



AGENDA

Extraordinary Meeting of the Buller District Council

**Commencing at 2:30pm
Wednesday 14 June 2023**

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



CORE COUNCILLOR ROLE AND RESPONSIBILITIES

The Governance role entails:

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

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

Our commitments to best support each other and meet the challenges and opportunities of 2023 include:

CLEAR AND RESPECTFUL COMMUNICATION

We are committed to:

Actively listening and not interrupting;

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

Responding/answering in a timely manner; and

Being honest, reasonable, and transparent.

TRUST AND RESPECT

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

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

CONTINUOUS LEARNING AND IMPROVEMENT

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

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

NONE OF US IS AS SMART AS ALL OF US

Council

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

Purpose

The Council is responsible for:

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

Terms of Reference

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

2. To exercise the following powers and responsibilities of Council, which the Council chooses to retain:
 - a) Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
 - b) Approval of any changes to Council's vision, and oversight of that vision by providing direction on strategic priorities and receiving regular reports on its overall achievement.
 - c) Adoption of governance level strategies, plans and policies which advance Council's vision and strategic goals.
 - d) Approval of the Triennial Agreement.
 - e) Approval of the local governance statement required under the Local Government Act 2002.
 - f) Approval of a proposal to the Remuneration Authority for the remuneration of Members.
 - g) Approval of any changes to the nature and delegations of the Committees.

Common Delegations

The following delegations from Council are common to the Risk and Audit Committee, the Community, Environment and Services Committee and the Regulatory, Hearings and Planning Committee within their respective areas of responsibility.

General Principal

1. The work of these Committees will be in accordance with the priorities and work programme agreed by the Council.
2. These Committees have the powers necessary to perform the Committee's responsibilities, in accordance with the approved Long Term Plan and Annual Plan budgets. Subject to confirmation of compliance with the financial strategy.

These Committees will:

Strategy, plans and policy

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

Bylaws

1. Develop and agree to the statement of proposal for new or amended bylaws for consultation.
2. Recommend to Council new or amended bylaws for adoption.

Consultation and engagement

1. Ensure appropriate, effective and transparent engagement with the community, tangata whenua and other stakeholders.
2. Conduct any public engagement required on issues before the Committee, in accordance with Council's Significance and Engagement Policy.
3. Conduct hearings, where appropriate, to consider submissions from members of the public and external organisations, making determinations on such matters unless they are reserved for Council to decide.

Submissions and legislation

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

Contracts

1. Approve and monitor contracts and other legally binding arrangements provided that such contracts/arrangements:
 - a) Do not require the approval of the whole of Council; and
 - b) Fall within the budget approved under the Long Term Plan or Annual Plan and have a value exceeding the Chief Executive's financial delegation.

Other

1. Consider and make decisions which are within the Chief Executive Officer's delegations, and which the Chief Executive Officer has referred to the Committee for recommendation to Council.
2. Consider and make decisions on operational matters that fall within a Committee's area of responsibility that are outside of delegations to the Chief Executive Officer or other Council officers.
3. Commission new Committee reports and work required to respond to significant or compliance issues, or to complete the agreed programme of Council.
4. Monitor Audit recommendations and ensure completion.

Buller District Council Extraordinary Meeting

Venue: Clocktower Chambers, Westport.



14 June 2023 02:30 PM

Agenda Topic	Page
BDC Charter 2022 - 2025	2
1. Apologies	8
2. Members Interests	9
3. Draft Annual Plan Changes Summary	10
4. Westport Water Upgrades	14
5. ICB Submission Report and Blacks Point Residents and Ratepayers Association Feedback	16
6. Reserve Contribution Fund Report	18
7. PUBLIC EXCLUDED Report	21
8. PE: Placeholder Page	22

**BULLER DISTRICT COUNCIL
EXTRAORDINARY MEETING**

14 JUNE 2023

AGENDA ITEM 1

Prepared by Sean Judd
Acting Chief Executive

APOLOGIES

1. REPORT SUMMARY

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

2. DRAFT RECOMMENDATION

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

OR

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

**BULLER DISTRICT COUNCIL
EXTRAORDINARY MEETING**

14 JUNE 2023

AGENDA ITEM 2

Prepared by Sean Judd
Acting Chief Executive

MEMBERS INTEREST

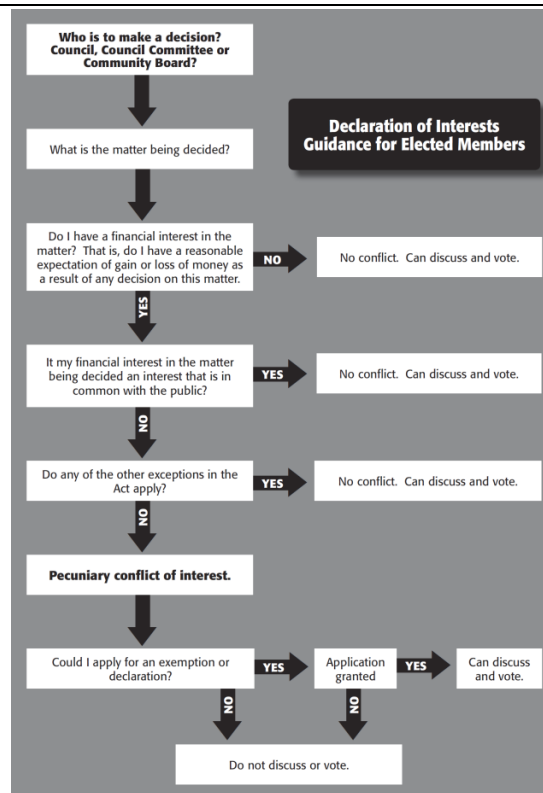
Members are encouraged to consider the items on the agenda and disclose whether they believe they have a financial or non-financial interest in any of the items in terms of Council's Code of Conduct.

Councillors are encouraged to advise the Governance Assistant, of any changes required to their declared Members Interest Register.

The attached flowchart may assist members in making that determination (Appendix A from Code of Conduct).

DRAFT RECOMMENDATION:

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



**BULLER DISTRICT COUNCIL
EXTRAORDINARY MEETING**

14 JUNE 2023

AGENDA ITEM 3

Prepared by Lynn Brooks
Manager Finance

Reviewed by Sean Judd
Acting Chief Executive Officer

DRAFT ANNUAL PLAN CHANGES SUMMARY

1. REPORT SUMMARY

A Council workshop was held 7 June 2023 to review the community feedback received and staff requests for changes on the 2023-2024 Annual Plan.

In total, Council considered 10 papers, eight relating to community feedback and two from staff requesting a change to the final Annual Plan.

Council requested to deliberate on three items, so a special meeting was called for 14 June 2023.

The three items in question are:

1. Staff request that Council considers including up to a further \$3m of funding for Westport Water
2. Increasing the operating period for the Reefton Pool as requested by the Inangahua Community Board
3. A paper outlining the policy for the application of Reserve Fund Contributions

They are included in this agenda as three separate papers.

2. DRAFT RECOMMENDATION

That Council receive this report for information.

3. ISSUES AND DISCUSSION

Council endorsed the Draft 2023-2024 Annual Plan that was made available to the public for community engagement from 8-28 May 2023.

The Draft Annual Plan proposed a total rates increase of 6.8%, and net debt of \$27.2m.

Subsequent to the release of the Draft Annual Plan staff have identified changes requiring inclusion in the final Annual Plan to be adopted by Council 28 June 2023.

Changes include:

Waimangaroa Water Supply

Council's application to the Better Off Fund for \$0.65m towards the Waimangaroa Water Supply project was declined. The Draft Annual Plan contained the assumption the \$0.65m would be grant funded. The net debt in the final Annual Plan needs to be amended to add this to Council's net debt position. As the targeted rates for water have been held static this has no impact on rates.

Karamea Landfill

Council's application to the Better Off Fund for \$87k towards the Karamea Landfill project was declined. The Draft Annual Plan contained the assumption this \$87k would be grant funded.

Council staff have reviewed the remaining project requirements and identified \$40k is needed on top of the \$19k Council budgeted in the Draft Annual Plan to complete this project. It is proposed the final budget of \$59k be funded by an internal loan, the loan costs will not impact on the Karamea refuse targeted rate until 2024/2025.

The \$19k included in the Draft Annual Plan was rate funded meaning the targeted rate can be reduced from \$161 inc GST, included in the Draft Annual Plan, to the current rate of \$138 inc GST. Net debt in the final Annual Plan will increase by \$59k.

Council staff have proposed new gate fees to be included in the final Annual Plan that will come into effect once the weighbridge is installed. The increase in fees will result in additional revenue to fund the costs of the capital project.

The impact of this and the net result on the targeted rate will be reviewed as part of the 2024-2034 Long Term Plan.

Reefton Historic Landfill

Council resolved on 29 March 2023 to provide \$0.25m towards increasing the length of the rock wall at the Reefton Historic Landfill site. Net debt in the final Annual Plan increases by \$0.25m to reflect this decision. The loan interest and

depreciation funding take effect from 2023/2024 and are to be funded from the general rates at a cost of \$11k.

Westport Water Critical Needs

Council staff took forward a paper to the 26 April 2023 Full Council meeting to discuss funding \$750k of critical works from redirected Better Off Funds. Council resolved at this meeting to redirect \$100k of savings identified in the stormwater smoke testing, with staff directed to bring back a paper regarding the remaining \$650k.

This paper is going to Council on 28 June 2023 with the options this either be funded by redirecting the Better Off Funds previously requested, or otherwise by loan funding. Until the decision is made by Council, staff assume this \$650k is to be funded by way of the Better Off Funding grant money.

Council needs to be aware when making a decision in relation to the Westport Water Upgrades requests, that potentially \$650k of loan funding will be required to fund the critical works.

Tourism Infrastructure Fund Application

Council staff have put forward applications to the Tourism Infrastructure Fund (TIF) totalling \$1.75m to be funded 50/50 Council and TIF. Council's share is proposed to be funded with \$195k from existing budgets, \$200k from other external contributions and \$460k from Reserve Financial Contributions (RFC).

The projects to be funded include the Punakaiki and Mokihinui campground effluent system upgrades, Carters Beach carpark project and reinstatement of the Tauranga Bay toilets.

The impact on the final Annual Plan of this works is an increase in net debt of \$436k and an increase in rates of \$47k due to funding depreciation on some of these assets and loss in interest revenue from the RFC funds, an increase on total rates of 0.3%.

Ngakawau/Hector Request for Funds

The Ngakawau/Hector Reserve Subcommittee made a request of \$19k to fund a replacement playing field fence on the public reserve at Ngakawau which borders SH67. \$14k is to be funded from the Isdell Trust reserve resulting in a minimal increase in net debt and the remainder to come from existing operational budgets with no impact to rates.

Airport Maintenance

Council staff identified the ability to make a saving of \$40k from the Airport repairs and maintenance budget resulting in a \$20k savings in general rates as this activity is funded 50/50 between Council and the Ministry of Transport.

Net Financial Impact

The net impact of the above changes is net debt of \$28.7m; \$1.44m higher than the draft Annual Plan, a \$40k increase in rates, and a \$12k reduction in refuse

targeted rates making the total proposed rates increase 6.9%; 0.1% higher than the Draft.

Council is to deliberate at this meeting on two more changes, one by staff and one made by the community. Both are discussed in depth under separate reports.

One is for additional funds for further upgrades to the Westport Water Supply, and one to extend the operating season of the Reefton pool by two weeks.

The Reefton Pool extension would cost \$10k, to be funded from general rates and increasing total rates by 0.1%.

The Westport Water paper outlines three possible courses of action

1. Include \$0 and wait to deal with as part of the 2024-2034 Long Term Plan;
2. Additional funding in the final 2023/2024 Annual Plan of \$0.65m for bulk flow meters \$380k and treatment plant optimisation and investigations of \$270k, or
3. An additional \$3m for the previous works plus \$2.35m for the finalising the Trunk Main extension.

The impact of these further options is tabled below:

	Draft 2023-2024 Annual Plan	Provisional Changes	Reefton Pool	Westport Water Upgrades \$0.65m	Westport Water Upgrades \$3m
Net Debt	27,222	28,662	28,662	29,312	31,662
General Rates	11,244	11,284	11,295	11,295	11,295
Targeted Rates	7,499	7,487	7,487	7,487	7,487
Total Rates % increase	6.8%	6.9%	7.0%	7.0%	7.0%

BULLER DISTRICT COUNCIL

EXTRAORDINARY MEETING

14 JUNE 2023

AGENDA ITEM 4

Prepared By: Mike Williams
Group Manager Infrastructure Services

Reviewed By: Sean Judd
Acting Chief Executive Officer

WESTPORT WATER UPGRADES

1. SUMMARY OF REPORT

Following a workshop with Councillors held 7 June 2023, council staff were asked for further information to come back to Council so deliberations and decisions could be made regarding the Westport Water upgrade options when putting in final changes to the draft Annual Plan.

The attachments to the workshop last week can be referred to for more information.

2. FUNDING SUMMARY

The cost of the total proposed \$3 million would be funded by the Westport water supply targeted (closed) rate account.

The timing of the physical work would be in the period January 2024 to June 2024 and would not have a rating impact on the Westport community until 1 July **2024**.

Financial impact:

- principal repayments over a 30-year period
- interest charges at an average cost over the 30 years of 6.6%
- depreciation funding
- the combined impact of the first three points above adds an annual cost of \$258,222 plus GST.
- this results in an additional \$106 (inc. GST) per annum to each property connected to the Westport water supply.

- there is no additional annual operating cost for the new pipe, it is expected that there is a lower future cost of maintenance expected due to the reduction in leaks, thus improving service reliability.

The impact of funding the lesser amount of \$0.65m covered off in Recommendation 'c' would be \$23 including GST per annum to each property connected to the Westport water supply.

Staff recommend that this submission is brought to the 2024-2034 Long Term Plan where it can be included in the community consultation process.

3. SUPPLEMENTARY INFORMATION

Following the April Council meeting, staff were requested to bring back a paper to the 28 June Council meeting outlining funding options for the \$650,000 shortfall for the Westport Water critical needs project.

The options will include using \$650,000 external grant funds from Better Off Funding; the alternative would be Internal Loan Funding. Both of these options have no rate impact in the 2023-2024 year but would create future years' rates increases. If internal loans are used net debt would increase. Staff are currently working on completing this paper for the 28 June Council meeting.

4. DRAFT RECOMMENDATION

That Council

- a. directs staff to bring this submission to the next Long Term Plan round.**

OR

- b. includes an additional capital budget of \$3 million in the 2023/2024 Annual Plan for the Westport Trunk Main extension, installation of bulk flow meters, and treatment plant optimisation and investigation.**

The increased Westport Water supply targeted rate will fund the loan servicing costs and depreciation funding for this work starting from 1 July 2024.

OR

- c. includes an additional capital budget of \$0.65 million in the 2023/2024 Annual Plan for the installation of bulk flow meters, and treatment plant optimisation and investigation.**

**BULLER DISTRICT COUNCIL
EXTRAORDINARY MEETING**

14 JUNE 2023

AGENDA ITEM 5

Prepared By: Krissy Trigg
Group Manager Community Services

Reviewed By: Sean Judd
Acting Chief Executive Officer

INANGAHUA COMMUNITY BOARD SUBMISSION AND BLACKS POINT RESIDENTS AND RATEPAYERS ASSOCIATION FEEDBACK

1. SUMMARY OF REPORT

Refer to attached submission from the Community Board which was discussed as part of the workshop held with Councillors on 7 June 2023.

A late feedback item from Blacks Point Residents and Ratepayers Association (BPRRPA) has been sent to Councillors for their information as this was not available at the time of the workshop last week.

2. FUNDING REQUEST

Following the discussion at the workshop last week, Councilors requested details of costs and rate impact to extend the swimming season at the Reefton pool for an additional two weeks (three days a week).

As this would be a change in the current level of service and increase existing budgets, this report gives those requested details for Council to make an informed decision.

Council staff have requested the costs of keeping the pool open for an additional three days a week over a two-week period for the Easter holidays and have been advised by Buller Holdings Limited that an additional \$10,000 increase on the management fee this would allow them to open the pool for the requested time.

Adding \$10,000 to the Reefton Pool management fee increases general rates by \$10k and total rates 0.1%.

3. DRAFT RECOMMENDATION

That Council:

- a) Approve the additional \$10,000 additional management fee to extend the swim season for the Reefton pool for an additional three days a week over two weeks in the Easter holidays;**

OR

- b) Advise the Inangahua Community Board that at this time, the swim season will remain as is and they can put forward a submission to be considered by the Council as part of the preparation of the Draft 2024-2034 Long Term Plan.**

AND

- c) Receive the late Blacks Point Residents and Ratepayers Association feedback for information.**

BULLER DISTRICT COUNCIL

EXTRAORDINARY MEETING

14 JUNE 2023

AGENDA ITEM 6

Prepared by Krissy Trigg
Group Manager Community Services

Reviewed by Sean Judd
Acting Chief Executive Officer

RESERVE CONTRIBUTION FUND

1. REPORT SUMMARY

This report is to outline the purpose of the 'Development and Financial Contribution Policy' and answer questions raised by Councillors around what 'Reserve Contribution Funds' can be used for.

2. DRAFT RECOMMENDATION

That Council:

- 1. Receives this report for information and;**
- 2. Notes there will be further policy changes to how this fund is collected and distributed when the Te Tai o Poutini Plan replaces the current Buller District Plan.**

3. ISSUES AND DISCUSSION

3.1 Background

For the last few Annual Plan cycles, Councillors have received submissions from the community for funding requests. These have ranged in value, purpose and proposal. The requests have been deliberated on by Councillors, usually over a two-day meeting and decisions made on if these will be included for that years' Annual Plan.

For requests that fit a specific criterion, funds have been granted and paid out of the 'Reserves Contribution Fund'.

3.2 Development and Financial Contributions Policy

Both the Resource Management Act 1991 (RMA) and the Local Government Act 2002 (LGA) provide local authorities with the ability to charge the developer for a fair portion of the funding needed for additional infrastructure, reserves and community facilities arising from new developments and subdivisions.

Under the RMA, financial contributions can be required as part of resource consent conditions and they can also be applied to any development for which the costs exceed a certain amount even if it is a permitted activity.

In June 2020 Council, (Finance, Risk and Audit Committee) considered the various attributes of the two options and resolved to continue to rely solely on Financial Contributions as specified in the Buller District Plan for the 2021 - 2031 Long Term Plan (LTP). The need for funding growth in the form of Development Contributions will be reviewed again under the 2024 - 2034 LTP.

The above policy outlines how developers are charged, noting this is how Council collect the funds; it will not determine how they are allocated.

It should be noted, the policy is to be reviewed in the next LTP and will be replaced by provisions in the Te Tai o Poutini Plan when it is operative.

Currently, the Buller District Plan outlines the **purpose** of the financial contributions in section 8.2.2:

8.2.2. Purpose and circumstance: Activities which involve considerable financing have the potential to greatly benefit the District, but also lead to a strain on resources. Accordingly only activities which are substantial (as determined by their value) require a financial contribution for the development of reserves and facilities. Any development that is defined as a network utility shall be exempt from the development contributions.

Section 8.2.3 outlines on **what** the fund can be spent on:

8.2.3. Amount of contribution: Developments of a value of over \$500,000 shall be subject to a financial contribution of 0.5% of the value of the development. The financial contribution shall only be spent by Council on the provision and development of reserves, recreational facilities and community facilities within the District.

In practice, each year, the budget allocated from the Reserve Contribution Fund is used on a range of planned capital purposes including new gardens and replacement trees, upgrading playgrounds and safety improvements for playgrounds etc.

For some projects, such as King George Park, Karamea Reserve Toilet amenities block, these funds are used to enhance existing facilities and

reserves. This spending is planned and detailed in the Council budgets which sit behind the LTP.

As noted above, in recent times, when there has been a portion of the budget that is not yet allocated to project at a time of Annual or Long-Term Plan deliberations, the practice has been that Councillors have been involved in the decision making on how that remainder may be spent.

3.3 Moving Forward

In the LTP process, communities are encouraged to supply feedback and provide submissions into the Plan so Council can understand what our community is wanting to see in the coming 10 years.

In addition to these submissions, staff will assess the need and requirements for the existing reserves and facilities to ensure budgets are appropriately allocated to provide services.

For our parks and reserves, this might include additional facilities where there has been an increase of population, or it could be further developing existing facilities. These are put into a work programme and staff who oversee the reserves and facilities are able to recommend what work needs to be done.

This is planned in for the operational budgets which Councillors then adopt as part of the Annual / Long Term Plans. It is at this stage Councillors can deliberate and decide if there is a specific project they would like consideration over another.

Moving forward, Asset Management Plans and Reserve Management Plans will be able to clearly outline what needs to be completed and with input from 'where' development has been, this can create a better overall work programme.

**BULLER DISTRICT COUNCIL
EXTRAORDINARY MEETING**

14 JUNE 2023

AGENDA ITEM 7

Prepared by Jamie Cleine
Buller District Mayor

PUBLIC EXCLUDED

1. REPORT SUMMARY

Subject to the Local Government Official Information and Meetings Act 1987 S48(1) right of Local Authority to exclude public from proceedings of any meeting on the grounds that:

2. DRAFT RECOMMENDATION

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

Item No.	Minutes/Report of:	General Subject	Reason For Passing Resolution Section 7 LGOIMA 1987
8	Jamie Cleine	Interim CE Recruitment	(s 7(2)(i)) - enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);

AGENDA ITEM 8

To be distributed by Mayor J Cleine.