plan.
- Reserves Act 1977
- ~~Building Act 2004 and applicable Building Regulations, and the New Zealand Building Code~~
- ~~Dog Control Act 1996~~
- ~~Impounding Act 1955~~
- ~~Food Act 2014~~
- ~~Sale and Supply of Alcohol Act 2012~~
- ~~Health Act 1956~~
- ~~Bylaws~~
- Parks and Reserves Management
- Hokitika CBD Revitalisation
- Master Planning activities

Other ~~regulatory~~ planning matters including:

- Responsibility for all matters related to the District's environment, including the environment of neighbouring districts and water bodies
- ~~Animal Control~~
- ~~Dangerous goods and hazardous substances~~
- ~~Fencing of swimming pools~~
- ~~Earthquake prone buildings~~
- ~~Litter~~
- ~~Noise abatement~~
- ~~Public health and safety~~
- ~~Gambling~~

- ~~\_\_\_\_\_~~
- Other Planning ~~and Regulatory~~ matters not otherwise defined.

## DELEGATIONS TO THE COMMITTEE:

The Planning ~~and Regulatory Services~~ Committee shall have the following delegated powers and be accountable to Council for the exercising of these powers.

- Authority to exercise all of Council powers, functions and authorities, except where delegation is prohibited by law or the matter is delegated to another committee of Council, in relation to all planning ~~and regulatory~~ matters.
- Responsibility to develop policies, ~~and provide financial oversight, to provide assurance that funds are managed efficiently, effectively, and with due regard to risk.~~
- ~~Responsibility to monitor Long Term Plan/Annual Plan implementation for the activities set out above.~~
- ~~Authority to review bylaws and to recommend to the Council that new or amended bylaws be made, including but not limited to the review of bylaws made pursuant to rules under the Land Transport Act 1998, primarily relating to speed limits and parking.~~
- Except where otherwise provided by law, authority to fix fees and charges in relation to all planning ~~and regulatory~~ activities.
- Authority to make submissions on behalf of the Council in respect of any proposals by another authority under any legislation, or any proposed statute which might affect the District's environment or the wellbeing of residents including such matters as adjacent local authorities, district plans, regional plans, any regional or national policy statement and national environmental standards.
- ~~Authority to hear and determine objections under the Dog Control Act 1996~~

## Membership

The Planning ~~and Regulatory Services~~ Committee will comprise the following, one of which will be the chairperson:

- Cr Martin (Chair)
- His Worship the Mayor
- Cr Davidson
- Cr Kennedy
- ~~Cr Hartshorne~~
- ~~Cr Neale~~
- Kw Madgwick
- ~~Kw Tumahai~~
- ~~Heritage and cultural representation from the Westland District~~
- ~~Community representaterepresentation from the Southern, Northern and Hokitika Wards.;~~

## Chairperson

The Chairperson is responsible for:

- The efficient functioning of the Committee;
- Setting the agenda for Committee meetings in conjunction with the Chief Executive ~~Officer~~; and
- Ensuring that all members of the Committee receive sufficient timely information to enable them to be effective Committee members.

The Chairperson will be the link between the Committee and Council staff.

## **Quorum**

~~The quorum at any meeting of the Committee shall be (3) Members.~~

## **Relationships with Other Parties**

The Chief Executive is responsible for servicing and providing support to the Committee in the completion of its duties and responsibilities. The Chief Executive shall assign council staff as required to provide these functions on his/her behalf.

The Chairperson may request the Chief Executive and staff in attendance to leave the meeting for the duration of the discussion. The Chairperson will provide minutes for that part of the meeting.

## **Contacts with Media and Outside Agencies**

The Committee Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.

Committee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the Committee's delegations.

The Chief Executive will manage the formal communications between the Committee and its constituents and for the Committee in the exercise of its business. Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of the District Council.

## **Conduct of Affairs**

The Committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, Council's Standing Orders and Code of Conduct.

## **Public Access and Reporting**

Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:

- Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
- Extraordinary meetings of the Committee must be held in accordance with Standing Orders.

The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in s.48 of the Local Government Official Information and Meetings Act 1987.

The Committee shall record minutes of all its proceedings.

**The Terms of Reference were adopted by Council on the  
27 February 2020 and amended 27 April 2021.**

# Report to Council



**DATE:** 29 April 2021  
**TO:** Mayor and Councillors  
**FROM:** Chief Executive

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## HOKITIKA WASTEWATER TREATMENT PLANT (WWTP) – OVERSITE COMMITTEE

### 1. Summary

- 1.1. The purpose of this report is to establish a Hokitika WWTP Oversight Committee to oversee the Hokitika Wastewater Treatment Plant Project.
- 1.2. This issue arises from the requirement of Council to honour its Partnership Agreement with Poutini Ngai Tahu signed in 2019 and to ensure Iwi is more involved in the planning and decision making on important topics and issues within the Westland district.
- 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 May 2018, which are set out in the Long Term Plan 2018-28. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council establish a Hokitika WWTP Oversight Committee with representation from Council and local Iwi.

### 2. Background

- 2.1. The reason the report has come before the Council is that Council's consent for the Hokitika WWTP discharge expires in April 2026. Westland District Council (WDC) has been advised by the West Coast Regional Council (WCRC) that the current discharge mechanism would not meet future needs and an alternative discharge process would likely be required.
- 2.2. WDC has engaged Stantec to project manage the Hokitika WWTP Project.
- 2.3. In 22 November 2018 Council entered into a partnership agreement with agreement with Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio together known as Poutini Ngāi Tahu with an expectation that WDC seeks views and provide input from Iwi on Council policy, plans, strategy and operations that may impact on Papatipu Rūnanga and Māori, and the Westland community.
- 2.4. The goals of the partnership agreement:
  - To provide a framework for the parties to work together towards improving Westland.
  - To provide mechanisms and resources that assist Poutini Ngai Tahu Papatipu Runanga to participate in Council policy, planning, and other decision-making processes.
  - To facilitate the sharing of information to build a better understanding that enhances collaboration and strategic thinking about Westland's future.

- Identify strategic opportunities to work closely together for the betterment of Westland district.
  - Build iwi capacity and capability to partner with local government.
- 2.5. In developing the project scope one of the critical elements is joining with Iwi at the very start of the project to establish a clear set of objectives as an equal partner before reaching out to other stakeholders.
- 2.6. Accordingly, a Hui was held at the Arahura Marae on the 7 April 2021, which was attended by representatives of Te Rūnanga o Makaawhio and Te Rūnanga o Ngāti Waewae, Stantec and Council staff as preliminary discussions as to how Iwi would like to be represented on the project.
- 2.7. The concept of an oversight committee was proposed as a framework to allow full engagement plus governance overview and direction setting.
- 2.8. An Oversight Committee is required to be established to engage with the stakeholders and determine timelines and funding allocations for the project.

### **3. Current Situation**

- 3.1. The current situation is that the 3 Waters Stimulus Funding Delivery Plan is conditionally approved for the Hokitika WWTP feasibility work. More detailed milestones and costs will need to be determined and submitted for approval.
- 3.2. Stantec has been appointed to prepare a cost proposal and commence with the stakeholder engagement process. As part of the project plan WDC is requesting a framework to engage with Iwi on the project and accordingly is proposing an Oversight Committee to be established.
- 3.3. Council staff have subsequently met with Stantec as project managers, who will be taking the lead on the project.
- 3.4. The final design and representation is yet to be confirmed but we are looking at a 50% split between WDC and Iwi.

### **4. Options**

- 4.1. Option 1: To receive the report and agree to the concept of a Hokitika WWTP Oversight Committee and instruct staff to draft a Terms of Reference for the next Council meeting. Appointments of Council and Iwi representatives to the Hokitika WWTP Oversight Committee will be proposed at the 27<sup>th</sup> May 2021 Council meeting.
- 4.2. Option 2: To not receive the report and not appointment representatives to the Oversight Committee.

### **5. Risk Analysis**

- 5.1. Risk has been considered and no risks have been identified.

### **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 of minor as the establishment of a committee is considered administrative in nature.

7.2. Consultation has been conducted with Iwi representatives at the Arahura Marae on the 7 April 2021. No further public consultation is considered necessary for the establishment of the Committee.

## **8. Assessment of Options (including Financial Considerations)**

- 8.1. Option 1 is to establish the Oversight Committee.
- 8.2. There are no financial implications to this option.

## **9. Preferred Option(s) and Reasons**

- 9.1. The preferred option is Option 1 as it will enable work to commence on stakeholder engagement for the Hokitika Wastewater Treatment Plant project.
- 9.2. The reason that Option 1 has been identified as the preferred option is that this will fulfil the commitment WDC made when signing the Partnership Agreement with Poutini Ngai Tahu to ensure all matters of significance were discussed and managed in a collaborative manner.

## **10. Recommendation(s)**

- 10.1. That the report be received.
- 10.2. That engagement and consultation will be undertaken with Iwi as part of the establishment of the Hokitika WWTP Oversight Committee.
- 10.3. That the Chief Executive complete a draft Terms of Reference for the committee and report back to Council at the May 2021 Council meeting.

**Simon Bastion**  
**Chief Executive**

# Report to Council



**DATE:** 29 April 2021

**TO:** Mayor and Councillors

**FROM:** Strategy and Communications Advisor

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## **Adoption of Amended Statement of Technical Changes to the Long Term Plan 2018 - 2028**

### **1. Summary**

- 1.1. The purpose of this report is to adopt the amended Summary of Technical Changes to the Long Term Plan 2018 – 2028 (SOT).
- 1.2. This issue arises from Council’s amendment to the Long Term Plan 2018-2028 and the requirement to adopt the amended financial and activity information.
- 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 May 2018, which are set out in the Long Term Plan 2018-28. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council receive the report and adopt the amended Summary of Technical Changes to the Long Term Plan 2018 – 2028.

### **2. Background**

- 2.1. The reason the report has come before the Council is due to the purchase of 41 Weld Street in October 2020. Council adopted a draft SOT, along with a Consultation Document on 21 August 2020.
- 2.2. The draft SOT and Consultation Document were drafted using the original purchase price of \$1.5 million. Council subsequently offered, and had accepted, a purchase price of \$1.2 million. The financial information in the SOT was updated to reflect this purchase price.

### **3. Current Situation**

- 3.1. The current situation is that the amended SOT has been audited by Council’s auditor, Audit NZ. They are satisfied that the amended SOT provides accurate information for inclusion in the Long Term Plan 2018 – 2028.

3.2. The amended SOT needs to be adopted before Council can adopt the draft Long Term Plan 2021 – 2031 and draft Consultation Document to the Long Term Plan 2021 – 2031.

#### **4. Options**

4.1. Option 1: Adopt the amended SOT.

4.2. Option 2: Do not adopt the amended SOT.

#### **5. Risk Analysis**

5.1. Risk has been considered and no risks have been identified.

#### **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. Adopting the amended SOT is administrative in nature.

7.2. Public consultation was undertaken in September 2020, prior to the building being purchased.

#### **8. Assessment of Options (including Financial Considerations)**

8.1. Option 1 – Adopt the amended SOT. As noted, this has been audited by Audit NZ and is considered accurate information for inclusion in the Long Term Plan 2018 – 2028. The information must be adopted before Council can consider adopting the draft Long Term Plan 2021 – 2031. This must be adopted by 30 June 2021 and must be consulted on for at least 31 days prior to adoption.

8.2. There are no financial implications to this option.

8.3. Option 2 – Do not adopt the amended SOT. This is not a feasible option. The building has already been purchased, following community consultation. Council is legally obliged to adopt the amended SOT as the building is a strategic asset. If the amended SOT is not adopted, Council will be unable to adopt the draft Long Term Plan 2021 – 2031 and will not meet the legislative requirement in s 93 of the Local Government Act 2002 to adopt an updated Long Term Plan before the close of the third year of the previous Long Term Plan.

8.4. There are no financial implications to this option.

#### **9. Preferred Option(s) and Reasons**

9.1. The preferred option is Option 1 – Adopt the amended Summary of Technical Changes to the Long Term Plan 2018 – 2028.

9.2. The reason that Option 1 has been identified as the preferred option is that it enables Council to meet all of its legislative requirements in respect of the Long Term Plan 2018 – 2028 and draft Long Term Plan 2021 – 2031.



## **10. Recommendation(s)**

- 10.1. That the report be received.
- 10.2. That Council Adopt the amended Summary of Technical Changes to the Long Term Plan 2018 – 2028.

**Emma Rae**  
**Strategy and Communications Advisor**

**Appendix 1:** Amended Summary of Technical Changes LTP 2018 – 2028 *(Appendix will be tabled on the day if not before)*

# Report



**DATE:** 29 April 2021  
**TO:** Mayor and Councillors  
**FROM:** 3 Waters Engineer

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## **RE-ADOPTION OF WESTLAND DISTRICT COUNCIL WATER SUPPLY BYLAW 2016**

### **1 SUMMARY**

- 1.1 The purpose of this report is to seek the re-adoption of the Westland District Council Water Supply Bylaw 2016 due to minor administrative changes, including references to current legislation.
- 1.2 The issue arises from the fact that the Water Supply Bylaw 2016 followed a public consultative procedure in 2015 and 2016 and after adoption is required to be formally reviewed every 5 years.

The changes relate to section 5 which includes (a) Statutory Acts and Regulations and (b) Relevant Codes and Standards. Some of these have been amended or superseded since the adoption of the Water Supply Bylaw in 2016.

- 1.3 Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by Council as part of the Long Term Plan 2015-25. These are stated on Page 2 of this agenda.
- 1.4 The report concludes by recommending that Council adopts the amended Water Supply Bylaw 2016.

### **2 BACKGROUND**

- 2.1 The reason the report has come before the council is due to the fact that Westland District Council has a current Water Supply Bylaw which is required to be reviewed and updated every 5 years.
- 2.2 Council at its monthly meeting on 26 November 2015 adopted a proposal (The proposal) on the draft "Westland District Council Water Supply Bylaw" for consultation under the special consultative procedures in accordance with section 83 of the Local Government Act 2002. The proposal was consulted with the community between 7 December 2015 and 29 January 2016. The Bylaw was adopted by council on 23 June 2016.

### **3 CURRENT SITUATION**

3.1 The current situation is that WDC owns and manages nine (9) water supplies in the following listed areas that are all 'on-demand' supplies. The current Water Supply Bylaw outlines conditions associated with the supply and use of potable water from the treatment plants to customers in these areas.

Hokitika  
Franz Josef  
Hari Hari  
Kumara  
Fox Glacier  
Ross  
Whataroa  
Arahura  
Haast

3.2 The current Water Supply Bylaw has undergone a 5 yearly review and remains fit for purpose with minor administrative changes required to reflect current Acts, Regulations, Codes and Standards.

### **4 OPTIONS**

4.1 Option 1: Adopt the amended Water Supply Bylaw 2016.

4.2 Option 2: Not adopt the amended Water Supply Bylaw 2016.

### **5 RISK ANALYSIS**

5.1 Risk has been considered and no risks have been identified.

### **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 administrative in nature and therefore of low significance.

7.2 No public consultation is considered necessary.

## **8 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)**

8.1 Option 1: Adopt the amended Water Supply Bylaw 2016.

8.2 Option 2: Not adopt the amended Water Supply Bylaw.

## **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 Bylaw remains fit for purpose and only minor administrative changes have been necessary. These relate to Acts, Regulations, Codes and Standards.

## **10 RECOMMENDATION(S)**

10.1 That the report be received.

10.2 That Council support the preferred option to re-adopt the amended Westland District Council Water Supply Bylaw 2016.

**Martin Ross**  
**3 Waters Engineer**

**Appendix 1:** Amended Water Supply Bylaw 2016

# Westland District Council Water Supply Bylaw 2016

Based on NZS 9201:Part 7:2007  
Model General Bylaws  
Part 7 – Water Supply

Re-adopted by Council  
on ~~23 June 2016~~ 29 April 2021

# 1 Title

A Bylaw of the Westland District Council by way of Special Order pursuant to the provisions of the Local Government Act 2002 and all other Acts, powers and authorities enabling it in that behalf to make a Bylaw to be known as the Westland District Council Water Supply Bylaw 2016 ~~Amended.~~

# 2 Commencement

This Bylaw shall come into force on the 23 day of June 2016 ~~and was amended on the 29 April 2021.~~

# 3 Repeal

As from the day this Bylaw comes into force, any previous water supply bylaw or parts of any water supply bylaw and their amendments in force in the Westland District (including the former local authorities that now comprise the Westland District Council) shall be repealed.

# 4 Application of Bylaw

This Bylaw shall apply to properties within serviced areas administered by the Westland District Council.

# 5 Scope

This Bylaw is made under the authority of the Local Government Act 2002 for the supply of water to its customers by the Westland District Council. The supply and sale of water by the Westland District Council is subject to:

(a) Statutory Acts and Regulations

- (i) Building Act 2004
- (ii) Fire Service Act 1975
- (iii) Health Act 1956
- (iv) Local Government Act 2002
- (v) Local Government (Rating) Act 2002
- (vi) Resource Management Act 1991
- (vii) ~~Water Supplies Protection Regulations 1961 (possibly subject to repeal)~~ [Health \(Drinking Water Amendment Act 2007\)](#)
- (viii) Civil Defence and Emergency Management Act 2002; and

(b) Relevant Codes and Standards

- (i) Drinking Water Standards for New Zealand 2005 (Revised 20~~18~~[08](#))
- (ii) ~~BS EN ISO 4064-2:2014 14154-3:2005~~ Water meters. Test methods and equipment.
- (iii) SNZ PAS 4509 :200~~8~~[3](#) New Zealand Fire Service firefighting water supplies code of practice
- (iv) ~~NZWWA Backflow Code of Practice 2006~~ [Water NZ Boundary Backflow Prevention for Drinking Water Supplies Code of Practice 2019](#)
- (v) NZWWA Water Meter Code of Practice 2003 ([Refer Water NZ](#) )
- (vi) Westland District Council Bylaws and Codes of Practice.

## 6 Interpretation

When interpreting this Bylaw use the definitions set out in section 7 unless the context requires otherwise. If you see a reference to a repealed enactment read that as a reference to its replacement.

For the purpose of this Bylaw, the word 'shall' refers to practices that are mandatory for compliance with this Bylaw, while the word 'should' refers to practices that are advised or recommended.

## 7 Definitions

For the purpose of this Bylaw, unless inconsistent with the context, the following definitions apply:

Approved	Approved in writing by the Council, either by resolution of the Council or by any authorised officer of the Council
Backflow	The unplanned reversal of flow of water or mixtures of water and contaminants into the water supply system
Council	The Westland District Council or any officer authorised to exercise the authority of the Council
Customer	A person who uses, or has obtained the right to use or direct the manner of use of, water supplied by the Council
Detector check valve	A check (non-return) valve which has a positive closing pressure and a metered bypass to measure flows typically associated with leakage or unauthorised use on a dedicated fire supply
Extraordinary supply	A category of on demand supply including all purposes for which water is supplied other than ordinary supply and which may be subject to specific conditions and limitations
Fees and charges	The list of items, terms, and prices for services associated with the supply of water as adopted by the Council in accordance with the LGA 2002 and the Local Government (Rating) Act 2002
Level of service	The measurable performance standards on which the Council undertakes to supply water to its customers
On demand supply	A supply which is available on demand directly <a href="#">at</a> the point of supply subject to the agreed level of service
Ordinary supply	A category of on demand supply used solely for domestic purposes
Person	A natural person, corporation sole or a body of persons whether corporate or otherwise
Point of supply	The point on the water pipe leading from the water main to the premises, which marks the boundary of responsibility between the customer and the Council, irrespective of property boundaries
Potable	As defined in section 69G of the Health Act 1956 [ <i>subject to enactment of the Health (Drinking Water) Amendment Bill 2006</i> ]

Premises	<p>Premises include the following:</p> <ul style="list-style-type: none"> <li>(a) A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has been or may be issued; or</li> <li>(b) A building or part of a building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available; or</li> <li>(c) Land held in public ownership (e.g. reserve) for a particular purpose.</li> </ul>
Public Notice	As defined in the Local Government Act 2002
Ranger	A person responsible for the management of a Council controlled catchment area or water reserve
Restricted flow supply	A type of water supply connection where a small flow is supplied through a flow control device, and storage is provided by the customer to cater for the customer's demand fluctuations
Restrictor	A flow control device fitted to the service pipe to limit the flow rate of water to a customer's premises
Roading authority	A territorial authority or the New Zealand Transport Agency
Rural water supply area	An area formally designated by Council as an area serviced by a reticulated water supply system that is intended to supply water for specified purposes via restricted flow supplies and/or on demand supplies but not necessarily with a firefighting capability
Service pipe	The section of water pipe between a water main and the point of supply.
Service valve (Toby)	The valve at the customer end of the service pipe
Storage tank	Any tank having a free water surface
Supply pipe	The section of pipe between the point of supply and the customer's premises through which water is conveyed to the premises
Urban water supply area	An area formally designated by a Council as an area serviced by a reticulated water supply system with a firefighting capability, that is intended to supply water to customers via on demand supplies
Water supply system	All those components of the network between the point of abstraction from the natural environment and the point of supply. This includes but is not limited to: wells, infiltration galleries, intake structures, open raw water storage ponds/lakes, falling mains, treatment plants, treated water reservoirs, trunk mains, service mains, rider mains, pump stations and pumps, valves, hydrants, scour lines, service pipes, boundary assemblies, meters, backflow prevention devices and tobies
Water unit	The basis of measurement for a restricted flow supply prescribed by Council



## **8 Protection of Water Supply**

### **8.1 Water supply system**

#### **8.1.1 Access to system**

No person other than the Council and its authorised agents shall have access to any part of the water supply system, except to connect to the point of supply, subject to 9.1, and to operate the service valve.

#### **8.1.2 No person to connect to, or interfere with a water supply system**

Except as set out in 8.1.1, 8.1.3 and 8.1.4, no person shall make any connection to, or otherwise interfere with, any part of the water supply system.

#### **8.1.3 Fire hydrants**

Only the attending Fire Service/s shall gain access to, and draw water from fire hydrants for the purpose of fighting fires, training, and testing.

NOTE - Use of the fire hydrants by untrained personnel can result in damage to the water supply system

#### **8.1.4 Other uses**

The right to gain access to, and draw water from the water supply for uses other than firefighting (for example, flow testing or pipe flushing) shall be restricted to:

- (a) The Council or its agents;
- (b) Permit holders, being those persons who after having submitted an application to the Council are subsequently approved to draw water from fire hydrants or tanker filling points. Such permits shall be valid only so long as the permit holder complies with the conditions endorsed on the permit. Without prejudice to other remedies available, the Council may remove and hold any equipment used by an offender to gain access to, or draw water from a fire hydrant, and assess and recover the value of water drawn without authorisation and any other associated costs.

#### **8.1.5 Working around buried services**

The Council shall keep accurate permanent records ('as-builts') of the location of its buried services. This information shall be available for inspection at no cost to users. Charges may be levied to cover the costs of providing copies of this information.

Any person proposing to carry out excavation work shall view the as-built information to establish whether or not Council services are located in the vicinity. At least five working days' notice in writing shall be given to the Council of an intention to excavate in the vicinity of its services. Where appropriate the Council shall mark out to within  $\pm 0.5$  m on the ground the location of its services, and nominate in writing any restrictions on the work it considers necessary to protect its services. The Council may charge for this service.

When excavating and working around buried services due care shall be taken to ensure the services are not damaged, and that bedding and backfill are reinstated in accordance with the appropriate Council specification.

Any damage which occurs to a Council service shall be reported to the Council immediately. The person causing the damage shall reimburse the Council with all costs associated with repairing the damaged service, and any other costs the Council incurs as a result of the incident.

NOTE – Excavation within roadways is also subject to the permit process of the appropriate roading authority.

## **8.2 Protection of water source**

### **8.2.1 Spillages and adverse events**

In the event of any adverse event which may compromise potable water or the water supply system, the person responsible for the event shall advise the Council and West Coast Regional Council immediately. This requirement shall be in addition to those other notification procedures which are required for other authorities.

Where the customer of a premise allows or permits any items that may potentially contaminate or leach into the water supply, or accumulate on any premises contained within the catchment, the Council may request the owner, occupier, or both to remove the items.

If the items are not removed within the period specified, Council or its authorised agents may remove the items and recover the costs of doing so from the owner or occupier, or both.

## **9 Conditions of Supply**

### **9.1 Application for supply**

#### **9.1.1 Initial application**

Every application for a supply of water shall be made in writing on the standard Council form accompanied by the prescribed charges. The applicant shall provide all the details required by the Council.

On receipt of an application the Council shall, after consideration of the matters in 9.4 and 9.5, either:

- (a) Approve the application and inform the applicant of the type of supply, the level of service, the size of the connection and any particular conditions applicable; or
- (b) Refuse the application and notify the applicant of the decision giving the reasons for refusal.

For the agreed level of service to the applicant, the Council should determine the sizes of all pipes, fittings and any other equipment, up to the point of supply. The Council shall supply and install the service pipe up to the point of supply at the applicant's cost or may allow the supply and installation of the service pipe to be carried out by approved contractors.

The applicant shall have the authority to act on behalf of the owner of the premises for which the supply is sought, and shall produce written evidence of this if required.

An approved application for supply which has not been actioned within six months of the date of application will lapse unless a time extension has been approved. Any refund of fees and charges shall be at the discretion of the Council.

#### **9.1.2 Change in use**

Where a customer seeks a change in the level of service or end use of water supplied to premises, and/or the supply changes from an ordinary to an extraordinary type (see 9.4) or vice versa, a new application for supply shall be submitted by the customer.

#### **9.1.3 Prescribed charges**

Charges applicable at the time of connection may include:

- (a) Payment to the Council for the cost of the physical works required to provide the connection;
- (b) A development contribution charge determined in accordance with the Local Government Act 2002;

- (c) A financial contribution charge determined in accordance with the Resource Management Act 1991.

## **9.2 Point of supply**

### **9.2.1 Responsibility for maintenance**

The Council shall own and maintain the service pipe and fittings up the point of supply. The customer shall own and maintain the supply pipe beyond the point of supply.

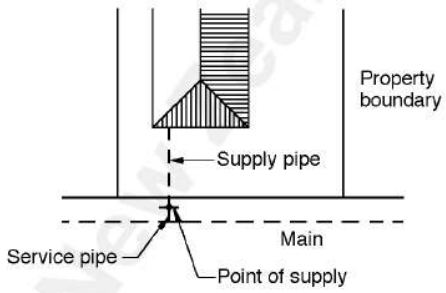
### **9.2.2 Single ownership**

For individual customers the point of supply shall be located as shown in Figure 1, or as close as possible where fences, walls, or other permanent structures make it difficult to locate it at the required position. Other positions shall require specific approval.

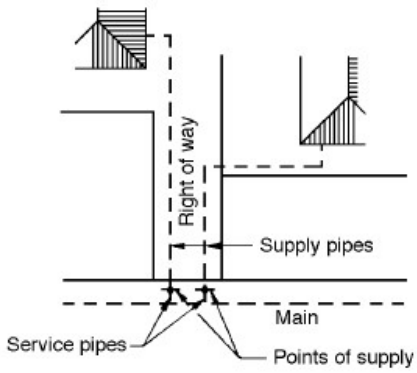
For each individual customer there shall be only one point of supply, unless otherwise approved.

The typical layout at a point of supply is shown in Figure 2 for metered and unmetered supplies.

The Council gives no guarantee of the serviceability of the valve located on the service pipe. Where there is no customer stopcock, or where maintenance is required between the service valve and the customer stopcock, the customer may use the service valve to isolate the supply. However the Council reserves the right to charge for maintenance of this valve if damaged by such customer use.



**Point of supply outside property boundary  
With Street Frontage**



**Point of supply outside property boundary  
Rear lots on right of way**

Figure 1 – Point of supply location – Individual customers

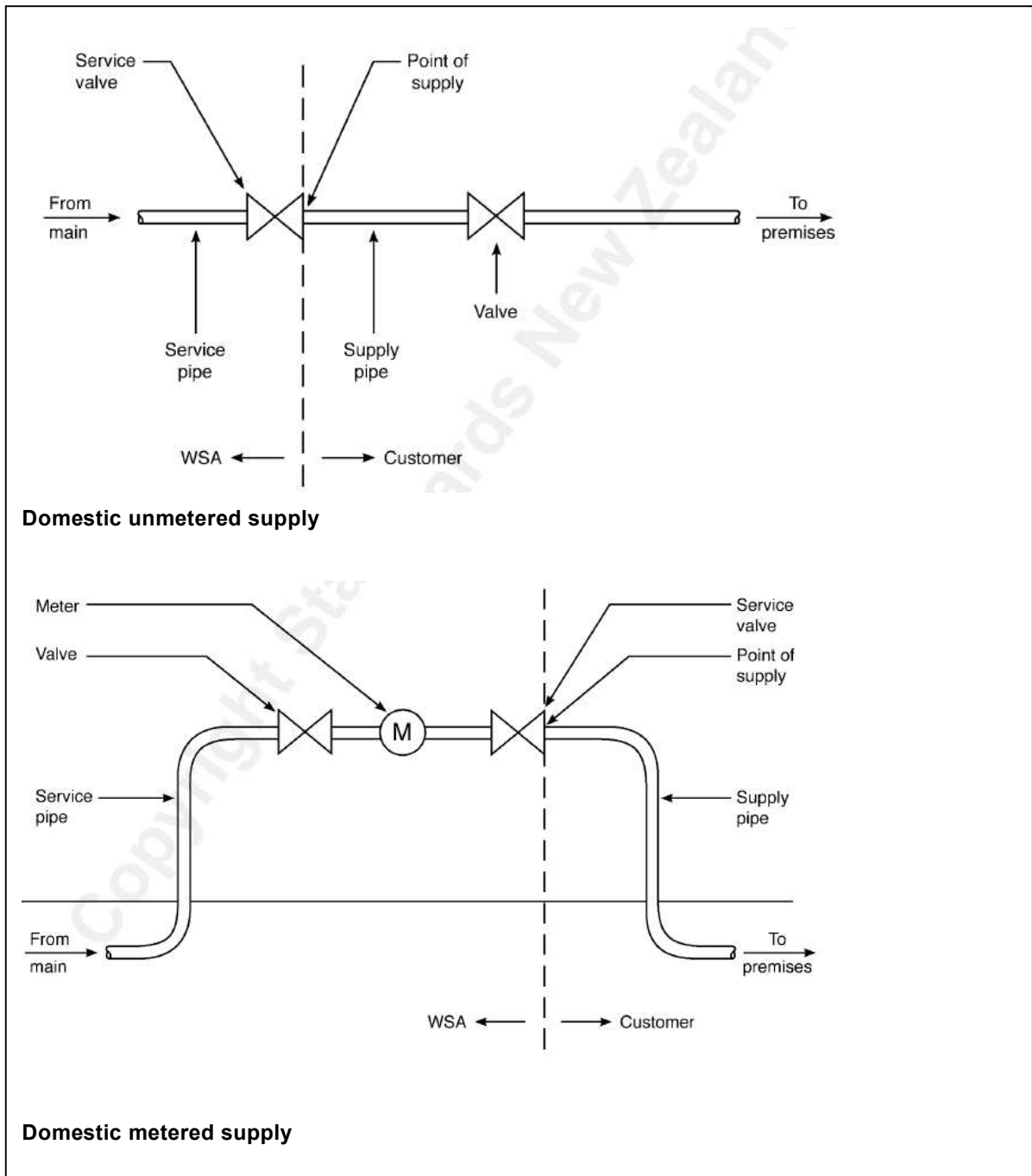


Figure 2 – Typical layout at point of supply

### 9.2.3 Multiple ownership

The point of supply for the different forms of multiple ownership of premises and/or land shall be:

- (a) For Company Share/Block Scheme (Body Corporate) - as for single ownership;
- (b) For Leasehold/Tenancy in Common Scheme (Cross Lease), Strata Title, Unit Title (Body Corporate) and any other form of multiple ownership - each customer shall have an individual supply with the point of supply determined by agreement with the Council. In specific cases other arrangements may be acceptable, subject to individual approval.

For a multiple ownership supply which was in existence prior to the coming into effect of this Bylaw, the point of supply shall be the arrangement existing at that time, or as determined by agreement with the Council for any individual case.

## **9.3 Access to, and about point of supply**

### **9.3.1 Rights of access**

Where the point of supply is on private property the customer shall allow the Council access to, and about the point of supply between 7.30 am and 6 pm on any day for:

- (a) Meter reading without notice; or
- (b) Checking, testing and maintenance work with notice being given whenever possible.

Outside these hours (such as for night time leak detection) the Council shall give notice to the customer.

Where access is not made available for any of the above times and a return visit is required by the Council, a rate may be charged as for 'meter reading by appointment'.

Under emergency conditions the customer shall allow the Council free access to, and about the point of supply at any hour.

### **9.3.2 Maintenance of access**

The customer shall maintain the area in and around the point of supply keeping it free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent convenient access.

## **9.4 Types of supply**

### **9.4.1 General**

Supplies shall be classified as either 'on demand' or 'restricted flow' and the use of water from the supply shall be either 'ordinary' or 'extraordinary'.

### **9.4.2 On demand supply**

Every premises shall be entitled to an ordinary supply of water subject to the following conditions :

- (a) The premises lying within an [urban/rural] water supply area if such an area has been constituted by the Westland District Council ;
- (b) The exclusion of its use for garden watering under any restrictions made by the Council under 9.7.3;
- (c) Payment of the appropriate charges in respect of that property;
- (d) Any other charges or costs associated with sub\_divisional development; and
- (e) Any other relevant conditions in section 9 of this Bylaw.

The Council shall be under no obligation to provide an extraordinary supply of water (see also the provisions of 9.7 and 9.9.2).

### 9.4.3 Restricted flow supply

Restricted flow supply shall be available to premises within a designated area only, or under special conditions set by the Council.

The water supply shall be restricted so as to deliver the agreed number of water units at a steady flow rate.

The Council shall charge for the restricted flow supply by either:

- (a) The volume passing through a meter; or
- (b) The agreed number of water units.

### 9.4.4 Ordinary use

Ordinary use is for domestic purposes (which may include use in a fire sprinkler system to NZS 4517) and shall include:

- (a) Washing down a car, boat, or similar;
- (b) Garden watering by hand;
- (c) Garden watering by a portable sprinkler (subject to the provisions of 9.7.3);
- (d) Irrigation systems for gardens and lawns, both fixed and portable, subject to the provisions 9.7.3

NOTE - For use from a fire protection system to NZS 4517:[2002](#) to be classified as an ordinary use, the customer should comply with the conditions set under 9.9 .1.

### 9.4.5 Extraordinary use

Extraordinary use includes:

- (a) Domestic - spa or swimming pool in excess of 10 m3 capacity, fixed garden irrigation systems;
- (b) Commercial and business;
- (c) Industrial;
- (d) Agricultural ;
- (e) Horticultural;
- (f) Viticultural;
- (g) Lifestyle blocks (peri-urban or small rural residential);
- (h) Fire protection systems other than sprinkler systems installed to comply with NZS 4517:[2002](#);
- (i) Out of district (supply to, or within another local authority);
- (j) Temporary- supply;
- (k) Stock Water

## 9.5 Metering

An ordinary use of water shall not normally be metered (subject to the Council reserving the right to fit a meter and charge where it considers water use is excessive, or for a meter to be fitted at the customer's request), and the cost of such use shall be as prescribed in the Local Government (Rating) act 2002, sections 9, 15 to 19, and sections 101 to 103.

An extraordinary use shall normally be metered and charged for in accordance with 9.15. Where the extraordinary use is for fire protection only, this supply shall not normally be metered.

## 9.6 Level of service

The Council shall provide water in accordance with the level of service contained in the Long Term Plan. For those periods where the level of service allows non-compliance with the specified value(s), the Council should make every reasonable attempt to achieve the specified value(s).

## **9.7 Continuity of supply**

### **9.7.1 Supply**

Due to practical and physical limitations the Council cannot guarantee an uninterrupted or constant supply of water in all circumstances, or the continuous maintenance of any particular pressure, but shall do its best to meet the continuity of supply levels of 9.6, subject to the exemptions contained in 9.7.3 and 9.7.4.

Where works of a permanent or temporary nature are planned which will affect an existing supply, the Council shall consult with, or inform or give notice to all known customers likely to be substantially affected.

### **9.7.2 Uninterrupted service**

If a customer has a particular requirement for an uninterrupted level of service (flow, pressure, or quality), it shall be the responsibility of that customer to provide any storage, back-up facilities, or equipment necessary to provide that level of service.

### **9.7.3 Demand management**

The customer shall comply with any restrictions which may be approved by the Council to manage high seasonal or other demands. Such restrictions shall be advised by public notice.

Even when such restrictions apply the Council shall take all practicable steps to ensure that an adequate supply for domestic purposes is provided to each point of supply.

### **9.7.4 Emergency restrictions**

During an emergency the Council may restrict or prohibit the use of water for any specified purpose, for any specified period, and for any or all of its customers. Such restrictions shall be advised by public notice. The Council may enact penalties over and above those contained in these conditions to enforce these restrictions. The decision to make and lift restrictions, and to enact additional penalties, shall be made by the Council, or where immediate action is required, by the manager of the Council, subject to subsequent Council ratification.

### **9.7.5 Maintenance and repair**

Wherever practical the Council shall make every reasonable attempt to notify the customer of a scheduled maintenance shutdown of the supply before the work commences. Where immediate action is required and notification is not practical, the Council may shut down the supply without notice.

## **9.8 Liability**

The Council shall endeavour to meet the level of service requirements of 9.6, but shall not be liable for any loss, damage or inconvenience which the customer (or any person using the supply) may sustain as a result of deficiencies in, or interruptions to, the water supply.

The Council may, under certain circumstances and at its sole discretion, make payments for damage caused to equipment, appliances, processes, and materials as a direct result of a variation in the water supply, provided that any such equipment or appliances have been designed to cater for reasonable variations in the flow, pressure, and quality of the water supply.

## **9.9 Fire protection connection**

### **9.9.1 Connection application**

Any proposed connection for fire protection shall be the subject of a specific application (on the standard Council form) made to the Council for approval. Any such connection shall be subject to the conditions specified by the Council.



## 9.9.2 Design

It shall be the customer's responsibility to ascertain in discussion with the Council and monitor whether the supply available is adequate for the intended purpose.

## 9.9.3 Fire protection connection metering

Where the supply of water to any premises is metered the Council may allow the supply of water for the purposes of firefighting to be made in a manner which bypasses the meter, provided that:

- (a) The drawing of water is possible only in connection with the sounding of an automatic fire alarm or the automatic notification of the fire brigade ; or
- (b) A Council approved detector check valve has been fitted on the meter bypass.

Any unmetered connection provided to supply water to a fire protection system shall not be used for any purpose other than firefighting and testing the fire protection system unless the fire protection system is installed in accordance with NZS 4517:[2002](#).

Where a fire connection has been installed or located so that it is likely or possible that water may be drawn from it by any person for purposes other than firefighting, the Council may require the supply to be metered.

## 9.9.4 Fire hose reels

Where the supply of water to any premises is metered, fire hose reels shall be connected only to the metered supply, not to the fire protection system. The water supply to fire hose reels shall comply with the requirements of NZS 4503:[2005](#).

## 9.9.5 Charges

Water used for the purpose of extinguishing fires shall be supplied free of charge. Where the fire protection connection is metered and water has been used for firefighting purposes, the Council shall estimate the quantity of water so used, and credit to the customer's account an amount based on such an estimate.

## 9.9.6 Ongoing testing and monitoring

Customers intending to test fire protection systems in a manner that requires a draw-off of water, shall obtain the approval of the Council beforehand. Water used for routine flushing and flow testing does not constitute waste but the quantity of water used may be assessed and charged for by the Council.

## 9.10 Backflow prevention

### 9.10.1 Customer responsibility

It is the customer's responsibility (under the Health Act 1956, and the Building Act 2004) to take all necessary measures on the customer's side of the point of supply to prevent water which has been drawn from the Council's water supply from returning to that supply. These include:

- (a) Backflow prevention either by providing an adequate air gap, or by the use of an appropriate backflow prevention device;
- (b) The prohibition of any cross-connection between the Council water supply and:
  - (i) Any other water supply (potable or non-potable)
  - (ii) Any other water source
  - (iii) Any storage tank
  - (iv) Any other pipe, fixture or equipment containing chemicals, liquids, gases or other non-potable substances.

Backflow prevention devices on extraordinary supplies are required to be tested by an approved backflow technician annually. A copy of the testing certificate is to be provided to council.

For devices installed by Council, the Council will have the required testing carried out and recover all costs from the water customer.

NOTE - Fire protection systems that include appropriate backflow prevention measures would generally not require additional backflow prevention, except in cases where the system is supplied by a non-potable source or a storage tank or fire pump that operates at a pressure in excess of the Council's normal minimum operating pressure.

### **9.10.2 Unmanaged risk**

Notwithstanding 9.10.1 the Council may fit a backflow prevention device on the Council side of the point of supply where the customer cannot demonstrate that the risk of backflow is adequately managed.

## **9.11 Council equipment and inspection**

### **9.11.1 Care of water supply system**

The customer shall take due care not to damage any part of the water supply system, including but not limited to pipework, valves, meters, restrictors, chambers, and backflow prevention devices.

### **9.11.2 Inspection**

Subject to the provisions of the Local Government Act 2002, the customer shall allow the Council with or without equipment, access to any area of the premises for the purposes of determining compliance with these conditions.

## **9.12 Meters and flow restrictors**

### **9.12.1 Installation**

Meters for on demand supplies, and restrictors for restricted flow supplies, shall be supplied, installed and maintained by the Council, and shall remain the property of the Council.

Where on demand supplies are not universally metered, the Council where it considers water use is unusually high, reserves the right to fit a meter at the customer's cost, and charge accordingly.

### **9.12.2 Location**

Meters and restrictors shall be located in a position where they are readily accessible for reading and maintenance, and if practicable immediately on the Council side of the point of supply, (see figure 2).

### **9.12.3 Accuracy**

Meters shall be tested as and when required by the Council or as prescribed in OIML R49. The maximum permissible error for the upper flow rate zone ( $Q_2 < Q < Q_4$ ) is  $\pm 2\%$ , for temperatures from  $0.3^\circ\text{C}$  to  $30^\circ\text{C}$  and the maximum permissible error for the lower flow rate zone ( $Q_1 < Q < Q_2$ ) is  $\pm 5\%$ . This accuracy shall be applied to all water meters with  $Q_3 < 100 \text{ m}^3/\text{h}$  and may be applied to water meters with values of  $Q_3 > 100 \text{ m}^3/\text{h}$ .

The flow restrictors shall be accurate to within  $\pm 10\%$  of their rated capacity.

NOTE - Where Q is the flow rate:

- Q1 is the minimum flow rate;
- Q2 is the transitional flow rate;
- Q3 is the permanent flow rate; and
- Q4 is the overload flow rate as defined in OIML R49-1.

Any customer who disputes the accuracy of a meter or restrictor may apply to the Council for it to be tested provided that it is not within three months of the last test. If the test shows non-compliance with the accuracy above, the customer shall not be charged for the test. If the test shows compliance, the customer shall pay a fee in accordance with the Council current fees and charges.

Meters shall be tested as prescribed in OIML R 49-2 and the test report shall be made available as prescribed in OIML R 49-3.

The variation in the error curve shall not exceed 3% for flow rates in the lower zone and 1.5% for flow rates in the upper zone. For the purpose of determining these requirements the mean values of the errors (of indication) at each flow rate, shall apply.

The curves shall not exceed a maximum error of  $\pm 6\%$  for flow rates in the lower zones and  $\pm 2.5\%$  for flow rates in the upper zones.

Restrictors shall be tested by measuring the quantity that flows through the restrictor in a period of not less than 1 hour at the expected minimum operating pressure. A copy of independent certification of the test result shall be made available to the customer on request.

#### **9.12.4 Adjustment**

If any meter, after being tested, is found to register a greater or lesser consumption than the quantity of water actually passed through such a meter, the Council shall make an adjustment in accordance with the results shown by such tests, backdated for a period at the discretion of the Council but not exceeding 12 months, and the customer shall pay a greater or lesser amount according to the adjustment.

Where a meter is under-reading by more than 20% or has stopped, the Council reserves the right to charge for the amount of water assessed as having been used over the past billing period, taking into account any seasonal variations in demand.

Where a meter is over-reading, the Council shall make appropriate adjustments to the customer's invoice(s), based on a period of similar use and backdated to when it is agreed the over-reading is likely to have occurred.

#### **9.12.5 Estimating consumption**

Should any meter be out of repair or cease to register, or be removed, the Council shall estimate the consumption for the period since the previous reading of such meter, (based on the average of the previous four billing periods charged to the customer) and the customer shall pay according to such an estimate. Provided that when by reason of a large variation of consumption due to seasonal or other causes, the average of the previous four billing periods would be an unreasonable estimate of the consumption, the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the customer shall pay according to such an estimate.

[EITHER:]

If metering shows a significant increase in consumption for a premises, and the increase is established as being caused by a previously unknown leak, the Council may estimate consumption as above, providing that the customer repairs the leak with due diligence.

[OR:]

The customer shall be liable for the cost of water which passes through the meter regardless of whether this is used or is the result of leakage.

Where the seal or dial of a meter is broken, the Council may declare the reading void and estimate consumption as described above.

### **9.12.6 Incorrect accounts**

Where a situation occurs, other than as provided for in 9.12.5, where the recorded consumption does not accurately represent the actual consumption on a property, the account shall be adjusted using the best information available to the Council. Such situations include, but are not limited to, misreading of the meter, errors in data processing, meters assigned to the wrong account, and unauthorised supplies.

Where an adjustment is required, in favour of the Council or the customer, this shall not be backdated more than 12 months from the date the error was detected.

### **9.13 Plumbing system**

Quick-closing valves, pumps, or any other equipment which may cause pressure surges or fluctuations to be transmitted within the water supply system, or compromise the ability of the Council to maintain its stated levels of service shall not be used on any piping beyond the point of supply. In special circumstances such equipment may be approved by the Council.

In accordance with the Building Regulations 1992 the plumbing system shall be compatible with the water supply. Specific features of the Council supply which need to be taken into account can be obtained upon enquiry.

### **9.14 Prevention of waste**

The customer shall not intentionally allow water to run to waste from any pipe, tap, or other fitting, nor allow the condition of the plumbing within the property to deteriorate to the point where leakage or wastage occurs.

The Council provides water for consumptive use not as an energy source. The customer shall not use water or water pressure directly from the supply for driving lifts, machinery, eductors, generators, or any other similar device, unless specifically approved.

The customer shall not use water for a single pass cooling system or to dilute trade waste prior to disposal, unless specifically approved.

### **9.15 Payment**

The customer shall be liable to pay for the supply of water and related services in accordance with the Council fees and charges prevailing at the time.

The Council may recover all unpaid water charges as prescribed in the Local Government (Rating) Act 2002, sections 57 to 82.

### **9.16 Transfer of rights and responsibilities**

The customer shall not transfer to any other party the rights and responsibilities set out in this Bylaw.

A supply pipe shall serve only one customer, and shall not extend by hose or any other pipe beyond that customer's property.

In particular and not in limitation of the above any water which the customer draws from the Council supply shall not be provided to any other party without approval of the Council.

### **9.17 Change of ownership**

In the event of a premises changing ownership the Council shall record the new owner as being the customer at that premises. Where a premises is metered the outgoing customer shall give the Council five working days' notice to arrange a final meter reading.

## **9.18 Disconnection at the customer's request**

The customer shall give 20 working days notice in writing to the Council of the requirement for disconnection of the supply. Disconnection shall be at the customer's cost.

# **10 Breaches and infringement offences**

## **10.1 Breaches of conditions of supply**

The following are deemed breaches of the conditions to supply water:

- (a) An incorrect application for supply which fundamentally affects the conditions of supply (section 9);
- (b) Failure by the customer to meet and comply with the conditions of supply;
- (c) Failure to meet any obligation placed on the customer under all current Acts and Regulations specified in section 5(a);
- (d) Frustration of the Council's ability to adequately and effectively carry out its obligations;
- (e) An act or omission including but not limited to any of the following:
  - (i) Failure to pay the appropriate charges by the due date
  - (ii) Failure to repair a leak, or in any way wilfully allowing water to run to waste, or to be misused
  - (iii) The fitting of quick-closing valves, pumps, or any other equipment which may cause pressure surges or fluctuations to be transmitted within the water supply system, or compromise the ability of the Council to maintain its stated levels of service (subject to 9.13)
  - (iv) Failure to prevent backflow (see 9.10)
  - (v) Failure to comply with water use restrictions or prohibitions introduced by the Council for any specified purpose
  - (vi) Using water or water pressure directly from the supply for driving lifts, machinery, eductors, generators, or any other similar device, unless specifically approved by the Council
  - (vii) Using water for a single pass cooling or heating system, or to dilute trade waste prior to disposal, unless specifically approved
  - (viii) Extending by hose or any other pipe a private water supply beyond that customer's property
  - (ix) Providing water drawn from the Council supply to any other party without approval of the Council.

### **10.1.1 In event of a breach**

In the event of a breach, the Council shall serve notice on the customer advising the nature of the breach and the steps to be taken to remedy it. If, after one week, the customer persists in the breach, the Council reserves the right to reduce the flow rate of water to the customer without notice. In such an event the full service of the supply shall be re-established only after payment of the appropriate fee and remedy of the breach to the satisfaction of the Council.

In addition, if the breach is such that the Council is required to disconnect the supply for health or safety considerations, such disconnection should be carried out forthwith.

### **10.1.2 In event of serious breach**

A serious breach is any breach that may impact on the supply of water to other consumers on the supply, or create a risk to public health and safety, or to the environment. In the event of a serious breach, the Council shall take any immediate action necessary to remedy the breach. Without prejudice to its other rights and remedies, the Council shall be entitled to recover any costs incurred in remedying the breach.

## **10.2 Interference with equipment**

Any tampering or interfering with Council equipment, either directly or indirectly, shall constitute a breach. Without prejudice to its other rights and remedies, the Council shall be entitled to estimate (in accordance with 9.12.5) and charge for the additional water consumption not recorded or allowed to pass where a meter or restrictor has been tampered with, and recover any costs incurred.

## **10.3 Unlawful connections to water supply**

In the event of any connection made to the supply that has not been approved by the Council in accordance with 9.1, the Council may:

- a) Immediately remove the unlawful connection and take any action required to remedy damage caused by the unlawful connection. Without prejudice to its other rights and remedies, the Council shall be entitled to estimate (in accordance with 9.14.5) and charge for the additional water consumption not recorded where an unlawful connection has been made and recover any costs incurred in remedying the breach; or
- b) Serve notice on the consumer requesting an application be made in accordance with 9.1. If the time specified for making the application lapses without the application being made, the Council may take action as outlined in 10.4 (a) above; or
- c) Take any other action provided for under this Bylaw.

## **10.4 Notifying the Police**

In cases where the Council suspects the supply has been directly tampered with and/or water theft has occurred, the Police will be notified. Without prejudice to its other rights and remedies, the Council may also elect to prosecute the consumer.

## **10.5 Recording breaches against premises**

Where a customer breaches the conditions of supply relating to clauses 9.5.5 (k) and 9.5.5 (n) and does not subsequently rectify the breach, and where this may impact on successive owners of the premises, this information may be recorded on the premises' property file held at the Council's offices and made available for public inspection.

## **10.6 Offences**

Every person who fails to comply with this Bylaw commits an offence and is liable on conviction to a fine not exceeding \$20,000 or as set out in section 242 of the Local Government Act 2002. A decision to prosecute does not prevent the Council from seeking an injunction under section 162 of the Local Government Act 2002 or otherwise restraining the person from committing a breach of this Bylaw.

Every person commits an offence who:

- a) fails to comply with any provision of this Bylaw
- b) breaches the conditions of supply granted pursuant to this Bylaw
- c) fails to comply with a notice served under this Bylaw
- d) takes water from a fire hydrant without the required authority
- e) misuses the Council's equipment (fire hydrant upstands, meters, restrictors)
- f) undertakes theft of water from the water supply network
- g) tampers with the water supply
- h) connects to the water supply network without the written approval from the Council, or
- i) contravenes any other provision of this Bylaw

# 11 SCHEDULE OF WATER SUPPLIES

Areas within the Westland District and types of water supply

Water supply area	Typical supply for area
HOKITIKA	On-demand
FRANZ JOSEF	<a href="#">On-demand</a>
HARIHARI	<a href="#">On-demand</a>
KUMARA	On-demand
FOX GLACIER	On-demand
ROSS	On-demand
WHATAROA	On-demand
ARAHURA	On-demand
HAAST	On-demand

This Bylaw was made by Westland District Council at a meeting on 23 June 2016 [and amended 29 April 2021.](#)

The Common Seal of the Westland District Council is attached in the presence of:

\_\_\_\_\_ Mayor

\_\_\_\_\_ Chief Executive