

# **A G E N D A**

## **Ordinary Council Meeting**

**Council Chambers,  
36 Weld Street  
Hokitika**

**Monday 29 May 2017  
commencing at 11.00 am**

His Worship the Mayor R.B. Smith  
Deputy Mayors Cr H.M. Lash and Cr L.J. Martin  
Crs D.L. Carruthers, R.W. (G) Eatwell, D.M.J. Havill ONZM,  
J.A. Neale, G.L. Olson, D.C. Routhan.





# ORDINARY COUNCIL MEETING

**AGENDA FOR AN ORDINARY MEETING OF THE WESTLAND DISTRICT COUNCIL, TO BE HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA ON MONDAY 29 MAY 2017 COMMENCING AT 11.00 AM**

*22 May 2017*

## **COUNCIL VISION**

Westland District Council will facilitate the development of communities within its district through delivery of sound infrastructure, policy and regulation.

This will be achieved by:

- Involving the community and stakeholders.
- Delivering core services that meet community expectations and demonstrate value and quality.
- Proudly promoting, protecting and leveraging our historic, environmental, cultural and natural resource base to enhance lifestyle and opportunity for future generations.

### **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 meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

## Health & Safety Snapshot

	Accidents	Incidents	Near Misses
April 2016	0	1	0
May 2016	0	1	0
June 2016	0	1	0
July 2016	0	0	0
August 2016	1	0	0
September 2016	0	1	0
October 2016	0	0	0
November 2016	0	0	0
December 2016	0	0	0
January 2017	0	0	0
February 2017	0	0	1
March 2017	0	0	0
April 2017	0	0	0
To the 22 May 2017	0	0	0

## **1. MEMBERS PRESENT, APOLOGIES AND INTEREST REGISTER:**

### **1.1 Apologies & Leave of Absence**

Cr D.C. Routhan

### **1.2 Interest Register**

## **2. CONFIRMATION OF MINUTES:**

### **2.1 Ordinary Council Meeting – 27 April 2017**

**Pages 6-14**

## **3. GENERAL BUSINESS:**

### **3.1 Jacqui Grant MNZM. Hokitika:** Regarding Negative Print Media Reporting. **Pages 15-16**

*Ms Grant will be in attendance at the meeting at 11.00 am to speak to her letter.*

## **4. ACTION LIST:**

*The Action List is attached.*

**Pages 17-20**

*Lunch from 12.30 pm to 1.00 pm.*

## 5. AGENDA ITEMS FOR DECISION:

- |     |  |             |
|-----|--|-------------|
| 5.1 | <u>Road Stopping, Evans Creek, Harihari.</u>   | Pages 21-28 |
| 5.2 | <u>Road Stopping, 244 Upper Kokatahi Road, Kokatahi.</u>                                 | Pages 29-32 |
| 5.3 | <u>2017 Hokitika Wildfoods Festival Summary Report</u>                                   | Pages 33-35 |
| 5.4 | <u>West Coast Wilderness Trail – Project Update</u>                                      | Pages 36-39 |
| 5.5 | <u>Planning Update Through April 2017</u>  | Pages 40-58 |
| 5.6 | <u>Cass Square Status</u>  | Pages 59-70 |
| 5.7 | <u>Request from Westland District Property Ltd to Expand Activity into Drummond Hall</u> | Pages 71-84 |
| 5.8 | <u>Proposal for an NZMCA Park-Over-Property (POP)</u>                                    | Pages 85-93 |

## 6. AGENDA ITEMS FOR DISCUSSION:

- |     |  |              |
|-----|--|--------------|
| 6.1 | <u>Franz Alpine Resort – Emptying of Tanks</u><br>Chief Executive                                |              |
| 6.2 | <u>Kumara and Whataroa Water Supply Contract</u><br>Chief Executive                              |              |
| 6.3 | <u>Museum Upgrade and MDI Consultation</u><br>Group Manager: Planning, Community and Environment |              |
| 6.4 | <u>Local Government Remuneration Review</u><br>Mayor   | Pages 94-123 |
| 6.5 | <u>Freedom Camping</u><br>Mayor  |              |
| 6.6 | <u>LGNZ Conference 23-25 July 2017, Auckland</u><br>Mayor  |              |



## **7. MATTERS TO BE CONSIDERED IN THE 'PUBLIC EXCLUDED SECTION':**

Resolutions to exclude the public: Section 48, Local Government Official Information and Meetings Act 1987.

Council is required to move that the public be excluded from the following parts of the proceedings of this meeting, namely:

### **7.1 Confidential Minutes**

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:

<b>Item No.</b>	<b>Minutes/ Report of</b>	<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for the passing of this resolution</b>
7.1	Confidential Minutes	Confidential Minutes	Good reasons to withhold exist under Section 7	Section 48(1(a) & (d)

**Date of next Ordinary Council Meeting – 22 June 2017  
to be held in the Council Chambers, 36 Weld Street, Hokitika**

## MINUTES OF AN ORDINARY MEETING OF THE WESTLAND DISTRICT COUNCIL, HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA ON THURSDAY 27 APRIL 2017 COMMENCING AT 11.39 AM

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### 1 MEMBERS PRESENT, APOLOGIES AND INTEREST REGISTER:

#### 1.1 Members Present

His Worship the Mayor R.B. Smith (Chair)  
Deputy Mayors Crs H.M. Lash and L.J. Martin  
Crs D.L. Carruthers, R.W. (G) Eatwell (part of the meeting), D.M.J. Havill (ONZM),  
J.A. Neale, G.L. Olson, Cr D.C. Routhan.

#### Apologies:

Nil.

#### Also in Attendance:

R.F. Reeves, Chief Executive; J.D. Ebenhoh, Group Manager: Planning, Community and Environment; L.A. Crichton, Finance Manager; K.A. Jury, Corporate Planner; D.M. Maitland, Executive Assistant.

#### 1.2 Interest Register

The Interest Register was circulated and amendments were noted.

### 2. **CONFIRMATION OF MINUTES:**

#### 2.1 Extraordinary Council Meeting – 7 April 2017.

Moved Cr Neale, seconded Deputy Mayor Lash and **Resolved** that the Minutes of the Extraordinary Council Meeting held on the 7 April 2017 be confirmed as a true and correct record of the meeting.

*It was noted that the 23 March Ordinary Council Minutes had already been confirmed by Council at their Extraordinary Council Meeting held on Friday 7 April 2017.*

## GENERAL BUSINESS:

### 3.1 Enterprise Hokitika – Presentation to Council

Rachel Roberts, President and Celine Stokowski, Promotions Coordinator attended the meeting and provided a presentation to Council regarding Enterprise Hokitika. In support at the meeting were Brian Ward and Juergen Schacke.

The presentation included slides on the following:

- Background information on Enterprise Hokitika
- Funding Figures from the 2016/2017 Financial Year
- Liaison Roles
- Media Examples
- Liaison with the Industry, Council and the Community
- Research and Planning
- Events
- Promotional Assets
- Advertising and Promotion
- Town Beautification

A general discussion was then held regarding what Enterprise Hokitika want to do in the future which include:

- Placing attractive directional signs in the Central Business District
- Revisiting the roadside highway signage
- Erecting heritage panels throughout Hokitika
- Revisiting the installation of bike racks in the CBD

Ms Roberts was asked to resubmit to Council the items regarding signage, heritage panels and the installation of bike racks for a discussion with Council and planning staff. It was noted that Cr Eatwell is the portfolio Councillor for Enterprise Hokitika.

### 3.2 Citizenship Ceremony

The following new Citizens for Westland District attended the meeting to undertake their Form of Oath and Swear Allegiance to Her Majesty the Queen of New Zealand before His Worship the Mayor and Councillors as follows:

NAME	FORM OF OATH
Ms Deborah Marion BUCK	Affirmation
Mr Leslie Robert MARSHALL	Oath
Mrs Gail BELLAMY	Oath
Mr Christopher Ian MONSON	Oath
Mr Colin James REDPATH	Affirmation
Mrs Esther RENTON	Affirmation
Dr Justin Neil VENABLE	Affirmation

*The meeting then adjourned at 12.30 pm for lunch with the new citizens, families and supporters.  
The meeting recommenced at 1.04 pm.  
Cr Eatwell was an apology for the remainder of the meeting.*

Moved Deputy Mayor Lash, seconded Cr Havill and **Resolved** that the Council Meeting be reconvened at 1.04 pm.

### **3.3 May 2017 Council Meeting**

Councillors then discussed the possibilities of the May Ordinary Council Meeting being held on the 29, 30 or the 31 May 2017.

Moved Cr Olson, seconded Deputy Mayor Lash and **Resolved** that the May Ordinary Council Meeting be held on Monday 29 May 2017. It was noted that the next Finance, Audit and Risk Committee Meeting also be held on the 29 May 2017.

*Cr Routhan tendered his apology for the Finance, Audit and Risk Committee and also the Council Meeting on Monday 29 May 2017.*

### **3.4 Notice of Motion – Cr Carruthers**

The Chief Executive advised that the Notice of Motion had been withdrawn by Cr Carruthers.

### **3.5 West Coast Reorganisation Process: Proposals for Change – Local Government Commission**

*The Chief Executive spoke to this item and advised that an email had been received from Dr Suzanne Doig Chief Executive Officer, Local Government Commission advising that representatives from the Local Government Commission will be attending the Mayors and Chairs Forum on the 11 May 2017 to provide an update on the reorganisation process for local government arrangements on the West Coast.*

Moved Deputy Mayor Lash, seconded Cr Neale and **Resolved** that the information and email from the Local Government Commission be received.

## **4. ACTION LIST:**

The Action List was reviewed and items were updated.

Deputy Mayor Martin asked that the 6 actions relating to Finance, Audit and Risk be transferred to that Committee's Agenda.

It was noted that once action items have been completed, they will be removed from the actual listing.

The Group Manager: Planning, Community and Environment advised that he is awaiting the transfer deed from the West Coast Regional Council regarding the Section 33 RMA Transfer of Functions to the West Coast Regional Council.

Moved Cr Havill, seconded Cr Olson and **Resolved** that the Action List be received.

## **5. AGENDA ITEMS FOR DECISION:**

### **5.1 Adoption of 2017-2018 Draft Annual Plan**

*The Corporate Planner spoke to this report and advised that elected members and staff sought input from external parties involved in the work programme and budget for 2017/2018. As a result some budgets were adjusted to reflect current contracts and costs. Council then adopted a draft budget for 2017/2018 on 23 March 2017. Resolutions were then made about a number of funding and/or capital project requests that had been received from external parties. A Special Consultative Procedure was not undertaken as there was no significant variation or changes to the work programme as set out in the 2015-2025 Long Term Plan.*

*Cr Routhan enquired if the Tourism West Coast Rate could be a voluntary contribution only. It was noted that rates are not voluntary and this item could be discussed further at the time of the Long Term Plan Review, including the review of policies.*

*The Finance Manager then spoke to this report.*

Moved Deputy Mayor Martin seconded Cr Routhan and **Resolved** that Council adopt the 2017/2018 Annual Plan.

*His Worship the Mayor thanked the staff for the preparation of the 2017/2018 Annual Plan.*

### **5.2 Christmas Lights Summer Events 2017 and the New Year – Expressions of Interest**

*His Worship the Mayor had called for Expressions of Interest from the community to make Hokitika “hum” at Christmas time. Five Expressions of Interest had been received from:*

- *Christmas Display Solutions Australia*
- *Ashley Cassin*
- *Hokitika Lions and Enterprise Hokitika*
- *Don Neale*
- *Lions Club of Hokitika.*

*The Community Development Advisor spoke to this item and provided some background information, noting that funding of \$10,000 had already been budgeted for and a small amount was left over from the current financial year.*

*Deputy Mayor Martin declared an interest in a) and Cr Neale declared an interest in c) below.*

Moved Cr Routhan, seconded Deputy Mayor Lash and **Resolved** that:

- a) \$13,500 for Christmas 2017 and New Year's 2018 decorations in Hokitika be allocated to the Lions Club of Hokitika and Enterprise Hokitika for the proposal attached to the agenda.
- b) \$1,000 for Christmas 2017 and New Year's 2018 decorations in Hokitika be allocated to Ashley Cassin for the Christmas at Hokitika Beach Event as attached to the agenda.
- c) \$500 for Christmas 2017 and New Year's 2018 decorations in Hokitika be allocated to Don Neale for the recreation of the "Ho Ho Hokitika" sign at the Fitzherbert Street intersection as attached to the agenda.
- d) \$2,000 be allocated for the rural communities (Kumara, Ross, Harihari, Whataroa, Franz Josef, Fox Glacier and Haast) for Christmas Decorations.

### **5.3 Planning Update Through March 2017**

*The Group Manager: Planning, Community and Environment and the Senior Planner spoke to this item and provided an update on Council's planning activities under the Resource Management Act 1991, including resource consent processing, monitoring and policy development.*

Moved Deputy Mayor Lash, seconded Cr Neale and **Resolved** that the report from the Group Manager: Planning, Community and Environment be received.

The Senior Planner then gave a presentation regarding Proposed Compliance Policy 2017, a background to the upcoming RMA Compliance and Enforcement Policy.

The presentation included slides on the following:

- A policy being prepared to align with West Coast Regional, Buller District and Grey District Councils.
- Purpose of Compliance Monitoring Programme
- Objective of Compliance Monitoring Programme
- Styles of Compliance Monitoring
- Education and Threshold Based
- Process

*His Worship the Mayor thanked the Senior Planner for her presentation to Council.*

**5.4 West Coast Wilderness Trail – Project Update April 2017**

*The Chief Executive spoke to this report and advised that the monthly report updates will continue to be provided to Council for the period of the Project Completion Plan which is to be delivered by August 2017, and the trail will then be capable of achieving “Great Ride” status.*

Moved Cr Olson, seconded Cr Neale and **Resolved** that the report from the Project Manager: West Coast Wilderness Trail be received with thanks.

**5.5 Tancred Street Stormwater Pump Station – Approval for Unbudgeted Expenditure Associated with Upsizing Electrical Cabinet**

*The Engineer – Water Services spoke to this report to seek approval for the unbudgeted expenditure for the upsizing of the electrical cabinet at the Tancred Street Stormwater Pump Station.*

Moved Cr Havill, seconded Cr Routhan and **Resolved** that Council approves the unbudgeted expenditure of \$18,500 (excluding GST) for the upsizing of the electrical cabinet at the Tancred Street Stormwater Pump Station funded from the depreciation reserve.

**5.6 Consultant Spend and Legal Fees**

Council resolved at their meeting on the 24 November 2016 as follows:

***“5.13 Financial Delegations to the Chief Executive***

*...that Council put in place a \$5,000 cap on consultant spend and legal fees in the organisation, trialled on a 6 months basis, with any spend in excess of \$5,000 to be referred to the Mayor and Chair of the Finance, Audit and Risk Committee.”*

It was proposed that the Consultant Spend and Legal Fees cap of \$5,000 as resolved by Council at its meeting on the 24 November 2016 be removed and the delegations manual be amended accordingly to reflect the change.

Moved His Worship the Mayor, seconded Deputy Mayor Martin and **Resolved** that the Council resolution as outlined above, be revoked and the delegations manual be amended accordingly.

## 6. AGENDA ITEMS FOR DISCUSSION:

### 6.1 Household Street Access – Cr Routhan

*Cr Routhan spoke to this item regarding the Council policy of sealing vs concreting driveways for when a street in Hokitika is upgraded or when a new house is built. Reference was made to two existing driveways in Rolleston Street that will be impacted by the stormwater upgrade and will be sealed by Council under the existing policy. Cr Routhan expressed a preference for a change in Council policy from sealing driveways to concreting driveways when a street is upgraded or a new house is built.*

Moved Cr Olson, seconded Cr Havill and **Resolved** that the properties impacted by the stormwater upgrade in Rolleston Street be concreted; and that a direction be given to staff for the next meeting to come back with a revised policy on a way forward, including costings.

### 6.2 Franz Josef Waste Water Treatment Plant

*It was noted that this item had already been discussed in the Finance, Audit and Risk Committee Meeting.*

### 6.3 Hokitika Museum

*It was noted that this item had already been discussed in the Finance, Audit and Risk Committee Meeting.*

### 6.4 Infrastructure Review Committee

*The Chief Executive advised that he is organising a meeting with ANA to review the contracts for Asset Information Services. The Chairman of the Committee to provide a report back to Council in due course.*

### 6.5 Toilet Fund Application Committee

*It was agreed to leave the Committee in place for one further month. The Chairman of the Committee to provide a report back to Council in due course.*

### 6.6 Cass Square

*Cr Routhan requested that the fence and barriers around Cass Square be removed and the field opened to rugby players and the public.*

Moved Cr Routhan, seconded Cr Havill and **Resolved** that staff be asked to remove the fence around Cass Square unless there is a compelling reason not to.



## 7. MATTERS TO BE CONSIDERED IN THE 'PUBLIC EXCLUDED SECTION':

Moved Cr Olson, seconded Cr Neale and **Resolved** that Council exclude the public in accordance with Section 48, Local Government Official Information and Meetings Act 1987 at 2.56 pm.

Council is required to move that the public be excluded from the following parts of the proceedings of this meeting, namely:

### 7.1 Confidential Minutes

### 7.2 Dog Control Contract

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.	Minutes/ Report of	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
7.1	Confidential Minutes	Confidential Minutes	Good reasons to withhold exist under Section 7	Section 48(1)(a) & (d)
7.2	Confidential Report to Council	Dog Control Contract	Good reasons to withhold exist under Section 7	Section 48(1)(a) & (d)

This resolution is made in reliance on Section 48(1)(a) and 48(2)(a)(i) and (ii) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

No.	Item	Section
7.1, 7.2	Protection of privacy of natural persons/organisations.	Section 7(2)(a)

Moved Deputy Mayor Martin, seconded Deputy Mayor Lash and **Resolved** that the business conducted in the "Public Excluded Section" be confirmed and accordingly the meeting went back to the open part of the meeting at 3.13 pm.

Date of next Ordinary Council Meeting – Monday 29 May 2017  
to be held in the Council Chambers, 36 Weld Street, Hokitika

**MEETING CLOSED AT 3.13 PM**

Confirmed by:

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**Mayor Bruce Smith**  
**Chair**

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**Date**



ccc 7  
SCANNED

His Worship the Mayor and District Councilors  
Westland District Council  
Weld St  
Hokitika

CE	Mayor	GM PCE	GM DA	GM CS	EA	
✓	✓					

Tuesday, May 02, 2017

Dear Mayor Smith and Councilors,

### NEGATIVE PRINT MEDIA REPORTING

I have become increasingly concerned at the constant negative and biased reporting and content that Council members, staff, and community minded contributors are regularly subjected to by the local print media.

The jointly owned Hokitika Guardian and Greymouth Evening Star, articles approved for publication by Editor, Paul Madgwick, invariably contain negative content, and are biased in the extreme. Any matters or issues that Council are dealing with are described as 'debacles' inter alia and the vast majority of articles slant to the negative and appear to be poorly researched and often are what I would euphemistically call a "beatup". The mundane and normal issues dealt with by Councils all over the country are made out to be sinister plots or conspiracies in Westland. This reporting is invariably picked up by the larger regional and national newspapers, leaving ratepayers, residents, elected members council staff and the wider Westland community open to ridicule and contempt.

The letters to the Editor column also presided over and approved by Mr Madgwick are no better. The Editor freely allows, I would suggest actively encourages, vindictive and divisive content by continually publishing a diatribe of nasty and negative letters. I consider such publication to be a campaign of denigration and out right abuse.

These nasty, often ranting, letters to the Editor have gone too far and have gone on for too long. They add nothing to any debate, it appears Mr Madgwick has his own agenda, whatever that may be, and this is damaging to our community, Council and to the Westland District. Any community minded contributors will, and have, shied away from community involvement or projects, lest they be subjected to the nasty vitriol and attacks facilitated by Mr Madgwick via these newspapers.

As a Ratepayer and someone who has had dealings with Council via an approved community project my request to council is quite simple: Until these two newspapers can provide readers with objective, balanced, factual and impartial reporting, Westland District Council should cease their advertising in these publications. I believe this would create potential saving of approximately \$70,000.00 dollars or around 1% of annual rates.

There is no reason why Council can not use its own web site for meeting notices and other notifications as well as a notice board in a prominent place, such as a Council Notice board located, say, on the I-Site window. If Council is not minded to cease advertising altogether in this medium, then it could significantly reduce its newspaper advertising spend by limiting advertising to short specific messages directing traffic to its website or notice board for detailed information.

Yours sincerely

Jacqui Grant MNZM  
Hokitika

# Action List

Date of Meeting	Meeting	Item	Action	Who Responsible	Timeframe	Status
26.01.17	Council	Section 33 RMA Transfer of Functions to West Coast Regional Council	Transfer to be actioned	GMPCE	1 July 2017	WCRC has approved the transfer subject to amendments to Deed of Transfer, which can be approved by CE
23.02.17	Council	Marks Road Beautification	Contact the Haast Promotions Group to request an outline of the project before funds are released.	CE		An outline of the project had been requested.
26.01.17	Council	West Coast Whitebaiters Association Letter	Map required for the 23 February 2017 Council Meeting	GMDA		
26.01.17	Council	Passing Bays – SH6 and SH73	Write to State Highways Manager	GMDA		Cr Havill had discussed at a Regional meeting.
26.01.17	Council	Footpath Repairs/Replacement	Staff to investigate and come back with the budget and prioritisation schedule	GMDA		Some money had been spent in Fox Glacier
26.01.17	Council	Businesses in Weld/Tancred Streets	Pallets with sandbags to be placed accessible for those businesses affected in Tancred/Weld Street. Temporary basis until October 2017.	GMDA		
26.01.17	Council	74 Revell Street	Carparking for commercial premises to be revisited.	GMDA		
26.01.17 and 23.02.17	Council	Hokitika Carparking Plan	<p>Priority and staff to bring back a concept plan to Council for parking in the CBD. Item to come back to Council for further discussion/input.</p> <p>Further update: District Assets and Planning Teams to peruse the plan with Deputy Mayor Martin and bring it back to Council</p>	<p>GMDA</p> <p>District Assets, Planning and Deputy Mayor Martin</p>		No further action from Planning team in absence of GMDA
26.01.17	Council	Events Liquor Licensing	Meeting required between His Worship the Mayor, Deputy Mayor Lash, Cr	GMPCE		Invitation Issued; Invitation Declined by

Date of Meeting	Meeting	Item	Action	Who Responsible	Timeframe	Status
			Eatwell and Cr Olson with Crown Public Health, and the West Coast Police			C&PH and Police due to concerns about media statements by Elected Members.  Looking at holding a second meeting.
26.01.17	Council	Planning Matters	Signage compliance, carparking for resource consents, employment of consultants or contractors, notification of resource consent and decisions on whether to go to a hearing to be referred to Deputy Mayor Lash in the first instance as portfolio holder for input and then if necessary to Crs Neale and Deputy Mayor Martin	GM: PC&E		System in place
26.01.17	Council	Revenue to Council for services provided by Westland District Property Limited	CE and GMCS to review the policy for consistency, ensuring no disconnect between the companies and Council	CE, GMCS		Goldmining revenue for people mining legal road without agreement.  Review transfer deeds to WDPL.
26.01.17 and 23.02.17	Council	Community Owned Halls, Council costs for consents charged to the community	Staff to come back to the 23 February 2017 Council Meeting with a report and options.  Further Update: \$10,000 to be put into a contestable budget to go into the Annual Plan for consent fees for community halls. Funded from reserves contributions	Finance	Completed	23.02.17 Council Meeting
26.01.17	Council	Christmas 2017 and New Year	Staff to call for expressions of interest from interested parties to take the item forward. Expressions of Interest to be	Community Development Advisor		Advertised 13.03.17 with expressions closing 07.04.17. To go to April Council meeting

Date of Meeting	Meeting	Item	Action	Who Responsible	Timeframe	Status
			considered at the 23.03.17 Council Meeting.			
26.01.17	Council	Update on Review of CCO Structure	Mayor and GMCS invite the Tax Team to meet with Elected Members to discuss tax advice.	Mayor & GMCS		Tax advice received, Audit NZ advise further discussions with Peter Cuff as he has been through this process before and there are timeframes to meet for companies house. Cr Martin and Finance Manager to work on this item.
26.01.17	Council	Hokitika Foreshore Working Group and Terms of Reference	Meeting to be held as the first step then report back to Council.	Cr Carruthers		Awaiting the plan to be done.
26.01.17	Council	Hokitika-Westland RSA Update – Balance Works	District Assets staff to investigate the \$20,000 available in the reserves account.	GMDA		\$16,000 for the tarseal that was done. Jade Factory lease.
23.02.17	Council	Local Government Commission – Submission on West Coast Governance Arrangements	Joint Submission approved and the Mayor to sign.	CE		
23.02.17	Council	CCO Director Appointments	Approval of recommendations to be conveyed to the Chair of Westroads, Hokitika Airport Ltd. Advises Westroads of appointment of Cr Havill as a Council appointee	GMCS		Appointment for Westroads on hold due to potential conflict.
23.02.17	Council	Proposed Sale of Land at Blue Spur to the adjoining landowner	Dispose of the land to the adjoining landowner for no less than \$3,000 with all associated costs to be borne by the purchaser.	GMCS		Matter proceeding.

Date of Meeting	Meeting	Item	Action	Who Responsible	Timeframe	Status
23.02.17	Council	Marks Road Beautification	Contact the Haast Promotions Group to request an outline of the project before funds are released.	CE		Written to the Haast community. The Mayor to talk to the community group. Finance Manager and Cr Martin to meet before the AGM of the Haast Promotions Group
23.02.17	Council	Grease Traps, Franz Josef	Letter drop to every business in Franz Josef Township.	District Assets		Businesses have until September to upgrade.
23.02.17	Council	Township Development Funds/Community Rates	Consultation with Whataroa, Ōkārito, Fox Glacier and Bruce Bay communities	GMCS	Annual Plan	Completed
23.03.17	Council	Part Reserve 452	Transfer of Part Reserve 452 Block I Kaniere SD to Westland District Property Limited for management purposes	GMCS		Was not transferred to WDPL. Offer was received to purchase
23.03.17	Council	Policy on Recreational and Non-Recreational Occupations on Unformed Legal Road	Revised Policy to be updated and placed in Policy Manual and on Council Website	GMPCE		
23.03.17	Council	Planning Committee	Reinstatement of a Standing Committee of Council: Planning Committee	Mayor		
23.03.17	Council	Franz Josef Waste Water Treatment Plant	Staff work through a process and come back to Council	CE & District Assets		Staff working through the issues.
23.03.17	Council	Sunset Point/Beach – Theme and Working Group Terms of Reference	CAD design software for staff member required to enable a design proposal to be prepared. Interested parties then to meet to work through the issues and recommendations with the plan to come back to Council.	District Assets		With the Working Party
23.03.17	Council	Carnegie Building – Working Group	Work on the costings for the Carnegie Building and how it will be paid for.	Cr Olson, Cr Carruthers, CE GMPCE, Property & Projects Supervisor.		With the Working Group



# Report



**DATE:** 29 May 2017

**TO:** Mayor and Councillors

**FROM:** Transportation Manager – District Assets

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## **ROAD STOPPING, EVANS CREEK HARI HARI**

### **1 SUMMARY**

- 1.1 The purpose of this report is to seek a Council resolution to stop the legal road that followed the old alignment of Evans Creek below State Highway 6 Hari Hari and exchanged it for a new road access down the existing realignment of Evans Creek.
- 1.2 The proposal will provide public walking access along the banks of Evans Creek to the Wanganui River.
- 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 September 2014, which will be set out in the next Long Term Plan 2015-25.
- 1.4 This report concludes by recommending that:
  - 1.4.1 The portion of stopped road (shown as A and B on the attached plan) be exchanged for the land (shown as C, D, E and F on the attached plan) along the existing bed of Evans Creek.
  - 1.4.2 The land shown as G and H on the attached plan be taken for river protection purposes.
  - 1.4.3 The entire proposal will be carried out under the Public Works Act 1981.
  - 1.4.4 The applicant will pay all of the survey and Legalisation costs.

### **2 BACKGROUND**

- 2.1 During flooding in the late 1970's Evans Creek below State Highway 6 significantly changed its course onto freehold land (Titles RS2345 and RS2347.)

2.2 Public Access to the Wanganui River down the banks of Evans Creek ceased.

### **3 CURRENT SITUATION**

3.1 The current owner wishes to rationalise the boundaries of his farm.

3.2 Euan Percy makes application to Council for a legalisation and Land exchange of the effected land areas.

3.3 Below SH6 there is no public walking access along the banks of Evans Creek to the Wanganui River.

### **4 SIGNIFICANCE AND ENGAGEMENT**

4.1 In accordance with Council policy on significance and engagement the matter is deemed to be of low significance, however the roads are classified a strategic assets and consultation is required under Section 342, Local Government Amendment Act 1978 as the proposal is to legitimise the existing situation, and would enable public access along Evans Creek.

4.2 No other consultation has taken place on the matter.

### **5 RECOMMENDATION**

A) **THAT** Council approves the use of the Public Works Act 1981 to stop the unformed road at Evans Creek, and exchange for land alongside the actual creek as identified on the proposal from Coastwide Surveys.

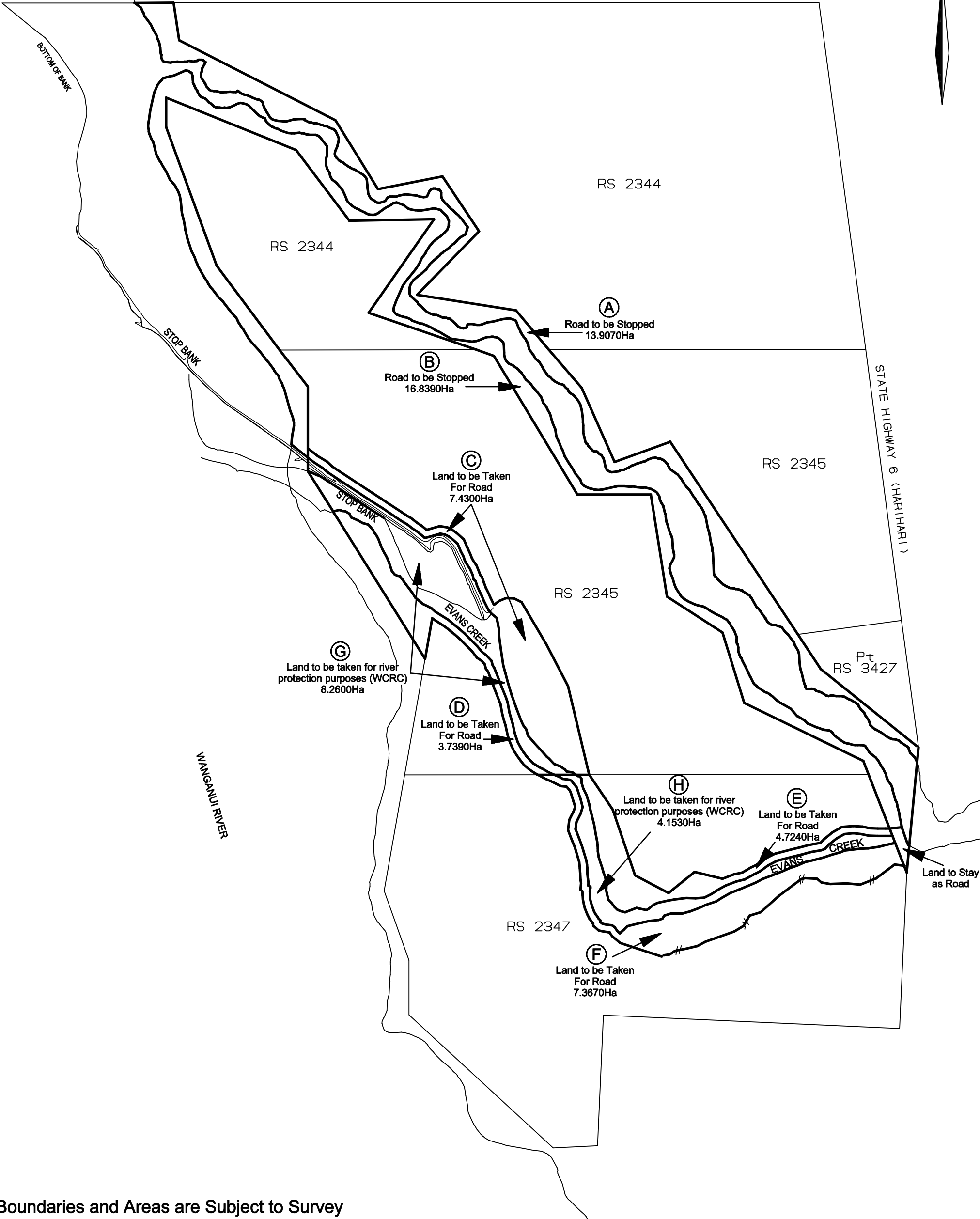
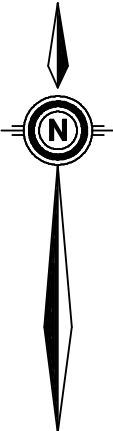
**Alistair McPhee**  
**Transportation Manager**

**Appendix 1: Plan**


**Appendix 2: Aerial Photo**

**Appendix 3: Schedule of Areas**

**Appendix 4: Application for Road Stopping**



Boundaries and Areas are Subject to Survey

<div>Plan By:</div> <div><div>COASTWIDE SURVEYS LTD LAND SURVEYORS</div><div>PO Box 194 Hokitika ph (03) 7568305 fax (03) 7568302</div></div>	<div>Client/Applicant:</div> <div>Euan Percy</div>	<div>Project:</div> <div>Proposed Road Legalisation Evans Creek, Harihari</div>	<div>Project No.</div> <div>1097</div>	
			<div>Scale @ A3</div> <div>1:10000</div>	<div>Date</div> <div>06 Dec 16</div>
			<div>Drawing No.</div> <div>1</div>	<div>Rev.</div> <div>1</div>





Boundaries and Areas are Subject to Survey

Plan By:

**COASTWIDE SURVEYS LTD**  
LAND SURVEYORS

PO Box 194  
Hokitika  
ph (03) 7568305  
fax (03) 7568302

Client/Applicant:

**Euan Percy**

Project:

**Proposed Road Legalisation  
Evans Creek, Harihari**

Project No. <b>1097</b>	
Scale @ A3 <b>1:10000</b>	Date <b>06 Dec 16</b>
Drawing No. <b>1</b>	Rev. <b>1</b>

C:\Users\Surveyor\Documents\12D\10.0001 Current Jobs\1097 Evans Creek Euan Percy\Evans Creek 06 Dec 16



## Schedule of Areas

## Westland District

Road to be Stopped		
Shown	Adjoining	Area
Area A	Pt RS 3427 RS 2345 RS 2344	13.9070 Ha
Area B	RS 2347 RS 2345 RS 2344	16.8390 Ha

Road shown as Areas A & B is Legal by Crown Grant

Land to be Taken for Road			
Shown	Description	Title	Area
Area C	Pt RS 2345	WS2C/898	7.4300 Ha
Area D	Pt RS 2345	WS2C/898	3.7390 Ha
Area E	Pt RS 2347	WS2C/1140	4.7240 Ha
Area F	Pt RS 2347	WS2C/1140	7.3670 Ha

Land to be Taken for River Protection Purposes			
Shown	Description	Title	Area
Area G	Pt RS 2345	WS2C/898	8.2600 Ha
Area H	Pt RS 2347	WS2C/1140	4.1530 Ha



# SCANNED

## COASTWIDE SURVEYS LTD

### LAND SURVEYORS

RDC 2.6

Ground Floor, Como House  
51 Tancred Street  
PO Box 194  
Hokitika, New Zealand  
Phone (03) 756 8305  
Fax (03) 756 8302  
email: coastwide@mindata.co.nz

Your Ref:

Our Ref:

1097

7 September, 2016

David Inwood  
Manager Operations  
Westland District Council  
Private Bag 704  
HOKITIKA

CE	Mayor	GM PCE	GM DA	GM CS	EA	DI
						✓

Dear Sir

### APPLICATION FOR ROAD STOPPING: Euan Percy at Evans Creek

Please find enclosed a diagram of a proposed Road Legalisation, an aerial photo diagram, a Schedule of Areas, and copies of the affected certificates of title.

Euan Percy owns a dairy farm at Evans Creek, which includes RS 2344, RS 2345 and RS 2347. Many years ago Evans Creek changed its course significantly, and the creek is no longer within the legal creek bed. The physical bed of Evans Creek is within the freehold titles of RS 2345 and RS 2347.

Euan Percy has asked us to make an application to the Council for a proposed legalisation and land exchange, as shown on the attached diagram. The proposal includes the Stopping of the Legal Road where it no longer adjoins the Creek, the Taking of Land for Road along the current banks of Evans Creek, and the taking of the physical bed of Evans Creek to vest in the West Coast Regional Council (for river protection purposes). The entire proposal would be carried out under the Public Works Act 1981. The applicant will pay all of the survey and legalisation costs. The proposal is shown on the attached diagram.

The proposal is the first stage of Euan's proposals to rationalise the boundaries of his farm. Stage 2 will be to apply to the Department of Conservation to purchase the areal of land that has been developed within the bed of the Wanganui River, and Stage 3 will be to apply to LINZ to purchase the former bed of Evans Creek.

#### Current Occupation

The Legal Road along the former banks of Evans Creek is developed grazing land, that has been farmed for many years in conjunction with the adjoining titles. There are fences and farm races that cross the Legal Road. The total area of Road to be Stopped (areas A & B) is 30.7460ha.

The Land to be taken for Road (areas C, D, E & F) includes a strip of 20 metres wide or more, along the physical bank of Evans Creek. These areas are generally undeveloped. Area C also includes a portion of old stopbank.

The current bed of Evans Creek is in Areas G & H.

#### Current formation

The Legal Road is not formed, and has never been formed. The Legal Road was surveyed along the banks of Evans Creek when the sections were surveyed in 1904.

#### Proposed Boundaries

The proposed boundaries of Area A are defined by the existing boundaries of the Legal road. The northern boundary is at the northern boundary of RS 2344.

The proposed boundaries of Area B are defined by the existing boundaries of the Legal road. The southern boundary is 20m from the bank of Evans Creek. Area B also includes Legal Road along the former bank of the Wanganui River, the southern boundary of this portion is 20m from the bank of the Wanganui River.

The proposed boundaries of Areas C, D, E, and F have been defined to give a strip of Road more than 20m wide along the banks of Evans Creek. The boundaries have also been defined to make the areas of the exchange approximately equal. These areas are generally undeveloped. Area C also includes some land between the old stopbank and the bank of the creek. The southern boundary of Area F has been defined along an existing fence.

The proposed boundaries of Areas G and H are the banks of Evans Creek. Note that there have been some minor changes to the bank of the creek since the date of the aerial photograph, the banks of the creek have been surveyed by GPS.

#### Zoning

As the underlying road is zoned rural, if the road stopping is successful, the stopped road will be zoned rural. It is proposed that areas A & B be amalgamated with the title to RS 2345.

The road stopping application will not change the land use on the site.

#### Services

There are no existing Council services within the proposed boundaries.

#### Access

The proposal will not change access to the freehold titles, as they all have access from State Highway 6. The proposal does not affect formed or legal access to any other land. The proposal will provide for public walking access along the banks of Evans Creek, to the Wanganui River. There is currently no legal access available along the banks of Evans Creek through RS 2347 and RS 2345, so the proposal improves public access to this portion of Evans Creek and to the Wanganui River.

#### Consultation

The proposal has been submitted to the West Coast Regional Council, who have confirmed that they will accept ownership of the bed of Evans Creek.

As the proposal will be carried out under the Public Works Act, as an exchange of land, public notification is not required.

Please contact me if you require any further information. I would be happy to meet with you at any time to discuss the proposal.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Lynda Watson', with a stylized flourish at the end.

Lynda Watson  
Licensed Cadastral Surveyor



# Report



**DATE:** 29 May 2017

**TO:** Mayor and Councillors

**FROM:** Transportation Manager – District Assets

---

## **ROAD STOPPING, 244 UPPER KOKATAHI ROAD, KOKATAHI**

### **1 SUMMARY**

- 1.1 The purpose of this report is to seek a Council resolution to declare the road stopped as part of the Road Stopping process for a section of legal road in front of 244 Upper Kokatahi Road, Kokatahi defined as Section 1 on SO 499076.
- 1.2 This issue arises as a result of a road stopping application made by the owners of 244 Upper Kokatahi Road.
- 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 September 2014, which will be set out in the next Long Term Plan 2015-25.
- 1.4 This report concludes by recommending that:
  - 1.4.1 The portion of road identified as Section 1 on SO 499076 on the attached plan appendix 1 be stopped under Section 342 of the Local Government Act 1974, and
  - 1.4.2 The stopped section be sold to the owners of 244, Upper Kokatahi Road at market value and incorporated into their neighbouring title.

### **2 BACKGROUND**

- 2.1 The dwellings on 244 Upper Kokatahi Road were constructed in the 1970s.
- 2.2 The legal access to this parcel of land is from Upper Kokatahi Road.

- 2.3 The plan attached in appendix 1 shows part of the dwelling, a farm shed, a small garage, driveway, septic tank and fencing located on unformed legal road.

### **3 CURRENT SITUATION**

- 3.1 The current owner wishes to sell the property and needs to resolve the occupation of legal road with respect to the current dwellings.
- 3.2 The Road Stopping has been publically advertised in the Hokitika Guardian on the 08<sup>th</sup> and 14<sup>th</sup> February 2017. No objections have been submitted.
- 3.3 The road stopping application has been approved by Land Information New Zealand on the 13<sup>th</sup> of April 2017.

### **4 SIGNIFICANCE AND ENGAGEMENT**

- 4.1 In accordance with Council policy on significance and engagement the matter is deemed to be of low significance, however the roads are classified a strategic assets and consultation is required under Section 342, Local Government Amendment Act 1978.
- 4.2 All relevant consultation has taken place and there is support from all parties to formalise the road stopping.

### **5 PREFERRED OPTIONS AND REASONS**

- 5.1 The Westland District Council resolves to formalise a historic occupation of the legal road.

### **6 RECOMMENDATION**

- 6.1 **THAT** the portion of road identified as Section 1 on SO 499076 on the attached plan appendix 1 be declared stopped and the road stopping be approved under Section 342 of the Local Government Act 1974, and
- 6.2 **THAT** the stopped section be sold to the owners of 244, Upper Kokatahi Road at market value. This area (Section 1, 0.0684 ha) be incorporated into title RS830, CTWS1A/140.

**Alistair McPhee**

**Transportation Manager: District Assets**

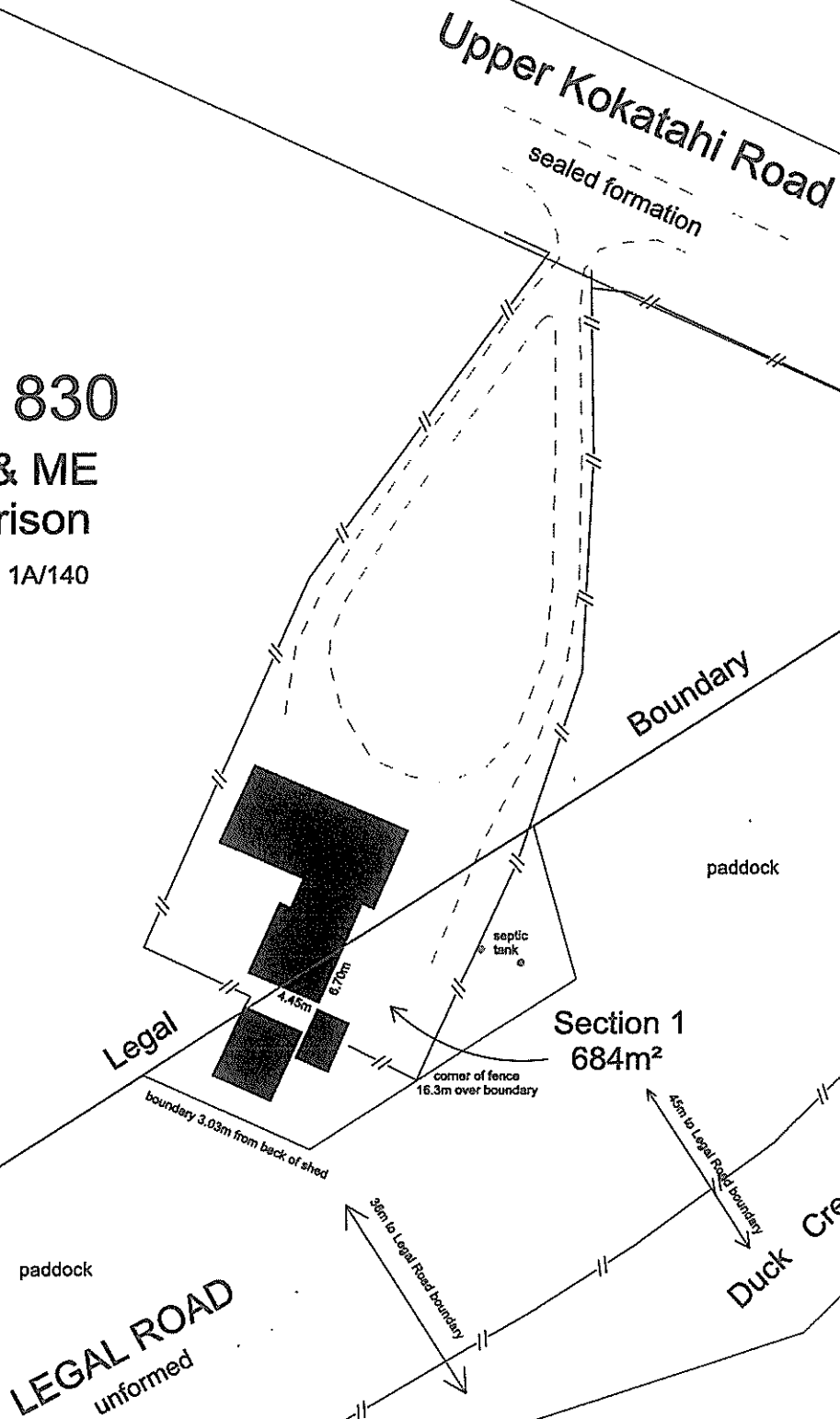
Appendix 1: Plan

Appendix 2: Title Plan

**RS 830**

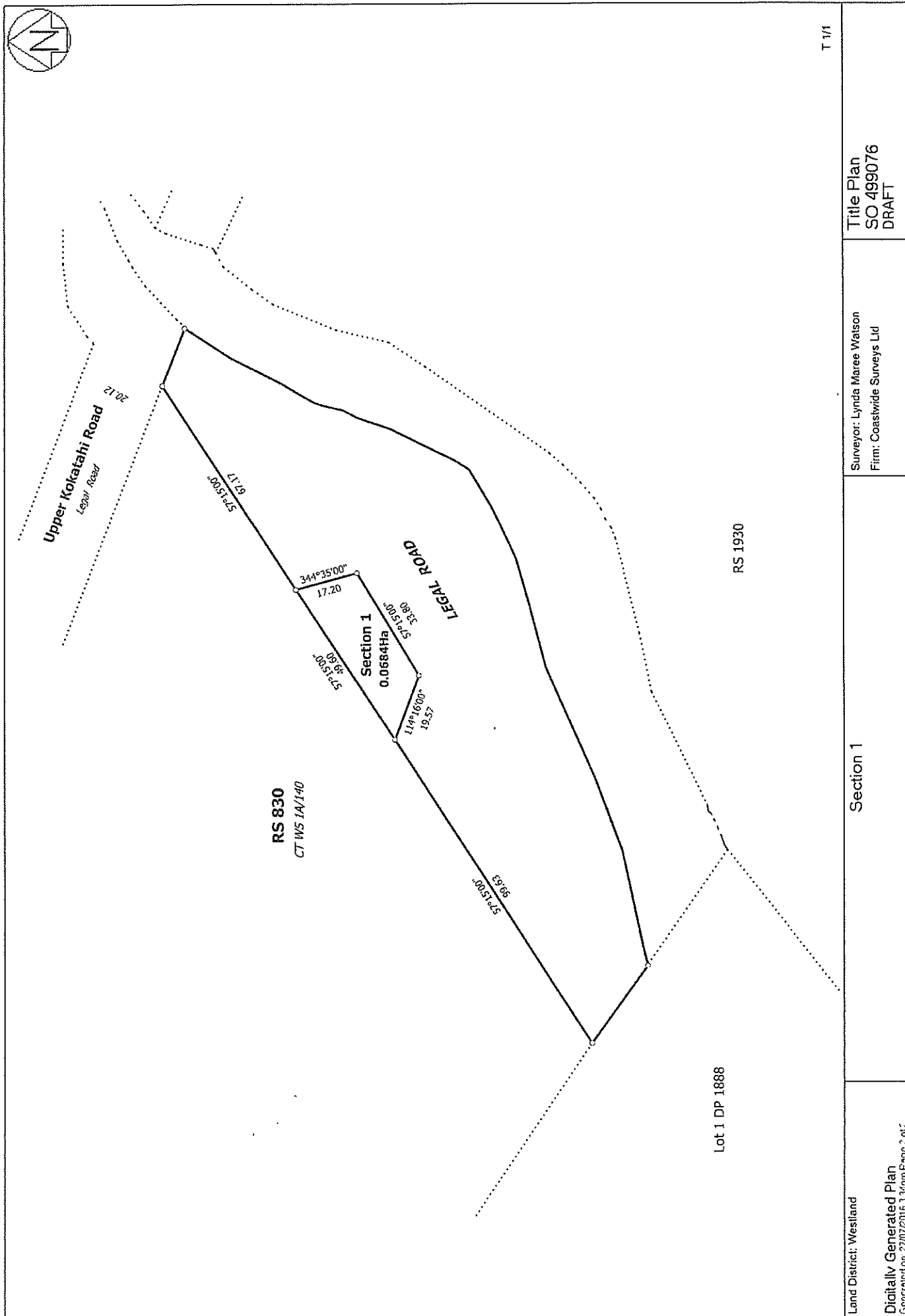
**JM & ME  
Morrison**

CT WS 1A/140



Scale 1:750 @A4

Survey and Plan by:  
Coastwide Surveys Ltd  
P O Box 194  
Hokitika  
ph 03 756 8305  
coastwide@minidata.co.nz



T 1/1

Title Plan  
SO 499076  
DRAFT

Surveyor: Lynda Maree Watson  
Firm: Coastwide Surveys Ltd

Section 1

Land District: Westland

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# Report



**DATE:** 29 May 2017

**TO:** Mayor and Councillors

**FROM:** Hokitika Wildfoods Festival Manager

---

## **2017 HOKITIKA WILDFOODS FESTIVAL SUMMARY REPORT**

### **1 SUMMARY**

- 1.1 The purpose of this report is to provide council with a report that summarises the financial and ticketing performance of the 2017 Hokitika Wildfoods Festival, held on Saturday 11<sup>th</sup> March 2017. This report includes long term summaries of both finances and ticketing results in the body of the report.
- 1.2 This issue arises from the need for council to be fully updated on the financial and ticketing performance of the 2017 Hokitika Wildfoods Festival.
- 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 This report concludes by recommending that Council receives this report.

### **2 BACKGROUND**

- 2.1 Saturday 11<sup>th</sup> March 2017 saw the 28<sup>th</sup> running of the annual Hokitika Wildfoods Festival at the Festival's long-term home of Cass Square.
- 2.2 The 2017 event included the Festival itself along with three other events: the One Month to Go Beach Event, the Wild Warm Up Comedy Show and the Official After party. Other activities were delivered in and around town by individuals, businesses and community groups throughout the weekend of 10-12 March.

### 3 CURRENT SITUATION

- 3.1 The 2016 Festival was the first to make a positive financial result in at least four years; this was on the back of strong ticketing growth of 7%. This positive result came on the back of some big operational changes within the Festival which ensured a high quality experience was delivered within the confines of a tight expense budget.
- 3.2 Part of the ongoing plan for the 2017 Festival was to continue the trend in both financial and ticketing areas in line with the #BiggerBetterWilder motto the Festival has adopted. The other primary focus was on delivering a quality event experience to the thousands of attendees.
- 3.3 Changes for the 2017 Festival included the addition of the Wild Warm Up Comedy Show to offer events on both evenings either side of the Festival itself, along with the continued delivery of the 2016 initiatives - the One Month To Go Beach Event and the return of the Official After party.
- 3.4 Overall ticketing results for each event of the Festival weekend were adversely affected by both the weather forecast and the actual weather experienced over the event. The One Month To Go Beach Event saw 400, the Wild Warm Up Comedy Show had 170, the Hokitika Wildfoods Festival saw 5,888 and the Official After party had 1,176. Ticketing data for the last six years can be seen below.

Hokitika Wildfoods Festival Attendance Summary 2012-2017						
	2017	2016	2015	2014	2013	2012
One Month To Go Beach Event	400	600				
Wild Warm Up Comedy Show	170					
Hokitika Wildfoods Festival	5,888	6,620	6,242	7,008	7,634	6,414
Official After party	1,176	1,270			621	1,222

- 3.5 The financial result for the 28<sup>th</sup> annual Hokitika Wildfoods Festival and associated portfolio of events continues the positive result experienced in 2016. With income of \$351,486 paired against expenses of \$338,935, the bottom line delivered is an indicative surplus of \$12,551 for the 2017 Festival. This represents two-thirds of the surplus delivered in 2016. A financial summary of the previous five Festivals can be seen over the page.

<b>Hokitika Wildfoods Festival Financial Summary 2013-2017</b>					
	<b>2017</b>	2016	2015	2014	2013
Income	<b>-351,486</b>	-360,442	-258,353	-378,076	-414,870
Expenses	<b>338,935</b>	341,137	291,798	459,118	476,109
Surplus/(Deficit)	<b>12,551</b>	19,305	(-33,445)	(-81,042)	(-61,239)

3.6 The Festival remains a key asset in the Westland District Council portfolio, one that generates massive media, social media and word of mouth exposure for the Festival itself, the town it calls home and the Council that owns it.

3.7 The Festival continues to deliver immense economic impact to the communities of Hokitika and Westland.

#### **4 OPTIONS**

4.1 Options are not relevant to this report. It is for information only.

#### **5 SIGNIFICANCE AND ENGAGEMENT**

5.1 This matter is administrative and therefore of low significance.

5.2 Community engagement is not required for this decision.

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

6.1 Options are not relevant to this report. It is for information only.

#### **7 PREFERRED OPTION(S) AND REASONS**

7.1 Options are not relevant to this report. It is for information only.

#### **8 RECOMMENDATION**

A) **THAT** this report on the 2017 Hokitika Wildfoods Festival be received by Council.

**Ashley Cassin**  
**Hokitika Wildfoods Festival Manager**

# Report



**DATE:** 29 May 2017

**TO:** Mayor and Councillors

**FROM:** Project Manager: West Coast Wilderness Trail

---

## WEST COAST WILDERNESS TRAIL – PROJECT UPDATE

### **1.0 SUMMARY**

- 1.1 The purpose of this report is to provide an update to Council on the West Coast Wilderness Trail (WCWT) project.
- 1.2 This report arises from the obligation to keep Council fully informed on the progress of the project. In particular it aims to provide Council with reassurance that the adopted Project Completion Plan and project management framework is in place for the remaining milestones that require completion in order for it to be declared officially open.
- 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 This report concludes by recommending that Council receives the report.

### **2.0 BACKGROUND**

- 2.1 A report was submitted to council in September 2016 providing an update status on the outstanding cycleway activities required to be actioned for completion by mid-August 2017. This included five (5) projects identified by MBIE that need to be actioned. Four (4) of those projects requiring action relate directly to the trail being on State Highway 6 and the need for a safer trail alignment.
- 2.2 Monthly report updates will continue to be provided to council for the period of the Project Completion Plan which is to be delivered by August 2017, and the trail will then be capable of achieving 'Great Ride' status.



- 2.3 The Nga Haerenga (the journeys) Great Rides currently consists of 22 trails throughout New Zealand covering 2,600km. In addition to the 'Great Rides' there are also 2,600km of 'Heartland Rides', a vision to link the trails with the support of NZ Cycle Trail Inc (NZCT) and NZ Transport Agency (NZTA).

### 3.0 CURRENT SITUATION

#### **Project Completion Plan**

- 3.1 Item 1 Taramakau. NZTA has advised that they have awarded the tender for construction of the boardwalk and Westroads were the successful party. Physical work is scheduled to commence 22 May. This trail section is being project managed and funded by NZTA.
- 3.2 Item 2 Hokitika-Kaniere Tramway. The tender 16-17-10 has been sent out for selective tender and closes Friday 26 May. The tender 16-17-17 for Clogstoun and Mitchell bridges will be sent out by the end of May. External support has been sought to ensure the latter project is adequately project managed due to current limited engineering support within council. (refer Appendix 1 photo).
- 3.3 Item 3 Golf Links Road. Contract 16-17-11 was successfully completed and within the engineers estimate. This is now fully operational and will await signoff by MBIE once other Project Completion Plan sections have been completed. The work was actioned and completed under the project management of Westland District Council and will receive full cost reimbursement from NZTA.
- 3.4 Item 4 Mahinapua. No further physical work has been actioned on this trail section due to specific focus on three other projects. The Tarleton outlet bridge is currently under peer review and will be lodged for building consent, with an exemption by the end of month. It is most likely that this bridge and the smaller Hopper bridge will be under construction prior to the trail being formed. A preferred methodology is to helicopter the 18m Tarleton bridge into place due to its remote location and inaccessibility. The engineers structural assessment of the DoC rail bridge alongside SH6 has been scheduled for the week commencing 29 May. In this process DoC will replace two of the major beams.
- 3.5 Item 5 Ruatapu. The 'trail fairies' recently cut 150m of bush trail at the Woodstock-Rimu old State Highway location and will complete the final 100m prior to contractors starting work. Contract 16-17-15 has been awarded to Westroads and they commence physical work on 29 May. The contract has been awarded for a length of 900m only. The remaining length of 1,100m section has two alignment options and we are still working towards an alternative alignment through DoC land as a preferred solution. In the event that the alternative cannot be constructed the trail will revert back to State Highway 6 for completion.

## **Financial**

- 3.6 There has been minimal capital expenditure on the West Coast Wilderness Trail in recent months, however we are about to move into a major spending period with both physical works and technical designs. There is no significant change to last months construction related costs for this financial year with the exception of the addition of structural engineers costs for bridge designs. There will be little change to this over the next month with the nearing completion of Taramakau and actual completion of Golf Links Road as they are being funded by NZTA.
- 3.7 An internal finance and risk audit process has been implemented consisting of the Chief Executive, Group Manager: Corporate Services and Project Manager.

## **General**

- 3.8 Results from the initial rider survey are currently being evaluated and will enable better correlation to determine actual rider numbers. Currently the assumption is that all riders have ridden the entire trail and therefore numbers are likely to be understated in the reporting process. The early data output is very interesting and we look forward to the information being made available by the West Coast Wilderness Trail Trust in due course.
- 3.9 Trail Count data will be made available for reporting process from next month.

## **4.0 OPTIONS**

- 4.1 The options available to Council are that Council can choose to receive this report or not receive it.

## **5.0 SIGNIFICANCE AND ENGAGEMENT**

- 5.1 This matter is of low significance as it merely provides Council with an update on progress on a project that is already approved and funded.
- 5.2 Engagement and consultation is not required.

## **6.0 RECOMMENDATION**

- 6.1 **THAT** Council receives this report.

**David Inwood**

**Project Manager: West Coast Wilderness Trail**

**Appendix 1: Photos of Hokitika-Kaniere Tramway Proposed Alignment**



Hokitika-Kaniere Tramway – Proposed Cutting Alignment



Hokitika-Kaniere Tramway – Proposed Embankment Alignment between Bridges





# Report



**DATE:** 29 May 2017

**TO:** Mayor and Councillors

**FROM:** Group Manager: Planning, Community and Environment

---

## **PLANNING UPDATE THROUGH APRIL 2017**

### **1 SUMMARY**

- 1.1 The purpose of this report is to provide the fourth in an ongoing series of monthly reports to the Council on its planning activities under the Resource Management Act 1991, including resource consent processing, monitoring and enforcement, and policy development including the review of the Westland District Plan.
- 1.2 This issue arises from Elected Members' request to be better informed on planning matters, as well as positive and constructive feedback on the reports to date.
- 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 This report concludes by recommending that Council receives this report.

### **2 BACKGROUND**

- 2.1 Council's planning department performs a number of functions under the Resource Management Act 1991 (RMA), including resource consent processing, monitoring and enforcement, and policy development including the review of the Westland District Plan.
- 2.2 Currently, in addition to this monthly report, Elected Members receive a weekly list of resource consents received, and a quarterly report on performance and statutory timeframes for the issuance of resource consents.

2.3 On 23 February the Council received its first written monthly report, followed by subsequent reports in March and April. The reports have covered the matters below, which are also the subject headings for this month's report:

- Resource consent applications received, by type and location
- Resource consents issued, by type and location, and compliance with statutory timeframes
- Resource consent applications notified (limited or full public), by type and location
- Resource consent applications that went to or are going to a hearing (due to submitters wishing to be heard)
- Status of significant resource consent applications not otherwise covered by the above
- Commissioners (March report only)
- Significant compliance monitoring and enforcement activity
- Progress with the District Plan Review
- Process improvements of note
- Resourcing issues
- Transfer of RMA functions in relation to mining to the West Coast Regional Council (WCRC)
- Number of 'live' consent applications

2.4 Like monthly financial reports, the monthly planning report focuses on the previous calendar month – in this case the month ending 31 March. A verbal supplement to this report will be provided at the upcoming Council meeting if there are any significant matters arising since the close of the previous calendar month.

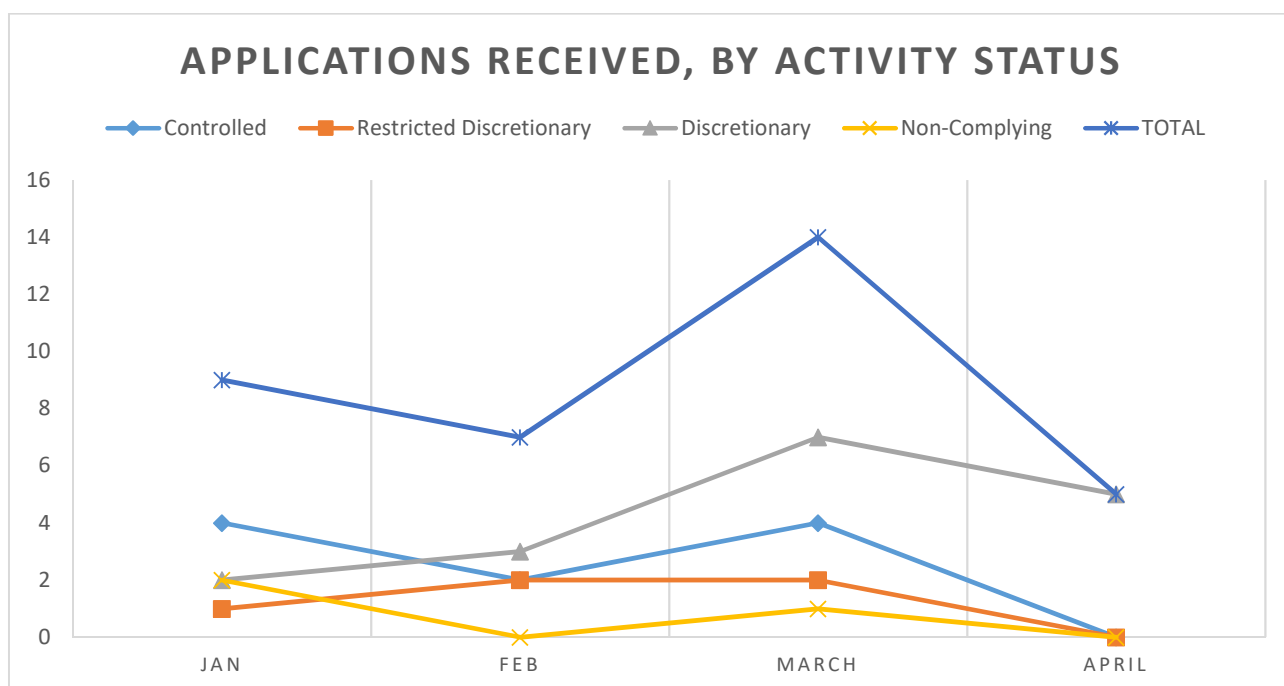
### **3 CURRENT SITUATION**

#### **3.1 Resource consent applications received**

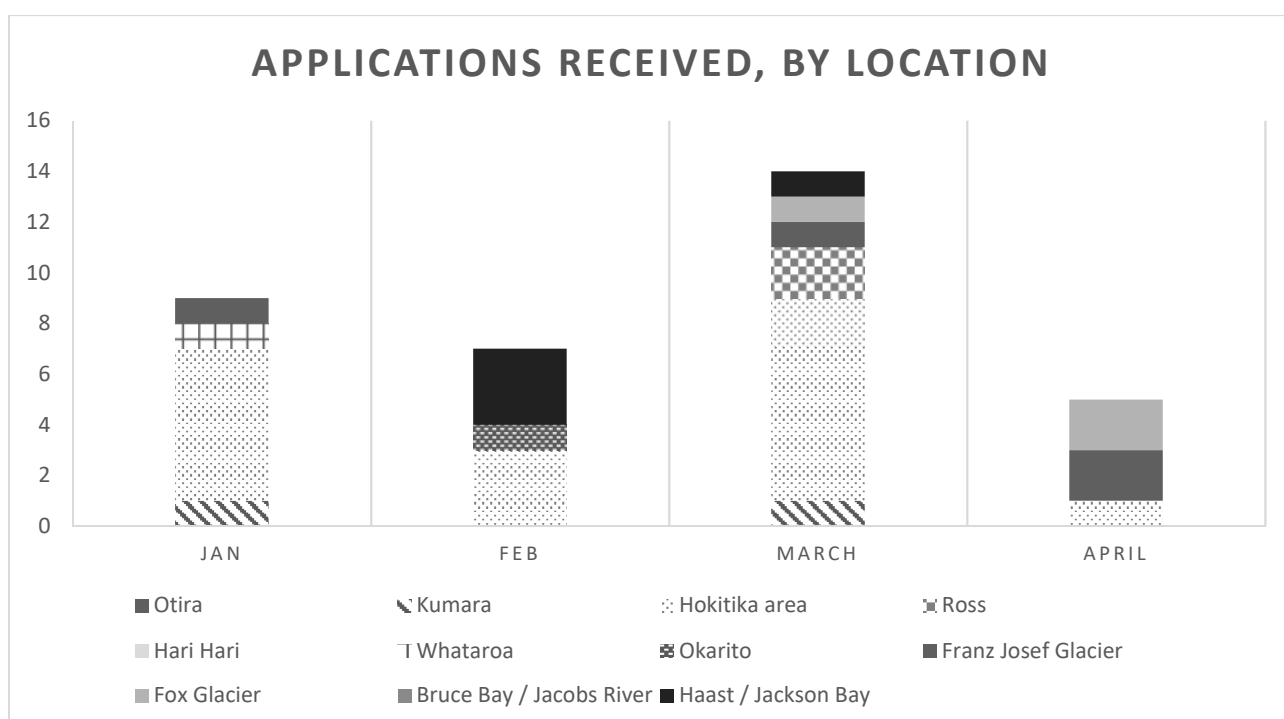
3.1.1 A total of 5 complete applications were received in April 2017, down from 14 in March and also below February and January totals.

3.1.2 In terms of their activity status under the District Plan:

- All 5 are discretionary activities (the Council can approve or decline them). Three are for commercial activities in the rural zone (a claybird shooting range outside Franz Josef, a helicopter hangar and associated flights at Fox Glacier, and a new helicopter base at Fox Glacier), and two are for reduced rear yard setbacks (one at Franz Alpine Resort and one in Hokitika).



3.1.3 Summarising by location, 1 is Hokitika, 2 are in the Franz Josef area, and 2 are in the Fox Glacier area.

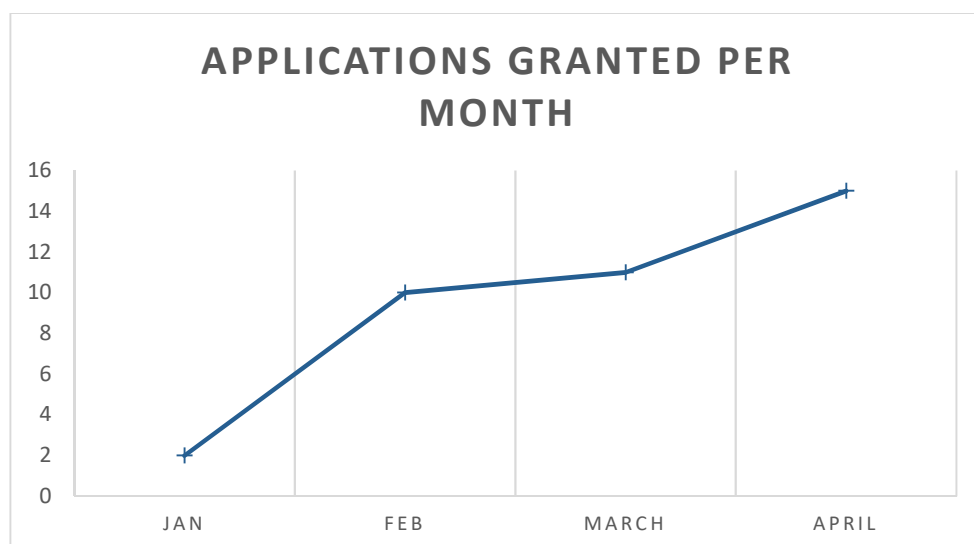


3.1.4 Further details of each application received are not provided in this report but have been included in the weekly e-mail updates to Elected Members on the consents received. The updates include the name of the applicant, the location, and the proposed activity.

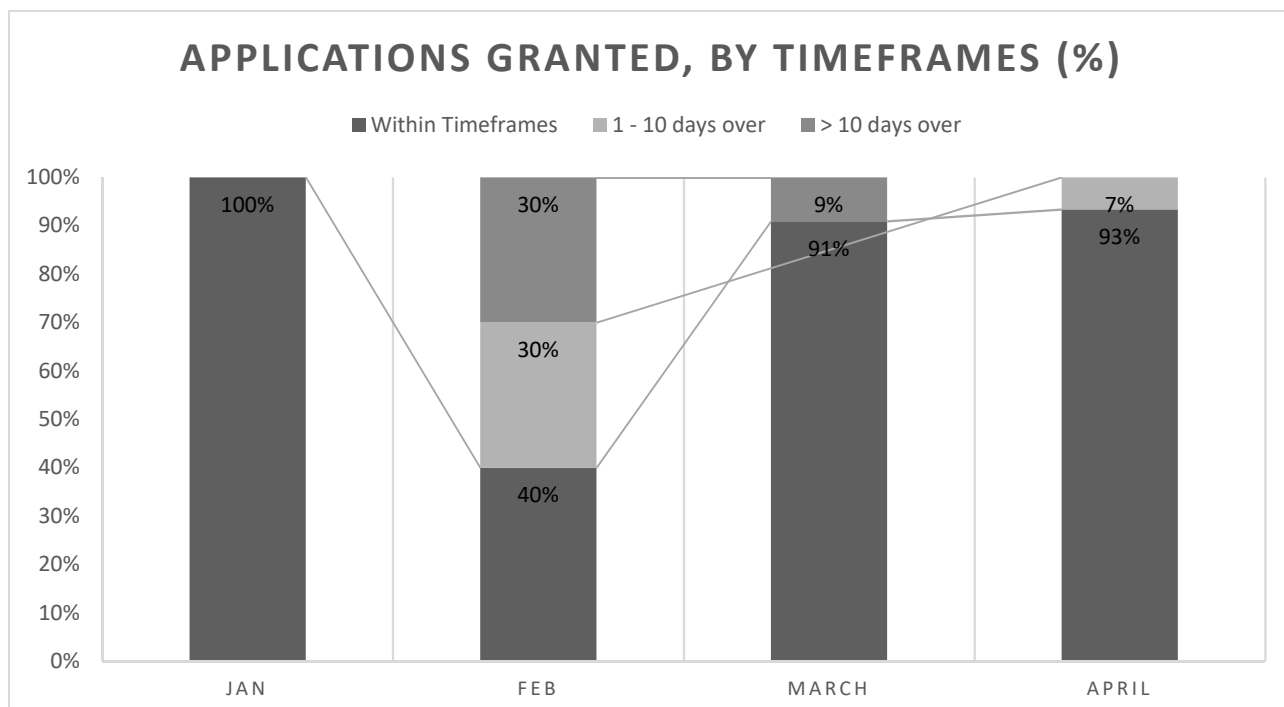
### **3.2 Resource consents issued**

3.2.1 A total of 15 consents were issued in April, up from 11 in March, 10 in February and 2 in January. The breakdown of these consents is as follows:

- One for the Kumara Chinese Miners' Memorial Gardens (discretionary activity)
- One for a campground in Franz Josef township (discretionary activity)
- One for the Okuru Enterprises water export project at Neil's Beach (discretionary activity)
- One for a residence and helicopter operation at Haast (discretionary activity)
- One for a helicopter hangar and operations at Fox Glacier (discretionary activity)
- One for a helicopter site office in Franz Josef township (non-complying activity)
- One for retrospective approval of offsite signage at Three Mile, Hokitika (non-complying activity)
- One for retrospective approval of vegetation clearance at Neil's beach (discretionary activity)
- Two for rural dwellings (controlled activities): 1 at Blue Spur and 1 at Kowhitirangi
- One for a rear yard setback encroachment in Hokitika (discretionary activity)
- Four subdivisions: two lots in Hokitika (controlled activity), two lots in the Franz Josef area (discretionary activity), three lots in Kaniere (controlled activity), and two lots at Awatuna (discretionary activity)



3.2.2 As with the month of March, all but one of these consents were issued within statutory timeframes. The exception was for the Okuru Enterprises water project, which went over time by 3 days. The overall result of 93% of consents being issued within statutory timeframes is an improvement on last month's 91% result and is the best in recent months.





### **3.3 Resource consent applications notified**

- 3.3.1 Applications found to have potentially affected parties only proceed to limited notification if the applicants do not attempt or are unsuccessful in gaining affected party approval (APA). Applications are only fully publicly notified (wider than specified parties) if effects on the wider environment are deemed to be more than minor.
- 3.3.2 In April, two applications were limited notified to potentially affected neighbouring parties (a truck stop at Three Mile, Hokitika, and a helicopter operation at Kowhitirangi). This total is up from one in March and in February, and compared to zero in January. To put this in context 17 applications were limited notified in the calendar year 2016.
- 3.3.3 So far in May, no applications have yet proceeded to limited notification.
- 3.3.4 No applications were fully publicly notified in April, or in the calendar year 2017 to date. To put this in context, only 1 application was fully publicly notified in the calendar year 2016 (modification of St Mary's Church in Hokitika), 1 in 2015 (Renton's building demolition in Hokitika), and 1 in 2014 (Westland Milk Products expansion in Hokitika).

### **3.4 Resource consent applications that went to or are going to a hearing**

- 3.4.1 The outcome of notification is not always that a hearing occurs. Sometimes there are no submitters, or the submitters are in support of the project. Other times the submitters and the applicant agree to consent conditions before a hearing.
- 3.4.2 The commissioner's decision to approve the Tuffy Investments Ltd application (for a campground in Davie St, Hokitika) was released on 5 May and is open for appeals until 26 May. None have been received as of 18 May.
- 3.4.3 The commissioner's decision to grant approval to Okuru Enterprises Ltd for the water extraction facility at Tuning Fork Creek near Neil's Beach has not been appealed, so the decision is operative. The West Coast Regional Council has also approved the coastal permit, and that decision is still open to appeals.

- 3.4.4 A hearing was held on 8 May before commissioner Gary Rae for the Phoenix Mining application in the Stafford area. A number of submitters were heard, and the commissioner has kept the hearing open while additional information is sought from the applicant.
- 3.4.5 Two hearings are potentially coming up in the next month or so, as a result of submitters wishing to be heard:
- Prospect Resources (near Blue Spur): to be scheduled
  - WestREAP building extension: to be scheduled, unless further discussions between the applicant and submitters result in a resolution
- 3.4.6 In addition, two applications that were limited notified in April (a truck stop at Three Mile, Hokitika and a helicopter operation at Kowhitirangi) received submissions in opposition by the May closing date, and could potentially go to a hearing if pre-hearing meetings do not lead to resolution.

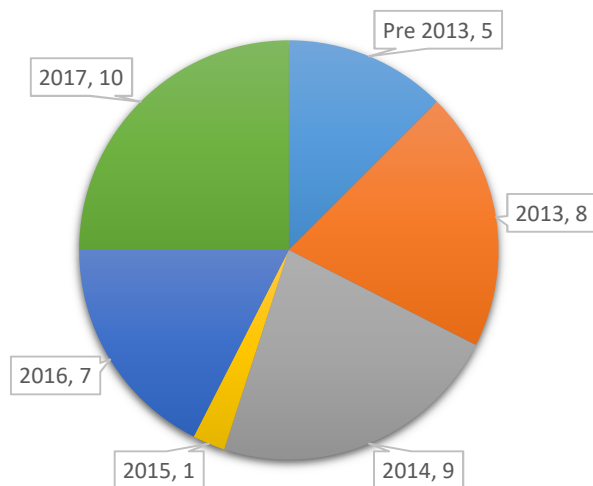
### **3.5 Status of other significant consents not otherwise covered above**

- 3.5.1 As reported last month, the 2015 consent from Alistair Cameron for a subdivision and housing in Sewell St, Hokitika, is likely to have a decision issued shortly.
- 3.5.2 No other consents in progress, other than those mentioned above, are considered to require a status update in this section. Enquiries to the planning department from Elected Members as to the status of any consent are welcome at any time.
- 3.5.3 In general a common status not covered by the above sections is “on hold.” There are a few reasons why an application may be on hold. One is that it could be on hold for further information under s92 of the RMA. If a consent is accepted as complete, Council has only one opportunity to ‘stop the clock’ and issue a Request for Further Information (RFI) in this way; the clock is restarted when the information is provided by the applicant. Another reason is that it could be on hold at the applicant’s request to seek affected party approval (APA). It could also be on hold at the applicant’s request to provide further information that might resolve an issue prior to it going to a hearing. There are now limits in the RMA on how long an application can be on hold in total, though this limit is fairly generous at 130 working days.

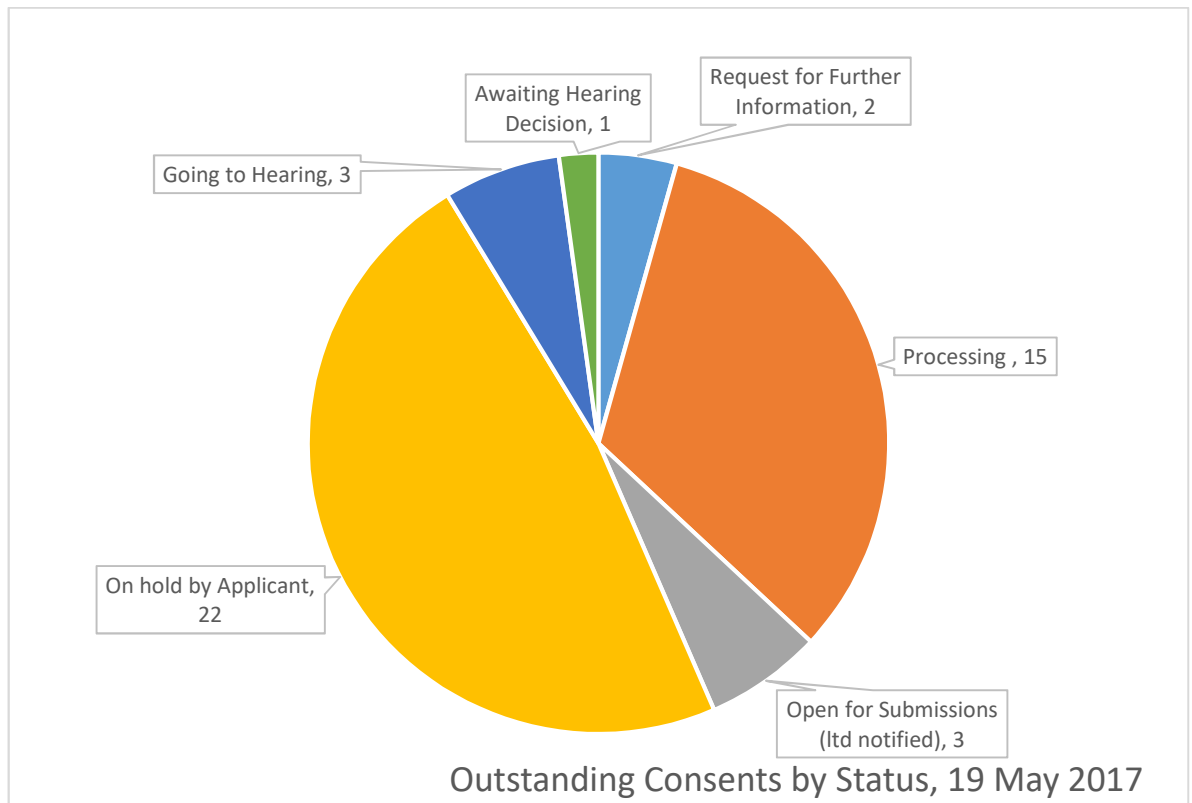
### 3.6 Number and type of 'live consents' including historic backlog

3.6.1 As at 19 May 2017, there are currently 40 resource consent applications showing in the Council's system as 'live,' i.e. a decision has not yet been made. Of these, just over half are pre-2015, which indicates that there are a number of applications that have stalled for one reason or another.

**Outstanding Consents by Year of Application, 19 May 2017**



3.6.2 The status of the live applications is shown below, indicating that being on hold by the applicant (including for seeking affected party approvals) is the most common status. This is especially the case for older applications.



3.6.3 This backlog has been reduced considerably in the past several months. The number of outstanding consents has dropped from 46 to 40 in the past month alone, and the number of pre-2015 applications dropped from 25 to 22 over that time period.

3.6.4 The Planning Department's goal is to continue to reduce the historic backlog through a combination of correcting any erroneous or incomplete data in the Council's electronic consent tracking system, and progressing any applications that have stalled. This will include encouraging applicants with older applications to move forward with their applications or withdraw them. With recent changes to the RMA, the Council can require this for more recent applications, but for older applications it is possible that applicants can keep the applications on hold indefinitely.

### **3.7 Commissioners**

- 3.7.1 As reported last month, applicants are now being advised of commissioners' hourly rates, along with an estimate of potential hearing costs if requested. An hourly rate cap of \$300/hr is now in place for all but exceptional circumstances.
- 3.7.2 Now that three Councillors are accredited hearing commissioners, they can participate in hearing panels (though not as chair until they have completed chair training). These Councillors are being advised of upcoming hearings, and Councillor Neale was able to attend part of the recent Phoenix Mining hearing.

### **3.8 Significant compliance monitoring and enforcement activity**

- 3.8.1 There are no significant updates to last month's report. At last month's Council meeting, the Council's Senior Planner outlined the principles of a draft compliance monitoring and enforcement strategy, and this was met with general approval around the Council table.
- 3.8.2 The principles of the strategy include a graduated approach prioritising education, then gradually moving through formal measures as required, e.g. warning letters and abatement notices, before any more serious action such as prosecution is taken. Stocktakes of existing resource consent conditions and the most common unconsented activities will assist in discussions with Elected Members about approach and priorities.
- 3.8.3 Significant monitoring and enforcement activity is likely to remain on hold, aside from the most urgent complaint-based issues, until the Planning team's resource is bolstered by the appointment of a Planning Manager.

### **3.9 Progress with the District Plan Review**

- 3.9.1 At the March Council meeting, as part of Annual Plan discussions, the consultant budget for the District Plan Review was reduced from \$105,000 to \$60,000 for 2017/18.
- 3.9.2 The Council is yet to decide on whether to advance the 'rolling review' approved by the previous Council that would complete the District Plan Review by 2022 (10 years after the Plan was due for review). A meeting to discuss priorities for the review is still to be held between the three RMA-trained Councillors and Council staff, as per the Council's December 2016 resolution.
- 3.9.3 Once the meeting is held, a formal report can be brought to Council for discussion and decisions about timeframes, resources, priorities and linkages to work at the regional scale. This can inform the resourcing decisions to be made as part of the Long Term Plan 2018-2028 discussions.
- 3.9.4 In the meantime, no District Plan Review work will occur before 30 June 2017, due to budgetary issues as well as the need to appoint a Planning Manager before the District Plan Review work can begin in earnest.

### **3.10 Process improvements of note**

- 3.10.1 In addition to previously reported system improvements, approval has now been given to obtain consultant assistance in developing up-to-date decision report templates, clear flow charts for subdivision processes, improvements to electronic consent tracking systems, and best-practice customer communication protocols. This work began in early May and will be largely complete by the end of June.
- 3.10.2 Guidelines for a "key account management" system for major development projects have now been approved by the acting Chief Executive and are attached to this report for information. The system can now be publicised via the Council's website and other means.
- 3.10.3 Documentation of the Planning Department's complaint management system and customer enquiries system has now also been approved by the acting Chief Executive. These systems will be considered for extension to other Council activities.

### **3.11 Resourcing issues**

3.11.1 The Planning Manager position was advertised nationwide in March, and a number of impressive applications were received by the closing date of 3 April. Interviews were held on 12 April and an offer has been made. It is expected that an announcement will be made prior to this Council meeting.

3.11.2 A few consents are still required to be outsourced to planning contractors due to workload and resourcing issues. With the departure of a key contractor from the West Coast, the contractor pool has recently been widened to include contractors from Canterbury with West Coast experience and familiarity.

### **3.12 Transfer of functions (mining)**

3.12.1 On 11 April the WCRC resolved to accept the transfer of certain RMA functions for mining (consent process, and compliance monitoring and enforcement) from 1 August 2017, subject to the following two additions to the proposed deed of transfer:

- A requirement for either party to give six months' notice prior to transferring the powers back
- A requirement for WDC to cover the costs of any liabilities arising from matters dealt with by WDC prior to 1 August

3.12.2 These amendments have been considered by our Acting Chief Executive, who will be signing the deed of transfer very shortly and forwarding it to the WCRC for counter-signing.

3.12.3 Applications made before 1 August will still need to be lodged with WDC.

#### 3.12.4 Council staff are preparing for the transfer by:

- conducting an in-depth training session for WCRC staff on 23 May 2017
- inviting WCRC to assist with processing any new mining consent applications, with WDC oversight and signoff, prior to 1 August
- inviting WCRC staff to attend any upcoming hearings for mining consent applications
- identifying and preparing all our granted and 'in process' mining consents, so that WCRC has all the files ready for monitoring and enforcement after 1 August
- continuing to process any live mining consent applications WDC staff have started, with any processing that extends beyond 1 August requiring WCRC signoff

## **4 OPTIONS**

- 4.1 As this is a report for information purposes, the options are simple; Council can receive the report or not receive the report.

## **5 SIGNIFICANCE AND ENGAGEMENT**

- 5.1 The decision to be made today is of low significance as it is simply to receive the report or not.
- 5.2 No consultation or engagement has been undertaken in relation to the content of this report, aside from discussions with Elected Members about the type of information that would be helpful. More feedback is always welcome.

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

- 6.1 There are no significant differences between the options of receiving the report or not, aside from a possible perception that receiving the report would signal that the Council is interested in these matters and finds the information useful.

## **7 PREFERRED OPTION AND REASONS**

- 7.1 The preferred option is that Council receives this report.



## 8 RECOMMENDATION

A) THAT Council receives this report.

Jim Ebenhoh

Group Manager: Planning, Community and Environment

Appendix 1: Key Account Management System for Major Development Projects: Guidelines



# KEY ACCOUNT MANAGEMENT FOR MAJOR DEVELOPMENT PROJECTS: GUIDELINES

May 2017

# **KEY ACCOUNT MANAGEMENT FOR MAJOR DEVELOPMENT PROJECTS: GUIDELINES**

Approved by Chief Executive, 23 May 2017

## **1. INTRODUCTION**

This document provides guidelines for Key Account Management for Development Projects. The guidelines apply Council-wide, not just to the Planning Department.

Contact person for queries: Jim Ebenhoh, Group Manager: Planning, Community and Environment (ph 03 756 9035).

## **2. BACKGROUND**

An external review of the Council's resource consents function in the second half of 2015 found that some developers felt that their projects needed more oversight, support and coordination from Council at the senior management level. It also found that there needed to be more of a focus on strategic outcomes rather than just process. It recommended that these issues be addressed by way of a "major projects team with a clear leadership structure for projects determined by the Group Manager: Planning, Community & Environment and Chief Executive to be of district significance (this might include a financial threshold, total number of employees, longevity of proposal, etc.)."

This set of guidelines is the response to that recommendation. It aims to document the purpose of the Key Account Management system, provide eligibility criteria, and outline clearly what is and is not offered through this programme.

## **3. PURPOSE**

The purpose of the Key Account Management system for Major Development Projects is to provide a more intensive level of coordination and oversight from senior management with regard to the range of Council's involvement in a major development project as defined below, in order to provide a seamless service across Council departments and ensure that Council's strategic objectives for the community are considered in decision-making.

## **4. ELIGIBILITY CRITERIA AND APPLICATION PROCESS**

To be eligible for this service, the development project must meet one or more of the following criteria:

- Have an estimated construction value of \$750,000 or more.
- Create 3 or more full-time jobs.
- Be of strategic importance or significance to the community
  - This can be demonstrated by being a project funded by the Council or other external agencies to create community benefit, or taking place on land that is subject to a high degree of public interest.

Though many major development projects will require planning approval (resource consent), some will not. Any major development project as defined by the criteria above is eligible for this programme. For example, a commercial development in a commercial area may not need a resource consent - only a building consent, or a liquor licence and food licence.

To avoid overcommitment, the Council needs to formally consider potentially eligible projects and keep a register of those that are approved for this service. Projects can be nominated by developers, Elected Members or Council staff, as long as the developer agrees. A decision will be made within 5 working days. Requests should be sent to the Group Manager: Planning, Community and Environment and should briefly outline the fit with the criteria above, as well as any other reasons that the Council should consider.

## **5. PROGRAMME BENEFITS**

The Key Account Management system for Major Development Projects provides the following services:

### **Pre-application meetings**

A pre-application meeting (or two, if required), is offered free of charge up to a total of two hours, with all relevant departments in attendance, for example:

- Planning (resource consents)
- Building Control (building consents)
- Environmental Health / Regulatory (food and liquor licenses, etc.)
- District Assets (infrastructure)
- Group Manager(s) and/or Chief Executive

The purpose of the pre-application meeting is to ensure that the developer is aware of the various Council requirements and any potential issues in relation to these, and that Council staff are aware of the background and 'big picture' relating to the project. Sequencing of the project with respect to various consents and licences can be discussed, as well as potential costs and timeframes in relation to the developer's hopes and expectations.

Notes will be taken and distributed to all attendees for future reference, with areas of agreement identified.

Pre-application meetings are normally available to any project, not just major development projects, but they are typically limited to 30 minutes free of charge, they are not always brought to the developer's attention as an option, and they sometimes do not have all relevant departments in attendance. Under this programme, the duration of the meeting(s) is extended to two hours, the service is promoted to the developer once their project is approved as a Major Development Project, and all relevant departments will be available if at all possible.

### **Centralised oversight, coordination and account management at the senior management level**

All Major Development Projects will be assigned a Key Account Manager: either the Group Manager: Planning, Community and Environment (who reports directly to the Chief Executive) or the Chief Executive.

The Key Account Manager will set up a central project file (in addition to individual department / consent files) so that all information is kept in one place, regardless of whether it relates to building consent, resource consent, liquor licence, food licence or infrastructure issues.

The Key Account Manager will track the Council's progress with any live applications on a minimum weekly basis and report weekly to the Chief Executive. This reporting will be based on the Key Account Manager's information gathering as well as fortnightly internal progress meetings held with the project teams to review all major development projects. Monthly summary reports will be provided to the Mayor and Councillors at a formal Council meeting, subject to any confidentiality issues.

The Key Account Manager will aim to ensure that all Council staff working on the project are reminded at appropriate times of the importance of the project in terms of local investment, job creation, or other factors.

The Key Account Manager will aim to resolve any disconnect between Council departments at the earliest possible opportunity.

### **Continuity and Communication**

In addition to the Key Account Manager, all Major Development Projects will be assigned a primary point of contact in each relevant Council department, and in all but the most exceptional of circumstances this point of contact will remain for the duration of the project.

The Key Account Manager will be an overarching point of contact at Council for the project, for questions such as how a project is tracking across multiple departments, for discussing any apparent disconnect between Council departments, and for any other strategic-level discussions that need to occur.

## 6. WHAT THE KEY ACCOUNT MANAGEMENT SYSTEM IS NOT

- **An ‘easy ride.’** The Council will not and cannot lower the standards, for example in the Building Code or the District Plan. It will use its discretion where it can, with an awareness of the significance of the project.
- **A ‘fast track’.** The Council will not ensure that Major Projects ‘jump the queue’; it will work to achieve its usual statutory timeframes under the relevant legislation. The Council will look at whether extra attention can be focused on Major Projects while meeting the statutory timeframes for all its applicants.
- **A guarantee that the project will be approved.** In the case of resource consents, for example, the Resource Management Act may require limited notification to affected parties or full public notification, which can result in a hearing, after which an independent commissioner makes the final decision. It is also possible that despite the best efforts of all concerned, the Council’s recommendation might be to decline a project, if important issues cannot be resolved.
- **A way of bypassing interacting with the processing departments.** The Key Account Manager is an overarching point of contact that is in addition to, not instead of, the points of contact in the various Council departments. Those departmental contacts will be critical during the day-to-day progressing of the project, to ensure that the developer and their agents / advisors are having the right conversations at the right level at the right time. Channelling all communication such as technical details through the Key Account Manager could create inefficient bottlenecks, double-handling and/or key information being ‘lost in translation.’

# Report



**DATE:** 29 May 2017

**TO:** Mayor and Councillors

**FROM:** Transportation Officer

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## CASS SQUARE – STATUS

### **1 SUMMARY**

- 1.1 The purpose of this report is to outline the current status of Cass Square and works completed.

### **2 BACKGROUND**

- 2.1 In November last year a contract was let to upgrade the playing surface at Cass Square. It was hoped to have been able to do this after the last Wildfoods event in 2016, but due to pressure from the Rugby Union, permission was given to the use of the field for part of the last rugby season. That use caused the surface drainage system to totally fail causing the whole surface to simply turn to mud.

Advice and a specification information was obtained from Turf Technology and GSL. GSL being a reputable company with a well proven track record in the development and maintenance of sports grounds within the South Islands to carry out this work.

The work involved stripping the existing surface off and levelling the playing surface which has always up until then had over 200mm undulation or tilt, which had tended to cause ponding. This company replaced the top 150mm of surface with approved sand which matched into the undamaged sub surface drainage system.

The whole area was then seeded and fertilized and left to grow this did include ongoing irrigation when required. The whole field was fenced off and was left that way until it was opened up for the Marist Rugby event about two weeks prior to the Wildfoods event. The Rugby event went off well and despite a number of games no damage was done to the newly grassed areas.

It was not until after the two events took place that the majority of the new grass and surface drainage was destroyed or damaged.

The initial intention was to remove the fencing after children's day. Due to the damage and need to isolate the area to attempt to give the surface the best chances of recovery. Advice and confirmation from the sports turf specialists indicated that the top surface had been again compacted by the effects of the events. The recommendation was for compaction relief and followed by reseeding the grass surface followed by fertilizing. This was completed and the recommendation from GSL was to leave the surface without use for 6 to 8 weeks to allow for recovery.

### **Where we are now**

With the removal of the fence the local rugby club are now using the area for training and open for the general public use. Consequences of this is it is damaging the surface drainage and obviously the grass growth. The risk now is the subsurface drainage that relies on the grass to keep the surface drainage open is going to fail causing surface water build up on the surface which in turn will cause what grass remains to die off. In terms of recovery – going into winter now it's most unlikely now the field will be up to standard for rugby this season. It could be used for rugby but will be totally ruined by the end of the season (if it lasts that long) meaning that council will be up for another \$12k in the spring to rehabilitate the surface again.

### **What Happened**

It must be understood how this grassed sports playing surface actually works. The grass surface is supported by a layer of sand. Under the sand layer are slit graded chip filled drains or trenches that water from the surface runs. This is into a series of smaller "Nova Flow" Heavy duty Plastic pipes slotted to allow water entry. The outside has a filter sock to prevent detritus entry pipes and on into larger pipes that discharge into the town's stormwater system. We have had no issues with anything other than the grass and sand layer on the top. The problem is caused by the concentrated compression of the sand surface and the grass. This seals off the surface preventing water to escape. Once the grass is dead it decomposes like grass does and further seals the surface. With high use this is accelerated by literally mincing up the surface into a slurry making the surface seal even better.

### **What's it cost**

The total costs to have installed this whole system to date is about \$200k capital over the last 15 years and last year we spent an additional \$140k upgrade of the surface and it costs about \$10 to \$12k each time for compaction relief and reseeding etc. If the events were not held this activity may only be



required every three to four years. The total costs committed and spent on this playing surface since year 2000 has been in excess of \$350k.

### **3 RECOMMENDATION(S)**

- A) **THAT** the above information be received and Council consider the future use of Cass Square for events.

**John Bainbridge**  
**Transportation Officer**

**Appendix 1:** Slit Drainage Technical Specifications

**Appendix 2:** Field Drain Construction 1

**Appendix 3:** Field Drain Construction 2

# **TECHNICAL SPECIFICATION**

## **SLIT DRAINAGE - CASS SQUARE, HOKITIKA**

### **SPECIFICATION OF WORK - CASS SQUARE, HOKITIKA**

#### **1. DRAIN INSTALLATION - GENERAL**

##### **1.1 Setting Out**

The contractor shall mark the location of the drain lines on the field as shown in draining 00/CAS/01. The location of new lateral drains shall be checked in relation to the rugby playing field position and work area for slit draining so that all slit drains discharge into lateral drains that are no further apart than 12 metres. The Engineer shall be notified immediately that any discrepancy is found.

##### **1.2 Trenching**

It is imperative that every effort is made to carry out trenching, pipe laying and backfilling in reasonable lengths to allow completion before the onset of rain so that exposed trench sides and bases are not contaminated by soil washed in by rain.

As a safety precaution, no drains shall be left unfilled at the end of each days work, unless they can be boarded over to prevent accidental injury. Preference will be given to machinery that lifts spoil onto an adjacent vehicle without placing it on the surface. Contractors shall make a thorough inspection of the soil profile before committing themselves to tender.

##### **1.3 Spoil Disposal and Stockpiles**

All spoil shall be removed from the site. A disposal site is available within 2 km of Hokitika. The concrete cycle track can be used for stockpiling materials.

##### **1.4 Drainage Material**

Suitable sand and gravel has been located by the Westland District Council. Only approved materials shall be used. Details of the materials and their availability are given in Appendix 4. The specifications for suitable trench gravel, blinding sand and topdressing sand are given in appendices 1 - 3.

### **1.5 Traffic Regulation**

No vehicles shall drive over the synthetic cricket pitch. Any damage shall be reinstated.

Support vehicles shall travel around the perimeter of the field or the concrete cycle track when delivering drainage material or carrying spoil. Support vehicles shall not cross the lines of the pipe drains when loaded. Support vehicles shall not be loaded so they make more than a 25 mm deep wheel rut in the surface.

Preference will be given to contractors using machinery fitted with low ground pressure tyres such as low pressure radial turf tyres or dual wheels that are likely to minimise wheel rutting.

### **1.6 Timetable of Events**

The whole of Cass Square is required for the Wildfoods Festival on 10 March 2001. The contractor shall vacate the site and make it safe, without any open holes, from 7 March 2001 to 12 March 2001. All material stockpiles shall be removed from the cycling track.

The contractor shall, at the time of tendering, provide a work plan detailing a timetable for carrying out the work. Preference will be given to tenderers planning to complete slit drain installation before the end of January.

## **2.0 INSTALLATION OF LATERAL DRAINS**

### **2.1 Setting Out**

Lateral drains shall be installed in the locations indicated by dotted lines on the drawing 00/CAS/01.

## **2.2     Junctions**

Where existing lateral drains are extended, the slotted drain pipe shall be jointed in the manufacturer's approved manner. Where new lateral drains branch off the main drain, a formed joint shall be used.

## **2.3     Trenching**

Trenches shall be excavated to take 110 mm diameter slotted drain pipe. Wherever possible excavated spoil shall be discharged directly onto a support vehicle and not on the turf surface.

The trench base shall have a fall of 0.25% towards the outlet.

The base of the lateral drain shall be cleared of all loose soil prior to pipe installation. Approved corrugated, continuous, perforated, plastic drain pipe of 110 mm outside diameter and meeting NZS 7650 shall be placed in the excavated lateral trenches.

## **2.4     Backfilling**

The lateral drains shall be backfilled with 5 - 10 mm diameter approved trench gravel to within 150 - 200 mm of the surface. During backfilling the pipe shall be held on to the bottom of the trench to prevent the pipe lifting and gravel working under the pipe. The method of backfilling shall be one that is approved by the Engineer.

At the blank ends of the laterals the pipe shall be turned upwards towards the surface then cut and fitted with an end cap 150 mm below the surface. A 50 mm diameter galvanised washer or a larger steel object shall be placed beside the end cap so it can be found by a metal detector.

The trench gravel shall be blinded by a layer of blinding sand 40 - 60 mm thick. The trench materials shall be consolidated by vehicle wheel pressure.

All drains, including the existing drains, shall be filled with approved topsoil or topdressing sand and consolidated so the surface is flush with the surrounding ground level.

***Lateral drains shall be backfilled at the end of each day's work.***

### **3.0 INSTALLATION OF SLIT DRAINAGE**

#### **3.1 Setting Out**

Slit drains shall be installed lengthwise up the playing field. Slit drains shall be installed in straight lines and parallel to the touch lines.

Slit drains shall be installed at 1.0 metre centres across the whole field from two metres outside the eastern touchline to two metres outside the western touchline and up to the grandstand for 35 metres on the western touchline.

#### **3.2 Trenching**

Slit drain trenches shall be excavated using whiz wheel type trenchers that elevate spoil onto a conveyor belt, without leaving any spoil on the surface.

Slit trenching shall be carried out separately from gravel placement, so that trenches can be inspected and linked to existing drains.

Backfill materials shall be consolidated to prevent future subsidence.

#### **3.3 Installation Procedure:**

The installation outlined below is to be carried out by one of the nominated sub contractors outlined in the General Specification, Item 10.

- 3.3.1 Slit drains shall be excavated to a constant depth of 300 mm and a width of 50 mm. Slit drains shall be excavated and backfilled in separate operations. An approximately 40 mm wide trench scoop or approved mechanical operation shall be used to remove all loose material from the base of the slit drain trenches.
- 3.3.2 Clean gravel to gravel contact with the lateral drains shall be established at every slit drain lateral junction. Clean gravel contact shall be established by excavating to remove contaminated gravel.
- 3.3.3 Gravel placed in the slit trenches shall be approved trench gravel. Gravel shall be placed in the trenches to within 100 mm of the surface using a purpose built hopper.
- 3.3.4 Gravel shall be overlaid by 125 mm of approved coarse blinding sand. The sand shall be placed with a 25 - 35 mm crown of sand above the level of the turf surface.

- 3.3.5 Slit drainage backfill shall be consolidated by driving a wheeled vehicle on the sand along the length of the slit.
- 3.3.6 Slits shall be sown with a named turf ryegrass at 4 g per linear metre and any bare or damaged areas at 40 g/m<sup>2</sup> after installation and before sand topdressing.
- 3.3.7 No traffic shall cross slit drains after excavation or after installation, until a sand spreading has been completed after slit installation.

#### **Provisional**

Where gravel backfill of lateral drain is below the depth of slitting and normal hand cleaning of slits does not establish linkage with lateral drain. Establish linkage with lateral drain backfill by hand excavation until clean gravel contact can be established.

## **4.0 SEED AND FERTILISER**

### **4.1 Application Rates**

Seed fertiliser shall be broadcast over the area after slit drainage has been installed and immediately before the next sand topdressing. It shall be spread at the following rates:

Turf ryegrass seed	100 kg/ha
30% potash super	200 kg/ha
Cropmaster 15	200 kg/ha
Sulphur coated urea 33-37 % N	200 kg/ha

### **4.2 Timing of Application**

Should a dry spell be likely after broadcast seeding, or seeding is within 6 weeks of the Wildfoods Festival on 10 March 2001, the Engineer may order seeding to be delayed until a more favourable time after the festival.

### **4.3 Ryegrass Cultivars**

Turf ryegrass seed shall consist entirely of one of the following names cultivars:

Tambour, Arena, All Star or Seville, or another approved variety. The seed shall be less than 18 months old. A copy of the purity and germination certificate shall be provided to the Engineer before sowing.

#### **4.4 Fertiliser**

The following fertiliser shall be applied anytime during the contract period that grass growth is deemed to be inadequate in the engineers opinion, or in April if not applied earlier.

Cropmaster 15

### **5.0 SAND TOPDRESSING**

#### **5.1 Sand Topdressing Rates**

Four sand topdressings shall be applied to the work area at the rate of 10 m<sup>3</sup> per 1000 m<sup>2</sup> using approved topdressing sand. This is equivalent to 10 mm depth (loose volume). Topdressings shall be applied no closer than five weeks apart between late October and early May. At least one topdressing shall be applied after slit drain installation.

The next topdressing shall not take place until the Engineer has approved that grass has fully grown through and recovered from the last topdressing, in the opinion of the Engineer.

#### **5.2 Harrowing**

The weather shall be dry when the sand is spread. Wind speeds shall be less than 10 km/hr to avoid causing a nuisance to neighbours. The sand shall be allowed to dry on the surface before being brushed or chain harrowed into the turf. Harrowing shall continue until at least 80% of the grass foliage is through the sand.

#### **5.3 Ground Conditions**

Soil conditions shall be firm enough that no wheel rutting takes place or that mud adheres to vehicle wheels. A lime spreader, or similar spreader, with low ground

pressure tyres shall be used for spreading the sand. If necessary the load carried shall be reduced to half or less to prevent wheel rutting.

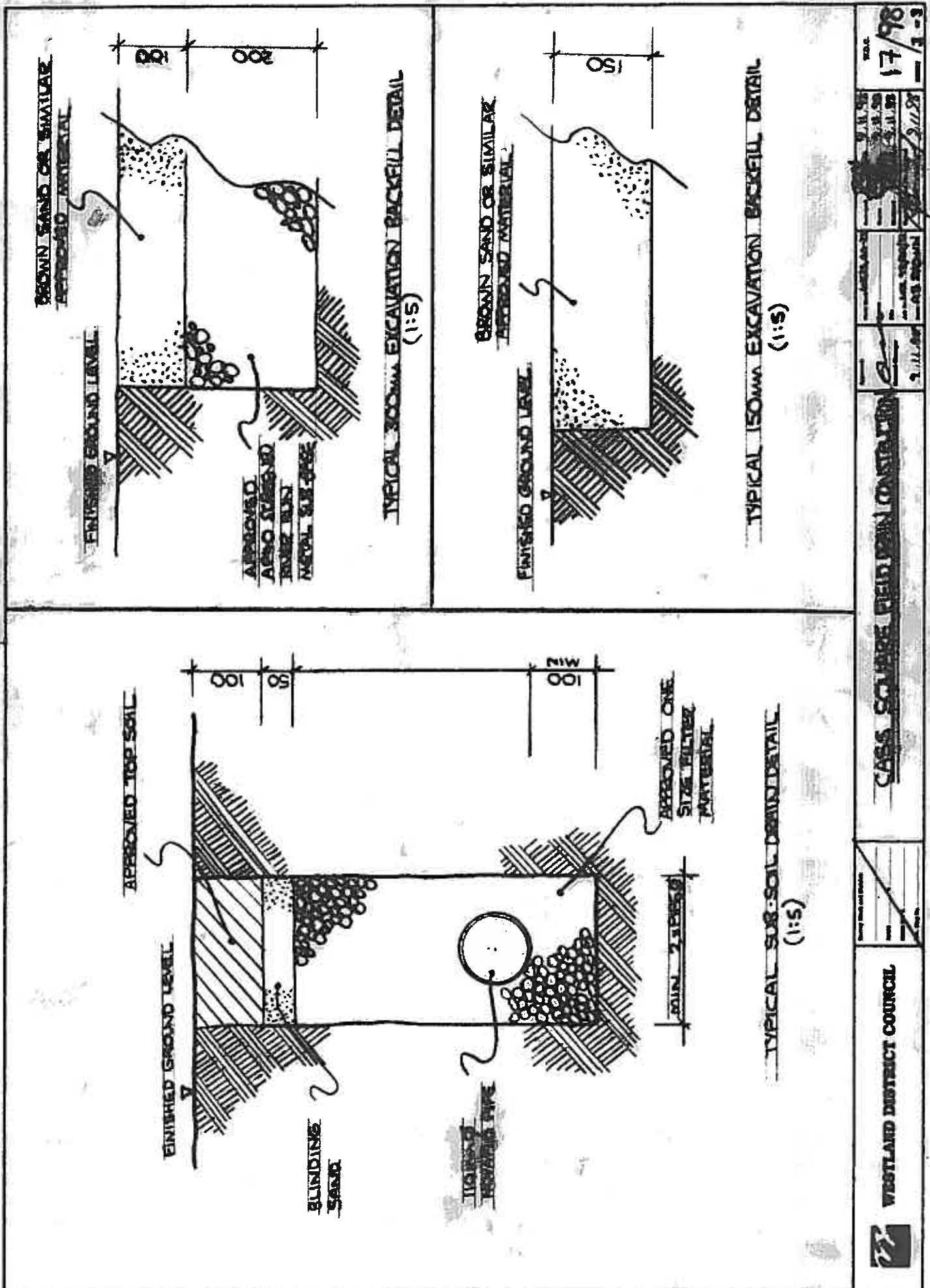
**Provisional:** A fifth sand topdressing shall be applied if grass growth conditions are favourable in the opinion of the Engineer.

#### **5.4     Control Earthworms**

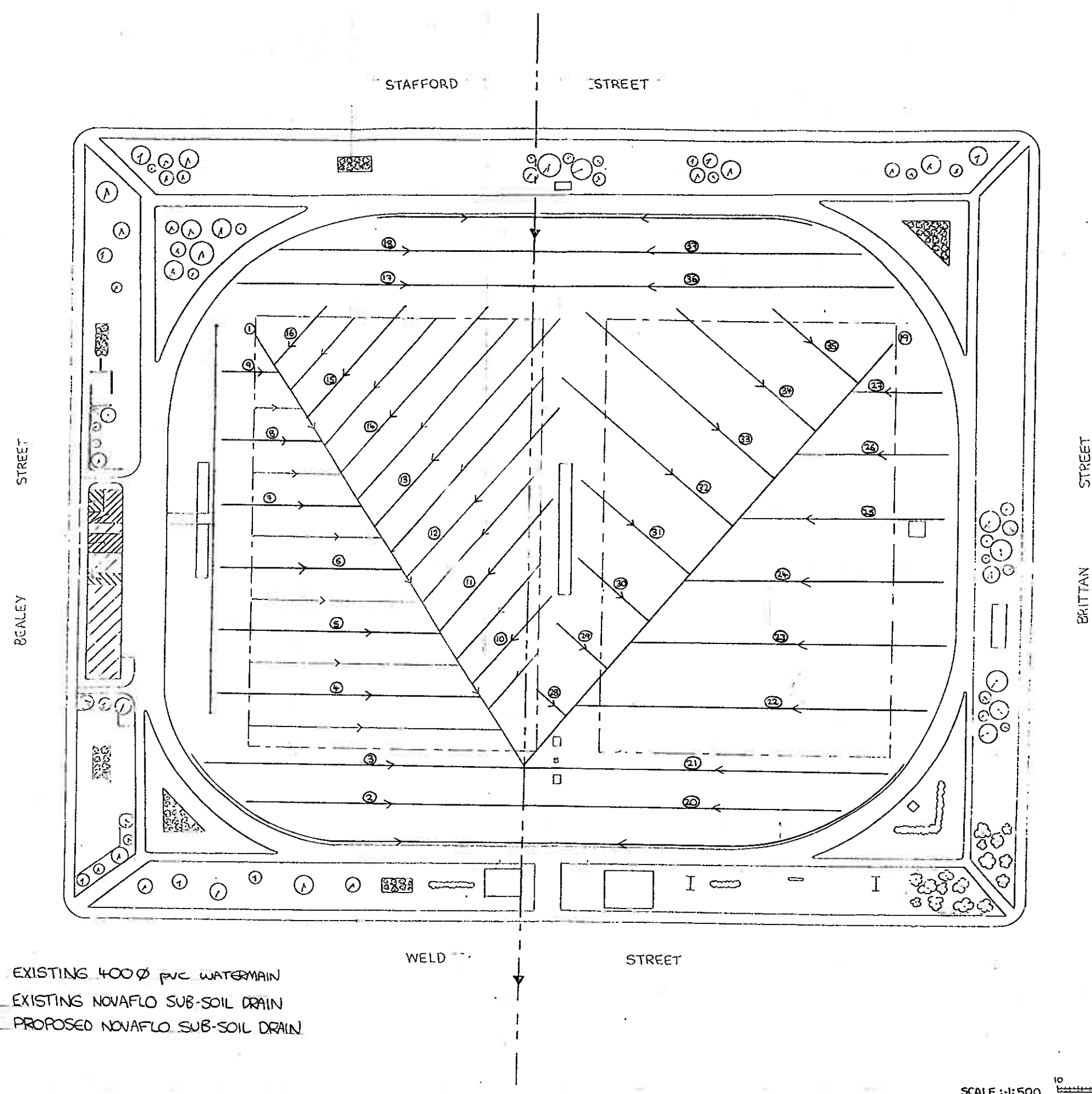
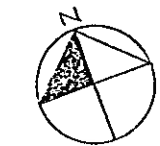
Apply endosulfan (Thiodan) at 6 l/ha between October and December when rain is expected soon after application.

Apply a second endosulfan application in April or May.





	<b>WESTLAND DISTRICT COUNCIL</b>		<b>CASS SQUARE FIELD PUMP INSTALLATION</b>					
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EXISTING 400 Ø PVC WATERMAIN  
 EXISTING NOVAFLO SUB-SOIL DRAIN  
 PROPOSED NOVAFLO SUB-SOIL DRAIN

SCALE 1:500

<p><b>WESTLAND DISTRICT COUNCIL</b></p>	Survey Block and District: NZMS NZMS 261 Map No.	<p><b>CASS SQUARE - FIELD DRAIN CONSTRUCTION</b></p>		Approved: General Manager	Field Book (W.D.C. 25, 30, 31) Datum File Job No. Scale 1:500	Surveyed 24/11/98 Drawn 26/11/98 Designed 24/11/98 Recommended For Approval	W.D.C. <p><b>17A/98</b></p> Bill 1 of 1
	Page - 70						

# Report



**DATE:** 29 May 2017

**TO:** Mayor and Councillors

**FROM:** Group Manager: Planning, Community and Environment

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## **REQUEST FROM WESTLAND DISTRICT PROPERTY LTD TO EXPAND ACTIVITY INTO DRUMMOND HALL**

### **1 SUMMARY**

- 1.1 The purpose of this report is to seek a Council decision on whether to grant Westland District Property Ltd (WDPL) access to the exhibition area of Hokitika Museum's Drummond Hall, which is temporarily closed to the public. WDPL would then allow public access to this area.
- 1.2 This issue arises from a request from WDPL (see Appendix 1).
- 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 This report concludes by recommending that, in order to more appropriately balance potential income and costs, Council defers until November 2017 any decision to grant Westland District Property Ltd (WDPL) access to the exhibition space of the Hokitika Museum's Drummond Hall for the purpose of allowing public access. It also recommends that any decision to move forward with an access arrangement be subject to conditions outlined in this report.

### **2 BACKGROUND**

- 2.1 The background to the closure of the Carnegie Building and the adjacent Drummond Hall (including Museum staff offices) is detailed in a 23 March 2017 report to Council from the Chief Executive.
- 2.2 To summarise briefly here, the Carnegie Building was closed on 22 September 2016 due to a detailed seismic assessment (DSA) result of 12% of the national

New Building Standards (NBS), compared with anything under 34% NBS being considered earthquake-prone. The adjacent Drummond Hall exhibition space and audio-visual theatre were closed to the public at the same time, due to being within the 10m exclusion zone around the Carnegie Building. In mid-November 2016 Museum staff working in the exclusion zone were relocated to leased premises on Revell St due to safety concerns.

- 2.3 Subsequent peer review and consideration of the Carnegie Building at a lowered Importance Level (2 vs 3) resulted in an assessment by one engineering firm that the Carnegie Building slightly exceeded the 34% NBS and could be opened to the public. The management of the Carnegie Building was transferred to WDPL by Council at its meeting of 23 February 2017, and the building opened to the public soon afterwards. Drummond Hall was not reopened at that time.

### **3 CURRENT SITUATION**

- 3.1 The General Manager of WDPL has written to the Council requesting expansion of the WDPL's Carnegie Building management into Drummond Hall, for the purpose of allowing public access to the exhibition space. WDPL is not requesting ownership or management of the Museum collection in Drummond Hall, merely access and management of that portion of the building so that the public can view the Museum's collection items on display there. These include the whitebait exhibition, a diorama of historic Ross village, a replica miner's hut, a stagecoach, an aviation-related display, and a Meccano dredge, among other items. The WDPL memo (attached as Appendix 1) correctly points out that this public area can be accessed separately from the Museum's archives and staff offices in other parts of this complex.
- 3.2 The WDPL memo suggests that the Carnegie Building Management Agreement may need to be adjusted to provide for a proportional increase in budget allocation. The current agreement for management of the Carnegie Building is for Council to pay WDPL \$20,000 for six months (March – August 2017), plus running costs such as electricity, caretaking and cleaning, and repairs and maintenance.
- 3.3 It has since been clarified through a discussion with WDPL that the only increase in budget allocation requested is for adjustment of the security system and removal of the temporary plywood wall separating the Carnegie Building from Drummond Hall, as well as any additional running costs (electricity, etc.) already met by Council. There would not be an increase in staffing costs.

## **4 OPTIONS**

4.1 There are essentially three main options:

- Option One is allow WDPL to access the public exhibition space of Drummond Hall as soon as possible.
- Option Two is to defer the decision on granting access until November 2017, in order to more appropriately balance potential income and costs, and allow for the possibility that strengthening of the Carnegie Building could commence and Museum staff could move back at the expiration of their Revell Street lease.
- Option Three is to decline WDPL access to Drummond Hall, with no scheduled reconsideration of this decision.

4.2 Other options or considerations are around the conditions to be attached to any access agreement, including protecting the Museum collection, the use of donations / proceeds from public access, name of the facility, etc.

## **5 SIGNIFICANCE AND ENGAGEMENT**

5.1 Under the Council's policy on Significance and Engagement, this decision is considered to be of low significance, as it does not have a large financial impact and does not deal with the transfer of ownership or management of any significant assets. The issue is simply whether WDPL can access and manage a section of the 1970s-era Museum building Drummond Hall.

5.2 Accordingly, no public engagement or consultation is deemed necessary at this time. Some discussion has occurred with WDPL, and Museum staff views have also been obtained to inform this report.

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

6.1 In terms of Option One, the decision whether or not to grant WDPL access to the exhibition area of Drummond Hall, a number of advantages and disadvantages have been identified. Some of the disadvantages can be mitigated to a degree through conditions of any access agreement.

6.2 The main advantage to allowing access is that it would provide visitors with a more satisfying experience by allowing them to see some existing Museum displays in Drummond Hall, and potentially some items which had been shifted from the Carnegie Building. Through word of mouth, this could result

in more visitors and hopefully more donations for the strengthening of the Carnegie Building.

- 6.3 Another advantage is that it would not require additional staffing, or the immediate return of Museum staff, as the existing staff contracted by WDPL to manage the Carnegie Building would be responsible for providing access to and supervising activity in Drummond Hall.
- 6.4 Potential disadvantages include the following, many of which could be managed through conditions.
  - 6.4.1 **Public safety.** The Carnegie Building is currently at best 36% of NBS, compared with the earthquake-prone threshold of 34%. Drummond Hall itself has been assessed at only 38% NBS, in addition to being substantially within the “fall zone” surrounding the Carnegie Building. If visitor numbers increase as a result of allowing access to Drummond Hall and its displays, there is a corresponding increase in risk of injury or fatality in the event of a significant seismic event. This risk could be partially mitigated through appropriate signage at the entrance to the Carnegie Building.
  - 6.4.2 **Shifting of Museum collection material.** Drummond Hall and its AV theatre are currently being used to store items that have been removed from the Carnegie Building for safekeeping (see photos attached as Appendix 2). The collections store is already at capacity and could not hold more items without hindering staff access for curatorial purposes. The material in Drummond Hall would need to be shifted into either the remaining space in the AV theatre (for high-value items) or the Carnegie Building (for interpretive material or relatively low-value items). Museum staff would require physical assistance with this shifting, presumably at a cost.
  - 6.4.3 **Reconfiguration costs.** The security cameras and alarms would need to be adjusted so that the Drummond Hall exhibition space is connected to the Carnegie Building system and separated from the administration / research centre and collections store. New locks would be required to prevent public access to the AV room and the administration / research centre. The temporary wooden barrier between the Carnegie Building and Drummond Hall would need to be removed. Estimates have not yet been obtained for these costs but WDPL does not expect them to be substantial.

- 6.4.4 **Public toilet and courtyard cleaning and maintenance costs.** Museum visitors have typically used the public toilets accessible from the courtyard between Drummond Hall and the collection store, and the courtyard itself has also been accessible to the public. If these are to be re-opened to the public, there will be an associated cost for toilet cleaning, and courtyard tidying including collection and removal of cabbage tree leaves. These costs have not been estimated but could be mitigated by requiring use of the public toilets outside the building on Tancred Street, and keeping the courtyard closed. Staff could still use the small staff toilet in the Carnegie Building.
- 6.4.5 **Loss of brand value and funding opportunities.** The facility will not be the Hokitika Museum, as it will not contain all the previous displays and, with due respect, will not be managed by skilled Museum curators. If it were called the “Hokitika Museum” it would potentially diminish the Hokitika Museum brand as well as send a signal to potential funders that the strengthening of the Carnegie Building and entire Museum complex is no longer required because it is already open to the public. These risks could be mitigated by giving the facility the temporary title of the “Carnegie Building Heritage Centre.”
- 6.4.6 **Modest revenue potential.** We are entering the winter months, a traditionally slow time for the Museum. The table below shows the number of visitors and the amount of donations received in 2016. Winter donations per month last year were far below the \$1000 figure for last month WDPL cites in its memo. With the additional costs for heating Drummond Hall as well as the reconfiguration costs referred to above, it is unlikely that the amount of donations received will allow the expansion of public access to break even.

Month (2016)	Visitor Numbers	Donations
March	2249	\$ 312.10
April	1735	\$ 181.80
May	483	\$ 35.70
June	836	\$ 168.70
July	1001	\$ 37.80
August	449	\$ 95.70

- 6.4.7 **Potential minimal duration due to Museum staff moving back by summer.** By the time the necessary shifting of material and reconfiguration of security systems etc. takes place, the WDPL contract for the Carnegie Building will have less than three months to go. While this contract could be extended, it may also be that by late 2017 some

modestly priced work could be undertaken to protect Drummond Hall (including the administration and research centre) from the Carnegie Building. [A discussion of potential costs and timing for the Museum strengthening and redevelopment project is scheduled to take place at today's meeting.] This would allow Museum staff to relocate back to Drummond Hall when their Revell Street lease expires in November, and with some support from any staff (Council or WDPL) willing to work at reception in the Carnegie Building the entire complex could be open to the public again. In other words, the Council's funds may be better spent on moving towards getting the Museum incrementally strengthened and restaffed rather than incurring costs for a temporary arrangement not likely to yield much income.

- 6.5 Option Two, deferring the decision until November 2017, has the advantages of taking into account the modest revenue potential during the winter months and the possibility that the Museum staff could move back in time for the 2017/18 summer. It would not realise the immediate advantages of Option One in terms of allowing a more extensive experience for visitors to the Carnegie Building, but it would also not pose the immediate disadvantages of Option Two such as reconfiguration, shifting and cleaning/maintenance costs. The decision on weighing the costs and benefits of granting access could be made in November when it should be much clearer whether the wider Museum complex will be ready for Museum staff and public entry in time for summer.
- 6.6 Option Three, to decline access to WDPL, has as its advantages the avoidance of Option One's disadvantages (mostly costs), and has as its disadvantages the non-realisation of Option One's advantages (potential increased visitors and donations). It is essentially the status quo option, but without scheduling the future reconsideration of this issue that Option Two provides.
- 6.7 If the Council agrees to provide WDPL with access to the exhibition space of Drummond Hall, either at this time as per Option One or in November as per Option Two, the following list of conditions could help address some of the disadvantages above:
- WDPL to provide appropriate signage at the entrance to the Carnegie Building. Even if the Council does not consider the Carnegie Building earthquake-prone, it would be appropriate to advise visitors that at best the Carnegie Building is currently at 36% of NBS and Drummond Hall at 38% of NBS, compared with the earthquake-prone threshold of 34%. Visitors can then make their own informed decision as to whether they wish to enter and how long they wish to spend there. This would reduce Council's liability in the event of a seismic event.



- WDPL to arrange for assistance to Museum staff in shifting necessary material from Drummond Hall, under Museum staff supervision.
- WDPL to arrange for reconfiguration of security camera and alarm system, and installation of necessary locks to keep public out of the closed research centre and A/V theatre.
- WDPL to keep the courtyard and the public toilet which is accessed from the courtyard closed to the public, and require use of the public toilet accessed from Tancred Street.
- WDPL and Council to refrain from calling the temporary expanded facility a “Museum” or “the Hokitika Museum” – and to instead use a title like “Carnegie Building Heritage Centre” or similar.
- WDPL to avoid charging an entry fee, and to devote all entry donations to the Carnegie Building strengthening project.
- WDPL and its staff / contractors to not reconfigure, move, maintain or otherwise handle Museum collection items unless under Museum curatorial staff supervision.

## 7 PREFERRED OPTION AND REASONS

- 7.1 Granting WDPL access to the exhibition space of Drummond Hall for the purpose of allowing public access, subject to the conditions outlined above, could be seen as a natural extension of WDPL’s current temporary management role of the Carnegie Building. It would allow a more satisfying visitor experience which could result in higher visitor numbers and increased donations for the strengthening of the Carnegie Building. Drummond Hall already has some existing displays, and some other material which had been moved out of the Carnegie Building could be moved back. Option Three, to simply decline the request, is not seen as appropriate.
- 7.2 On the other hand, Option One (allowing this access right now) presents costs that are likely to significantly exceed the corresponding income potential over the winter and spring months. With the possibility of some initial strengthening works that could allow Drummond Hall-based Museum staff to move back to the premises prior to the peak 2017/18 summer season, it seems preferable to defer a decision to allow WDPL to access Drummond Hall. If by November 2017 the Drummond Hall complex has not been made safe for Museum staff, and they remain at their current Revell Street location or elsewhere, the decision to grant Drummond Hall access to WDPL could be

revisited in time for the peak summer months. The recommendation is therefore Option Two above.

## **8 RECOMMENDATIONS**

- A) **THAT** the Council, in order to more appropriately balance potential income and costs, defer until November 2017 any decision to grant Westland District Property Ltd (WDPL) access to the exhibition space of the Hokitika Museum's Drummond Hall for the purpose of allowing public access; and
- B) **THAT** if the Council decides to grant Westland District Property Ltd access to the exhibition space of the Hokitika Museum's Drummond Hall, for the purpose of allowing public access, this arrangement be limited to the duration of the temporary management agreement for the Carnegie Building, and it be subject to the list of conditions outlined in Section 6.7 of this report.

**Jim Ebenhoh**

**GROUP MANAGER: PLANNING, COMMUNITY AND ENVIRONMENT**

**Appendix 1:** Memorandum from WDPL, 15 May 2017

**Appendix 2:** Current photos of Drummond Hall, A/V room and collections store



## Memorandum

**To:** WDC Chief Executive  
Robin Reeves

**From:** WDPL General Manager  
Marion Smith

**Date:** 15 May 2017

**Subject:** **Extension of activity at Carnegie Building**

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### Background

Since taking over management of the Carnegie Building on 6<sup>th</sup> March 2017 over 1,500 people have visited the building which has been open 4 hours a day, every day. We have 4 enthusiastic, skilled, part time staff, managed by 1 very capable part time supervisor who is guiding the development of further activity within the building. Donations received in the last month have exceeded \$1,000.

### Current situation

We seek Councils support to expand our activity into a section of the Drummond Hall. There are local historical displays in that area, ie stage coach, model miners camp and miners hut, among others, which build on the Luminaries exhibition which has been a major attraction. We understand access to this area is securely separate from the Museum's archives and administration office.

It will take minimal time and effort to return this area to operation however there will be ancillary costs incurred to adjust the security system.

Should you approve this request the Carnegie Building Management Agreement (27<sup>th</sup> April 2017) may need to be adjusted to provide for a proportional increase in budget allocation. As per the agreement, all other running costs will remain with Council.

I look forward to hearing from you.

**Cc** WDC Mayor  
Bruce Smith

## Appendix Two: Current photos of Drummond Hall, A/V Theatre and Collections Store

### Photos of Drummond Hall









Photos of A/V Theatre



Photos of Collections Store









# Report



**DATE:** 29 May 2017

**TO:** Mayor and Councillors

**FROM:** Information Services Manager

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## **PROPOSAL FOR AN NZMCA POP AT ROSS**

### **1 SUMMARY**

- 1.1 The purpose of this report is to inform Councillors of the options with regard to the proposal from Peter Bennett and the Ross Community Society Inc. for the establishment of a park-over-property (POP) for the NZMCA on the Council's Recreation Ground at Ross.
- 1.2 This proposal has other implications which need to be considered before a decision can be made:
  - 1.2.1 This would give exclusive use of this land to a group – a lease for the piece of land would need to be entered into.
  - 1.2.2 Charging a fee would constitute a commercial activity – see current situation below.
- 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 This report concludes by recommending that Council meets with the Ross Community Society to discuss the way forward.

### **2 BACKGROUND**

- 2.1 The proposal is to utilise a piece of the Recreation Ground sited behind a fringe of trees east of the Ross Rugby Ground. The area is unused and was developed as a parking area. The proposal is to have a parking/camping area for campervans and caravans of members of the NZMCA. There would be a

small charge on NZMCA members using the proposed park-over-property (POP) with the funds/income going to the Ross Community Society.

### **3 CURRENT SITUATION**

- 3.1 Under the Resource Management Act and our District Plan, charging a fee for parking or camping would constitute a commercial activity. Donations are a bit of a grey area but have been interpreted as introducing a commercial element in the context of other camping / parking areas. The recreation reserve in Ross is zoned "Small Settlement," and commercial activities are permitted there, subject to meeting the standards listed in the District Plan for that zone (including size and number of signs, hours of operation, building heights, noise) as contained in Section 5.3.3 of the District Plan, as well as all the general rules around signage, parking etc as listed in Section 8 of the District Plan. If any of those standards are not met, a resource consent is required as either a discretionary or non-complying activity.
- 3.2 Under the Camping Grounds Regulations 1985, charging a fee or accepting donations for overnight stays would require registration, which triggers requirements around potable water, hot water, cooking facilities, etc.

### **4 OPTIONS**

- 4.1 Meet and discuss with the Council Resource Management team on a way forward with this proposal.
- 4.2 Agree in principle providing all conditions can be met.
- 4.3 Status quo – ie say no to the proposal.

### **5 SIGNIFICANCE AND ENGAGEMENT**

- 5.1 This involves the use of a Council Community asset, therefore the Ross Community would need to be consulted on the use of this land.
- 5.2 According to Mr Bennett, he has attempted to consult with other organisations within the community, but without much success on agreement.

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

- 6.1 Option 1  
The proposal as it stands cannot be agreed to as it would be illegal and would open up other commercial operators to also bypass the law. This is not a precedent we should be setting.

A significant part of this proposal is to allow an exclusive group unrestricted camping/overnight parking in the land in return for a small fee. The charging any fee/donation at all for this service would make the operation commercial and trigger the Camping Ground Regulations – see Current Situation above. This does not appear to be what the Ross Community Society intended.

The Ross Community Society should meet and discuss the issues with the Council Resource Management team.

6.2 Option 2

The conditions that would need to be met would include:

- a) Taking a formal lease over the land
- b) Registering as a camping ground
- c) Meeting all the requirements of the Camping Ground Regulations.

6.3 Option 3

Legally the Council cannot say yes to the proposal as it stands.

6.4 There would be no financial implications for the Council

**7 PREFERRED OPTION(S) AND REASONS**

7.1 Option 1 would be the preferred option as the Council would not be shutting the door on the proposal – just saying to come in and discuss how we can make this work.

**8 RECOMMENDATION(S)**

A) **THAT** the Ross Community Society bring their proposal to Council's Resource Management team to see if there is a way forward that is both legal and beneficial to the Ross Community.

**Peter Oliver**  
**Information Services Manager**

**Appendix 1:** Email from Peter Bennett dated 20 February 2017  
**Appendix 2** Follow-up letter from Ross Community Society dated 5 April 2017  
**Appendix 3** Map showing the location of the proposal

**Peter & Vicky Bennett**

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**From:** "Peter & Vicky Bennett" <p.v.b@actrix.co.nz>  
**Date:** Sunday, 12 February 2017 7:25 PM  
**To:** <mayor.smith@westlanddc.govt.nz>  
**Subject:** Proposal for Self-Contained (NZMCA) Campervan/Caravan POP (Park Over Property) at Ross.

Hello Bruce,  
 Hope you made it home safely from Farewell Spit.

Further to our phone conversation on Friday morning (10th) I want to seek your support for the above proposal I am currently in the process of formulating with the various organisations, namely: Ross Community Society Inc., Ross Rugby Club, DOC, Westland D.C., WRENIS and the New Zealand Motor Caravan Association.

To give you some background, the Ross Community Society has recently purchased a top-quality ride-on mowing machine in order to keep the Recreation Reserve/Rugby Ground and surrounds in a presentable condition. Because of recent memorial tree plantings and area beautification the area requiring mowing has increased as has the visitor numbers along the lake edge. Higher numbers are anticipated after the opening of the Chinese Gardens. Previous to the mower purchase the Reserve was being mowed by private individuals on an ad hoc basis. Also, the Ross Volunteer Fire Brigade has kept the western side of the Reserve mowed where their competition Running Track is sited. None of this area is included in the WDC mowing contract. While I have had this area in mind for a prospective camping area for a few years the need for an income to pay for the on-going running costs of the mower has spurred me into action. Naturally, there will be a small charge on NZMCA members using the proposed park-over-property (POP) with the funds/income going to the Ross Community Society who would effectively take ownership of the project.

Basically, the proposal is to locate a parking/camping area for campervans and caravans of members of the NZMCA. The proposed camping area is located on DOC Stewardship land immediately east of the Ross Recreational Reserve (Rugby Ground). The Stewardship land also surrounds a small WDC section which formerly housed the Ross Pumping Shed (now non-existent). From discussion with Biddy Manera of the Westland Regional Environment Network Incorporated Society (WRENIS) I understand that this area too, is subject to an Agreement between WRENIS and DOC for future development in the form of beautification and enhancement through tree and shrub plantings, and scrub/gorse clearance. I have advised Biddy of the proposal and shown her over the site of the proposed park-over-property (POP). She is supportive of the proposal and suggests that WRENIS will be too.

Like the Recreational Reserve the Stewardship land was subject to a gold-mining operation some years ago. While the Recreation Reserve has been redeveloped and the rugby ground has been reinstated the Stewardship land has remained undeveloped at this time and is currently covered in patches of gorse and weeds with the fringes growing tute (?) bushes/trees. A legacy of the mining operations is that much of the area is flat land covered with compacted hard-fill, making it ideal for all-weather parking. The camping ground proposal could work in very well with the WRENIS beautification proposal with both complimenting the other. Another "plus" is the minimal development required to bring the POP into existence. Some minor ground work, mowing and access road maintenance is about all that is required. Because we are not looking for major developments and erection of structures etc. at this time we are hopeful we can get away without costly Resource Consents and bureaucracy etc. As the campervans and caravans of the NZMCA

5/04/2017

members are certified Self-Contained there is no requirement for toilet facilities etc. Also, there is a Dump Station for grey and black water located a few hundred metres away at the Goldfields Information Centre. A further plus to attract NZMCA members, some of which would prefer to use permanent shower facilities, is the existence of the little-used Ross Rugby Club's showers and toilets building (and potable water supply) erected by Birchfield's Ross Mining at the cessation of the mining operation to replace the old and dilapidated Changing Shed. I am in the process of confirming the future use of these facilities with the Rugby Club.

Being mindful of the fact that the local Camping Ground owners (Mark and Paulette Browne) at the Empire Hotel may have felt threatened by a POP stealing their business I called to see them and explained the proposition. They were fully supportive of the proposal stating that very few NZMCA Members used their Camping Ground as it was too small to accommodate those larger vehicles. They also appreciated that they would pick up additional business in the form of meals and Bar trade from NZMCA members and that township businesses would also benefit by their presence.

I have tried to find any "negatives" pertaining to this proposal and, at this time, I can find none. It appears to be a win-win situation for everyone.

The Ross Community Society gets a modest income to fund their on-going costs.

DOC and the community gain through enhancement and further development of an otherwise weed and gorse infested wasteland.

Ross businesses gain through additional spending in the area by NZMCA members.

NZMCA members gain by having access to all of the outdoor pursuits the Ross area has to offer.

While I have not raised it formally with the Ross Community Society at this time I am of the view that serious consideration should be given to the WDC acquiring the DOC Stewardship land in question and incorporating it into the Ross Recreation Reserve. It makes no sense for this land to be administered by DOC when it should be controlled through the WDC by the Ross residents. Any existing Agreements, such as the one between DOC and WRENIS, could be honoured by the WDC.

If you have time next week and are happy to come down to Ross we could show you the site of the proposed development.

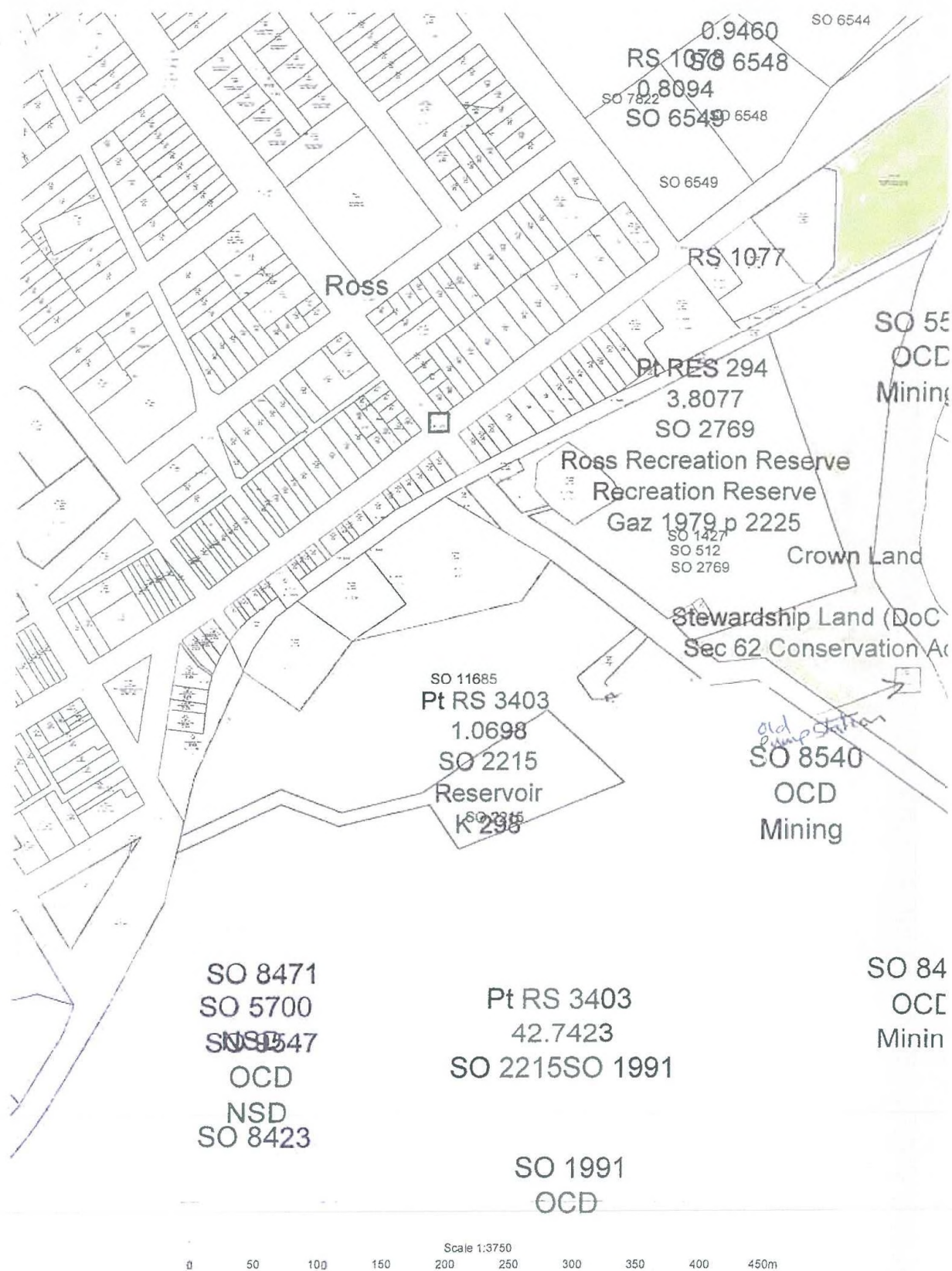
Many thanks for your on-going support. I look forward to hearing from you.

Kind regards,

Peter Bennett (Member of Ross Com.Soc. and NZMCA)

5/04/2017





GRIMMOND AVENUE (WESTLAND DISTRICT)  
TERRALINK NZ LTD (Terraviva) - DCDB Data as at 1.09.2000 Title & Valuation data as at 1.09.2000 Geodetic data as at 11.10.97  
Cadastral Information from LINZ Digital Cadastral Database (DCDB). CROWN COPYRIGHT RESERVED

APPENDIX 2

Mayor and Councillors,  
Westland District Council,  
Private Bag 704,  
Hokitika

Ross Community Soc. Inc.  
C/o Peter Bennett (Project Proposer)  
4 Sale Street,  
Ross 7812.  
5<sup>th</sup> April, 2017.

Dear Mayor and Councillors,

***Ross Community Society (Council) Inc. - Proposal to Establish and Operate Low-Impact Over-Night Parking Area (Charges Apply Property – CAP) for NZ Motor Caravan Association Members in Self-Contained Vehicles (NZ Standard NZ5465-2001) on Council-owned Ross Recreational Reserve.***

In order for Councillors to understand the nature of our request I am enclosing a copy of an email I forwarded to Mayor, Bruce on 12<sup>th</sup> February, 2017, which is self-explanatory. I would ask that you study the email first.

Since that time I have corresponded with DOC and with the Ross-based organisation, WRENIS. DOC has made it clear from the outset that, because of a prior Agreement between DOC and WRENIS, the Ross Community Society must gain the approval of WRENIS in order for this proposal to proceed on the DOC-administered Stewardship land which is adjacent to the Council-owned Recreational Reserve.

I find it ironic that DOC placed this condition on the Ross Community Society (to obtain approval from WRENIS) yet neither WRENIS nor DOC consulted with the RCS when their Agreement (for cluster-tree plantings and weed control?) was apparently formulated some years ago. RCS is the officially-recognised “community voice” of the Ross residents/ratepayers yet there was no public notification or consultation on this Agreement. As of 12<sup>th</sup> February WRENIS had no printed scheme plan or concept plan for the area concerned.

After initially being enthusiastic and approving the CAP as a fund-raiser for the community the WRENIS Secretary (Biddy Manera) has since reversed her position and is opposed to it. At the monthly RCS Meeting on 3<sup>rd</sup> April which was attended by the Vice Chairman of WRENIS (Steve Maitland) he confirmed that WRENIS was opposed to the CAP project.

Because DOC has made the proposal conditional upon the approval of WRENIS (I have DOC correspondence confirming this) RCS is no longer considering the CAP proposal on the DOC-administered Stewardship Land. DOC has, in effect, handed over control of PCL (public conservation land) to an Organisation (WRENIS) which has a total Membership of approximately 9 members of which only 4 or 5 live in Ross – Steve Maitland’s own figures supplied at the RCS Meeting.

However, this letter to you is for the RCS to obtain your approval and consent to continue with the proposal by siting the CAP (Charges Apply Property) on council’s Ross Recreation Reserve over the boundary from the Stewardship land. There is sufficient available land sited behind a fringe of trees east of the Ross Rugby Ground which is unused and was developed as a parking area. The site, off Grimmond Avenue, is quite isolated being several hundred metres from the nearest dwelling and

on the opposite side of the road from the proposed lake-side Chinese Gardens. It is also shielded from the Chinese Gardens by a fringe of trees. I have mowed it a couple of times but, if left, it will revert to rushes, gorse etc. I am enclosing a map of the area with the relevant areas highlighted.

If granted there are no plans to erect structures etc. other than some fencing and NZMCA parking signage. This is solely a fund-raising venture by and on behalf of the Ross Community Society (RCS) to benefit the Ross community rather than having to constantly rely on hand-outs etc. Other than the NZMCA members having access to the area (if granted) the NZMCA Organisation has no involvement in the proposal.

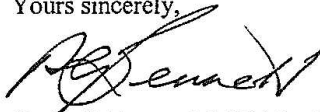
The RCS would also like to take the opportunity to obtain the use of the small section of WDC land which originally housed the old Pump Shed and which is enclosed by the adjacent DOC Stewardship land (as shown on the map enclosed). This would ensure that it is not controlled by WRENIS and could be of future use (toilet block etc) by the RCS.

This proposal is not to set up a camping ground or camping park but rather a casual parking area restricted to fully self-contained NZMCA members only. The proposal has the support and backing, not only of the RCS but also the Rugby Club and Empire Hotel (which operates a Camping Ground).

We ask that this proposal receive favourable consideration at the next (April) Meeting of the full Council. I and other RCS members will be available to speak to the proposal and answer any questions if required. Please advise if we are required.

Many thanks for your time.

Yours sincerely,



(Peter G. Bennett) RCS Member and NZMCA Member



### APPENDIX 3

Created By: anonymous  
Print Date: 22/05/2017  
Print Time: 2:35 PM



Scale: 1:2500  
Original Sheet Size A4

Projection: NZGD49 / New Zealand Map Grid  
Bounds: 2331852.08625854, 5809432.07001875  
2332209.75071826, 5809876.72011245

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# CONSULTATION DOCUMENT

## LOCAL GOVERNMENT REVIEW

### Part One - General Introduction

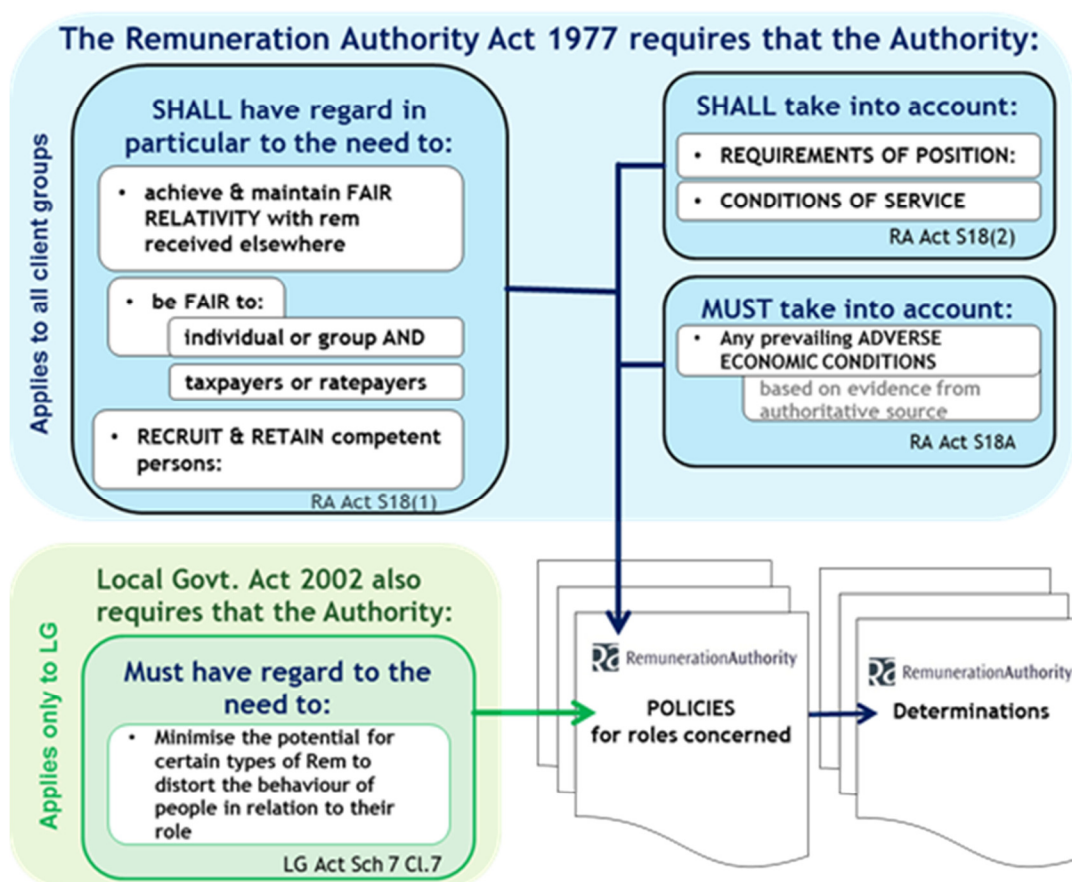
#### Introduction

1. The Remuneration Authority (the Authority) is required to issue a new determination, taking effect from 1<sup>st</sup> July 2017, covering local government elected members. In considering how we should approach this in future, we have concluded that there is an opportunity for both short term improvements to the system, including some clarification of current policies, as well as some deeper changes which we propose introducing in 2019.
2. Hence this paper has two substantive sections – Part Two covering proposals for this year and Part Three covering the longer term. We are seeking views of councils on both. The timetable for responses on the shorter-term proposals is unfortunately short. This is because as we got deeper into our review we saw the need for more fundamental change which, had we waited till we had all detail finalised, would have delayed our release of this paper. However, we feel that the issues in Part Two are sufficiently familiar for councils that they will be able to provide reasonably rapid responses. In contrast, Part Three contains more fundamental change proposals and we believe that the local government sector needs time to contemplate these. We have provided a window of several months and during that time we would anticipate attending either zone or sector meetings to discuss the proposals with you.
3. Recently the issue of the potential provision of child care subsidies or services has been raised. We have not addressed it in this paper but will be consulting the sector shortly about this issue.
4. The Authority would like to thank a number of people who have assisted us with the review so far. We commissioned ErnstYoung to provide facilitation, research and analysis. The following people also provided assistance and we very much appreciated their insights and information:
  - Local Government Leadership Group:
    - David Ayers, Mayor, Waimakariri District
    - Jan Barnes, Mayor, Matamata-Piako District
    - Brendan Duffy, Independent Consultant and former Vice-President LGNZ
    - Justin Lester, Mayor, Wellington City
    - Jane Nees, Deputy Chair, Bay of Plenty Regional Council
    - Rachel Reese, Mayor, Nelson City
  - Local Government New Zealand:

- Lawrence Yule, President
- Mike Reid, Principal Policy Advisor
- Local Government Commission:
  - Suzanne Doig, Chief Executive Officer
  - Donald Riezebos, Principal Advisor
- Local Government Officials:
  - Dennis Bush-King, Tasman District Council
  - Miranda Cross, Greater Wellington Regional Council
  - John O'Shaughnessy, Hastings District Council
- Central Government Officials
  - Deborah Brunning, Statistics New Zealand
  - Sarah Lineham, Office of the Auditor-General
  - James Stratford, Department of Internal Affairs
- Alistair Gray, Statistics Research Associates Limited

### Legal requirements for the Authority when setting remuneration

5. The work of the Authority is governed by the Remuneration Authority Act 1977, which has had several amendments since it was first enacted. This act and the Local Government Act 2002 contain the statutory requirements which the Authority must follow when making determinations for local government elected members. They are summarised below:



## Role of local government

6. In undertaking this review the Authority has looked at past thinking on local government remuneration. One particular document<sup>1</sup>, issued by Local Government NZ in 1997, contained a thoughtful summary of the role of local government.

7. The document said:

*“The strength of representative democracy ultimately depends on two factors. One is the level of citizen participation and trust in democratic institutions. The other is the ability and commitment of elected representatives and their role in encouraging participation and promoting levels of trust.*

*Local government constitutes one of the underpinning structures of democratic society, providing ‘voice and choice’ to citizens and communities, and the mechanism for making decisions about local needs and preferences. It also provides a forum to debate issues of mutual interest and concern.*

*Good local government depends upon the goodwill and understanding of its citizens, and the quality of its staff. Most of all, however, it depends on the ability of those elected to govern. Attracting people with the capacity to lead and govern at local level involves a number of factors. These include:*

- The opportunity to contribute effectively, be professionally valued and receive a sense of satisfaction at achieving a job well done*
- The existence of structures and processes to support and professionally advise elected members and enable them to contribute constructively on matters of community importance*
- The presence of consultative and participative arrangements that strengthen relationships between and with their communities*
- The existence of a remuneration system that enables people from all sectors of the community to commit time and effort necessary to fulfil their responsibilities as elected members without being unduly disadvantaged.”*

8. In our view, this characterisation of local government has not changed since it was written twenty years ago.

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<sup>1</sup> Options for Setting Elected Members’ Remuneration – A Discussion Document for Local Government and Stakeholders, prepared by the Local Government New Zealand Elected Members’ Remuneration Working Party (1997)

## Part Two – Proposed Immediate Changes (2017 Determination)

### Introduction

9. The Authority is seeking the views of local government (i.e. territorial authorities, unitary councils and regional councils) on the proposals set out below in this section of the paper. These changes will affect elected mayors, chairs and councillors from each council including Auckland. Part of it will also affect community board members.
10. Please note that we are seeking the views of councils, not of individual elected members or staff.
11. We would appreciate any feedback that councils wish to give to be emailed to us by **5pm Monday 19<sup>th</sup> June 2017** or earlier if you can. Please email to [info@remauthority.govt.nz](mailto:info@remauthority.govt.nz)

### RMA Plan hearing fees

12. Current practice is that those elected representatives who are undertaking resource consent hearings can receive an hourly fee which is determined three-yearly by the Authority and which is not included in the council's pool of money to cover payment for additional positions of responsibility. This has not applied to other hearings conducted under the Resource Management Act (RMA). Nor does it apply to hearings for a plethora of other plans or policies developed by councils under different pieces of legislation.
13. The Authority has received many enquiries and suggestions from councils on this issue. In particular, there is growing concern about the treatment of often-protracted hearings of District Plans, Regional Policy Statements and other land, air, coastal and water plans under the RMA.
14. We have looked at the range of council plans that involve hearings and believe that many of them could be considered part of "business as usual" for councillors.
15. However, of particular concern is that councillors who sit on RMA plan hearings are required to be accredited commissioners. This means that they must have undertaken *the Making Good Decisions* course and they must renew their credentials every three years. The requirements for councillors are in this respect the same as for non-councillor commissioners and there is a cost in both time and money to gain and maintain the accreditation.
16. Because of the technical and legal nature of plan hearings, they tend to take months and, in some cases, can span an election period. This is especially the case if the hearing covers a review of the whole plan.



17. The Authority is aware of the increasing trend for councils to engage external commissioners as members of the panel for these plan hearings. This use of external contractors is being driven by several considerations, including time requirements, unavailability of sufficient numbers of councillors who are qualified commissioners, or a view that because councillors have developed the plans as part of their core business, the hearings should be conducted by a different set of independent commissioners. External commissioners are paid an hourly rate for the work. In some cases, a council will use a mixed panel of external commissioners and councillors, which clearly creates a disparity between panel members.
18. Because of these factors, we agree that any such hearings should be treated in the same way as resource consent hearings under the RMA insofar as councillor remuneration is concerned.
19. The Authority is proposing that an hourly rate should be paid to councillors who are members of such hearing panels.
20. The rate would be set every three years by the Authority, as with payments for consent hearings. It will apply to site visits, reading (not to exceed the hearing time) and, in the case of an elected person chairing such a committee, the hourly rate would also cover the time spent in writing the decisions. For clarity, we also propose that this last provision be included for elected members who are chairing resource consent hearings.

- **Do you agree that elected members who are sitting on plan hearings under the RMA should be remunerated in the same way as elected members who are sitting on resource consent hearings?**
- **Do you agree that elected members who chair such hearings should be remunerated for time spent writing up decisions?**

#### **Leave of absence for elected members and acting mayor/chair payments**

21. From time to time a councillor or mayor/chair needs extended leave of absence from council work. This could be for personal reasons such as family/ parental leave, extended holiday, illness or, in some cases, when standing for another public office. On these occasions the Authority is asked whether or not a council can grant such leave and, if it involves a mayor or chair, whether an additional payment can be made to the person (generally the deputy) who is acting in place of the mayor/chair.

22. We have looked at the rules for governance boards in the state sector and adapted those rules for local government elected members. Rather than an ad hoc approach, we propose the following:

Councillors:

- Leave of absence can be granted for a period of up to six months (maximum) by formal resolution of the council.
- The leave must involve total absence. The councillor cannot be present for any duties either formal or informal – this includes council meetings, meetings with external parties and constituent work. Nor can the councillor speak publicly on behalf of the council or represent it on any issues.
- The councillor's remuneration and allowances ceases during the period for which leave of absence is granted.

Mayors/Chairs:

- Leave of absence can be granted for a period of up to six months (maximum) by formal resolution of the council.
- Notwithstanding the above, the period must be longer than a single cycle of council meetings, whether that be monthly or six weekly or whatever. This is because we consider that one of the key roles of a deputy mayor/chair is to cover for short absences by the mayor/chair, but that a longer absence would necessarily put an unexpected extended work burden on the deputy.
- The leave must involve total absence. The mayor/chair cannot be present for any duties either formal or informal – this includes council meetings, meetings with external parties and constituent work. Nor can the mayor/chair speak publicly on behalf of the council or represent it on any issues.
- The remuneration to mayor/chair ceases during the whole of the period for which leave of absence is granted.
- Allowances including a mayor/chair vehicle will also be unavailable during that period.
- The council may also resolve to appoint a councillor as acting mayor/chair for the whole of the period concerned, and may pay that appointee a sum up to the normal remuneration of the mayor/chair in place of the normal remuneration received by that person.

23. Councils may make decisions within these rules but must inform the Authority as soon as possible.

24. We have reflected on the proposed six-month period and consider that it would require exceptional circumstances for an absence of that period to be granted, especially to someone in a leadership position on a council. It would mean that the constituents who elected that person would be unrepresented or, under a multiple-member ward, less

represented, than would normally be the case. This would be an electoral risk that the person concerned would need to consider carefully.

25. A further issue is the extension of an acting role beyond the anticipated length of time – for example, if the incumbent were elected to another role and there needed to be a by-election. Under those circumstances, the acting role may need to be extended for a further period, perhaps up to three months. In that case, we advise that councils make a new, separate decision.

- **Do you agree that there should be provision for elected members to be granted up to six months leave of absence by councils? If not, what should be the maximum length of time?**
- **Do you agree that additional remuneration can be made to an acting mayor or chair under the circumstances outlined?**
- **If you disagree with any of the conditions, please state why.**
- **Are there any other conditions that should apply?**

### **Approach to expense policies**

26. The current approach is for each council to send in their policy to the Authority every three years for approval. In between we often receive requests for assistance in interpreting the provisions in the determination. We are aware of the need for policies to be more transparent and for greater clarity in the explanatory notes, both in determination and on our website.
27. We have looked at many council expense policies and it is clear that some are struggling to develop them, possibly because small staff size does not provide any depth of expertise in this area. On the other hand, some policies are highly developed and contain clear guidance as to what is permitted and under what circumstances.
28. We are thus proposing that instead of each council needing to develop a policy from scratch and then gain approval from us, we work with local government to develop a prototype policy that could be adopted by all councils.
29. The metrics in such a prototype would obviously be the top (maximum) of the allowed range, so any council wanting to pay/reimburse less (or even nothing at all) would be free to do so.



30. With respect to the current role of the Authority in authorising or checking such policies, this is enabled by the legislation and has been required in our previous determinations. However, the Authority proposes that such compliance audits should be part of the role of local government auditors who should check council expenses policies to ensure conformity to the Determination. Auditors should also be assessing whether councils are actually following their own agreed policies in this area.

- **Do you agree that the Remuneration Authority should supply a prototype expenses policy that will cover all councils and that councils should be able to adopt any or all of it to the upper limit of the metrics within the policy?**
- **Do you agree that each council's auditor should review their policy and also the application of the policy?**

#### **Provision of and allowances for information and communication technology and services**

31. A communications allowance has been included in the determination since 2008, and was introduced to bring some equity across the country in the reimbursement of costs and the provision of such support to elected members.
32. The continuing development of information and communication technology (ICT) has led the Authority to reconsider the allowance. Our view is that elected members should not carry the costs of communicating with councils or with residents.
33. Mobile technology is now ubiquitous and so much business is now conducted digitally that mobile phones and tablets are considered tools of trade in many businesses, in both the private and public sectors. It is no longer considered to be a personal benefit for a person to have her/his basic technology integrated with that of the business.
34. The Authority's preferred approach in the past was that councils provided the necessary equipment, consumables and servicing, as well as reimbursement (on proof of expenditure) of other costs that might occur. However, there was also provision for hardware costs incurred by elected members to be partly reimbursed.
35. Given recent changes in both the business environment and in technology, we are now of the view that all councils should provide an appropriate council-owned technology suite for their elected members. The two exceptions to this are payment for the use of broadband, which can vary greatly depending on the nature of the household of the elected member, and payment for phone usage.

36. The complexities of ensuring that security is kept up to date mean that elected members are likely to find it increasingly difficult to manage the technical demands of being part of a larger organisation, which may have more stringent standards than they would have for their own personal technology. For the councils, there should be a major benefit in having all elected members using identical technology and systems, managed efficiently and effectively by the council's ICT officials. Councils often have complex software driving different parts of their systems (e.g. water plants) and possess large databases of residents and ratepayers. Managing these systems in a robust way and decreasing the possibility of cyber-attack is a challenge and will be assisted if there are fewer different entry points into the main system. This is also a protection for both the council and for residents/ratepayers who may have privacy concerns.

## **ICT hardware**

37. It is the responsibility of each council to decide the communications equipment needed to carry out its business effectively and efficiently. Decisions about equipment for individual councillors should flow from that. We note that councils should be able to get good purchasing leverage on equipment and on usage plans to keep costs down.
38. We propose that councils provide all elected members with the following equipment:
- a mobile phone
  - a tablet or laptop
  - a monitor and keyboard if required, plus the hardware to connect the various pieces of equipment
  - a printer
  - a connection to the internet.
39. Consumables such as paper and ink should also be supplied by the council as required by the elected member.
40. In the past, there has been a desire by some elected members to utilise their own communication equipment to undertake council business, possibly because of unwillingness to segregate personal and council usage on the same device. Now it is commonplace for people to have more than one account on one computer, so the issue of carrying round an additional tablet should no longer apply.
41. Equipment would remain the property of the council and be replaced or updated as part of the council's asset renewal programme – presumably triennially. This would allow councils to obtain the advantages of bulk purchase and ensure maximum efficiency by providing equipment that is consistent across the organisation, fit for purpose and adequately protected to provide security and privacy for ratepayers, elected members and staff.
42. Where there is a strong reason for the council not to supply the technology, the Authority would need to make a decision allowing that council to put in place a reimbursement

system. We note that there is a cost in time and money to all parties in managing such a system and it would have the inherent technology security weaknesses described above. In such cases, exceptional circumstances would need to exist before the Authority was prepared to move to a reimbursement system. In addition, in the interests of efficiency, the reimbursement system would need to apply to the whole council, not just to a few councillors.

43. Where council decided to provide an allowance for the use of personal ICT hardware, it should cover all ICT equipment used by members and the Authority would prescribe an upper limit for expenditure. This would represent three years' depreciation on the hardware (mobile phone, tablet/laptop, printer, monitor, keyboard, installation of an internet connection) plus an assumption that half the usage would be on council business. The allowance can be paid monthly or at the beginning of a triennium.

### **Internet usage and phone plans**

44. Previously the Authority considered the extent to which the costs of data and phone use were apportioned between council and elected member. This can be complex and will reflect differing household usage as well as council usage. For example, in a household which already has personal usage close to their broadband cap, the increased traffic required to move to electronic board papers may require an increase in monthly band usage, even though the data transmitted is modest compared to other internet and electronic traffic.
45. With regard to home broadband, we propose that elected members should be responsible for their own plan. The Authority previously determined that no more than 25% of the usage charges could be regarded as bona fide additional costs incurred by an elected member in carrying out council business. We accept that this is still the case but note that there is now a huge variety and combination of plans available for home broadband, so arriving at an "average" is simply not possible. We therefore propose that councils continue to reimburse up to 25% of a maximum dollar amount to each elected member to cover internet usage costs, on production of receipts. The Authority would review the percentage and the maximum amount every three years.
46. The use of mobile phones as a primary form of communication is increasing exponentially. Alongside this is a proliferation of different types of plans for mobile phones, paralleling what is happening in home broadband connections. The difference between home internet use and phone use is that for the home broadband, anyone else in the household can access the internet connection, whereas a phone is a personal device. We therefore consider that, except for mayors and chairs, elected members should receive reimbursement of up to half the cost of their personal mobile phone usage up to a maximum dollar amount, on production of receipts. If the council owns the plan, the same rule would apply as for home broadband use - the council would pay for half the annual usage cost with a capped dollar amount and the elected member would need to reimburse

the council for the rest. Elected members would be charged for all private international calls.

47. For mayors and chairs the council should cover the total cost of the plan, except that the user will be charged for private international calls.

#### **Unusual circumstances**

48. Over the years the Authority has occasionally been approached to cover the one-off costs of providing connection access or non-standard equipment where regular landline or mobile coverage is not available. We propose to continue the current policy, which is that where such circumstances exist, the council may put a costed recommendation to the Authority for approval to make a one-off payment for installation and either a reimbursement or allowance for on-going maintenance and support reflecting the costs involved. It is anticipated this allowance will normally reflect no more than 75% of the costs involved.

- **Do you agree that it should be common policy for councils to provide the ICT hardware proposed above for all elected members?**
- **Do you agree that exemptions to this policy would be limited to exceptional circumstances?**
- **Do you agree that a proportion of the ongoing cost of the use of home internet and personal mobile phones should be reimbursed as outlined above?**
- **If you disagree with either of these proposals, please give reasons and outline your alternatives.**
- **Do you agree with the “unusual circumstance” provision in para 49 above?**

#### **Travel time allowance**

49. We do not propose to make any changes to the approach on travel time allowances. This provides for all elected members who are not full time to be eligible for an hourly allowance when travelling on business for the council or community board in respect of any travel exceeding an hour and assuming the fastest form of transport. The rate is set by the Authority and is reviewed each three years.

- **Do you agree that the current policy on travel time allowance should be continued?**
- **If not, please state reasons for change.**

#### **Mileage claims**

50. About two thirds of all mayors/chairs take up their entitlement to have a dedicated vehicle provided for them by the council. Others choose to use their own vehicle for a variety of reasons but often, we understand, because of a belief that their constituents will not approve of them having the “perk” of a council vehicle. Our view is that for mayors/chairs, who normally travel great distances each year, the car is a “tool of trade” and an entitlement rather than a “perk”. In any other occupation, people who travelled the distances clocked up by most mayors/chairs would be provided with a company car rather than having to use their own.
51. We have checked the distances travelled annually by mayors/chairs. The average and the median are both around 22,000 to 23,000km a year. Unsurprisingly the distances vary greatly – from 35,000km down to a few thousand – though we wonder if the lower level reflects the fact that some who use their own vehicles claim very little. In fact at least three make no claims whatsoever.
52. Currently we utilise NZ Automobile Association metrics regarding the cost of running a vehicle and we use IRD formula for mileage rate reimbursement. We propose to continue to use these benchmarks, which will be updated as appropriate. The one exception is that in recognition of the fact that mayors/chairs using their private vehicles are likely to be in the medium/high group of users of their own cars for work purposes, we propose to alter the formula around the application of the higher and lower IRD rates.
53. At present the higher rate (currently 74 cents per km) applies to the first 5000km travelled on council business and the remaining distance on council business is reimbursed at a rate of 37 cents per km. We propose that above that first 5000km, which would act as a base, mayors/chairs using their own vehicles should be reimbursed at the higher rate for the first 25% of the remaining distance they travel on council business.
54. We have no data about councillor use of personal vehicles on council business and we assume that distances travelled would normally be less than that of a mayor - but not always, especially in the case of a “distant” ward. Regardless, we propose that the formula outlined above also applies to councillor travel reimbursement.

- **Do you agree with the proposed change to the current 5000km rule?**
- **If not, what should it be and why?**

55. The other issue which we are frequently asked to clarify is the “30km rule”. We propose to keep this approach. Basically it recognises that virtually all New Zealanders have to pay the cost of their own transport to and from their work place. However, elected members also have other work in other places. The 30 km rule is based on an assessment that most people would live within 15 km of their work place. That means that a “round trip” to and from the “work place” – i.e. the normal council meeting place – can be claimed only if it is above 30km. If the trip to and from the council’s normal meeting place is above 30km, the first 30km are always deducted. This means that if an elected member lives closer than 15km, then no claim can be made for attending a meeting at the council office. If a member must come to the office twice in one day, if she/he is not simply taking the opportunity to go home for lunch, then the whole of the distance for the second trip may be claimed. This assumes that most workers travel to and from work only once per day, but recognises that elected members may have a formal meeting, say in the morning, then another meeting much later in the afternoon. We expect common sense to prevail in councils when authorising such claims.

56. With regard to work of elected members outside of the normal council meeting place, the full mileage can be claimed. That means that the elected member may claim from her or his home to the address of the meeting or event and back again by the shortest route.

57. If an elected member has an additional place of residence (e.g. a holiday home) the primary place of residence, normally identified by being her/his address on the electoral role, will be considered the official residence.

58. If a council is holding one of its normal meetings in a different venue - for example in an outlying town - then the full mileage can be claimed. However, we expect common sense to prevail. If the exceptional meeting place is just down the road from the normal venue then the 30km rule would apply.

- **Do you agree with the proposal to retain the 30km rule in its current form?**
- **If not, what should this rule be?**

#### **Mayor/chair car valuations**

59. We do not propose to make any changes to the valuation of the mayor/chair motor vehicle at this stage. The formula is consistent with the methodologies applied to valuing motor vehicles for full private use in public sector roles. The Authority's formula goes one step further in that it recognises that a greater proportion of vehicle usage by a mayor/chair is spent on council business rather than on personal use.
60. The formula and associated variables used to value mayor/chair motor vehicles will be reviewed with the main determination triennially. Any changes will be applied in election year.

### **Annual changes in remuneration**

61. The main local government determination will usually be applied in election year, then in the intervening two years we propose to change remuneration to reflect changes in the Labour Market Statistics (LMS) – (see Part Three for more details on the timetable).

### **Changes following an election**

62. The Authority is aware that there has been some confusion in the past regarding the exact days on which payment ceases for outgoing elected representatives and commences for those who are newly elected, and around remuneration continuing for those who are re-elected.
63. The following outlines the legal situation:
- All newly elected and re-elected local government members come into office the day after the results are publicly notified under S.86 of the Local Electoral Act 2001.
  - All sitting members vacate office on the same day.
  - In the case of an uncontested election the declaration must be made as soon as possible after the day the nominations close.

## Part Three – Longer Term Proposals

### Introduction

64. The Authority is seeking the views of local government (i.e. territorial authorities, unitary councils and regional councils) on the proposals set out below in this section of the paper. These changes will affect elected mayors, chairs and councillors, as well as community board members, from every council except Auckland. Later this year we will be issuing an additional consultation paper on the Auckland Council, following the completion of its governance review. However, we are proposing that the general principles outlined in this paper around council sizing should apply to Auckland.
65. Please note that we are seeking the views of councils, not of individual elected members or staff.
66. We would appreciate feedback to [info@remauthority.govt.nz](mailto:info@remauthority.govt.nz) by Friday October 20<sup>th</sup> 2017. Please email to [info@remauthority.govt.nz](mailto:info@remauthority.govt.nz)

### Recent history of local government remuneration setting by the Authority

67. In late 2011 the Authority issued a discussion document - *Review of Local Authority Remuneration Setting*. This was followed in November 2012 by a further document - *Remuneration Setting Proposals for Local Authorities* - which outlined the system that the Authority was proposing to institute from the 2013 election. A copy of that document is attached as *Appendix 1*. It transpired that for a variety of reasons in the years 2014 to 2016 the Authority did not completely implement the proposed process. However, significant elements are in place. Importantly, the work which the Authority commissioned from the Hay Group in 2015 remains current in our view and has provided useful data to assist with our current considerations.
68. To assist with context, the main elements of the 2013 proposal are summarised below. They were:
- a) Moving away from the traditional salary/meeting fee mix for local government remuneration.
  - b) Creating a size index for councils derived from population and council expenditure.
  - c) Basing the remuneration for councillors/mayors/chairs on:
    - the relative place of the council in the size index;
    - the job size of the positions as assessed for sample councils;
    - the proportion of full time work as demonstrated by survey results;
    - the Authority's pay scale.
  - d) Providing a pool for each council equivalent to one councillor's remuneration to be allocated for additional positions of responsibility.



- e) Reviewing local government remuneration approximately two years after each election and setting the base remuneration for councillor and mayor/chair roles at the beginning of each election year, together with provision for changes in positions of responsibility within each council.
- f) Recalculating annually each council's place on the size index and, in the following July determination, automatically applying any increase warranted, with the proviso that any reductions in the base remuneration would not be implemented during the term of that council.
- g) Providing a loading of 12.5% for unitary council remuneration to recognise their additional regional responsibilities.
- h) Retaining arrangements for resource consent hearings whereby elected members can be paid an hourly fee in addition to their base remuneration.
- i) Requiring councils to confirm their expenses policies only in election year rather than annually.
- j) Retaining valuation methodology for mayor/chair vehicles with adjustments made each year on July 1 to coincide with the determination.
- k) Various changes to community board remuneration setting.

69. The new system was in place for the 2013 Determination in which the Authority made the following comment: *"Aware of its responsibility of fairness to both elected members and ratepayers, the Authority moderated both increases and decreases to smooth the transition to the new system"*.

70. In the 2014 Determination, the same comment was made with the additional comment that *"this approach was continued, with moderation to reflect wage growth, this year"*.

71. In 2015 the same comment was again made. However, in issuing that Determination the Authority said the following: *"The relationships between council size and remuneration, as well as any necessity for moderation of large increases or decreases, will be reassessed during the 2015/16 year ready for implementation at the time of the 2016 local body elections"*.

72. During 2015 the Authority reviewed the framework again, including job-sizing the positions of a representative group of councils and assessing workloads. In issuing its 2016 Determination the Authority made the following comment: *"The Authority found clear evidence regarding the size of positions but has less confidence in the evidence relating to workload. Given that uncertainty, the Authority has not proceeded to fully or partially implement increases that would in many cases have been well in excess of 10%. It has instead applied increases to the base remuneration payable to councillors ranging from 1.5% to 3% depending on the size of the council. This reflects at the higher level the movements in the public sector remuneration more generally."* The following comment was also made: *"The Authority is also concerned that the expectations placed on local representatives continue to increase and remuneration does not in all circumstances reflect the skill and effort required from members. It will therefore begin further work this year to*

*establish an ongoing basis for remuneration that treats both the ratepayer and the elected member fairly”.*

### **Rationale behind current proposal**

73. While the legal requirements are set out above in paragraph 2 of Part One (above), the Authority members have also decided that these legal requirements (including attraction and retention of competent people) should be aimed at attracting a wide variety of competent people and balanced by the need to have a local government remuneration system that is accepted in the wider community. To enable this, we require a robust process that is as transparent as possible, intuitively plausible and sustainable for the foreseeable future.
74. We recognise that whether or not the level of financial reward matches the personal contribution of any elected member is not necessarily a significant determinant of the willingness of many people to stand for election. However, remuneration may be an issue for some, depending on personal circumstances, and it may also become an issue for an incumbent deciding whether or not to continue.
75. In considering this proposal, the Authority has decided to maintain a number of existing approaches. The principal ones are:
- a) Maintaining a “total remuneration” approach rather than meeting fees.
  - b) Using a size index to determine relativity between various councils.
  - c) Adopting a “pay scale” for local government that is fair and seen to be fair.
  - d) Reviewing the components of the council size index every three years and applying appropriate factors to territorial authorities and regional authorities.
  - e) Recognising that unitary councils have dual responsibilities and sizing them accordingly.

### **Council Sizing**

#### **76. Overview**

We define council size as the accumulated demands on any council resulting from its accountability for its unique mix of functions, obligations, assets and citizenry. The size of councils varies considerably. The most obvious difference is in the size of population with the biggest council (Auckland) having 1,614,300 citizens and the smallest (the Chatham Islands) just 610 at the last census. Even outside of these two, there still a wide population range from Christchurch (375,000) to Kaikoura (3,740).

77. However, despite their differences, there are also many similarities between different councils and the roles of elected representatives.
78. All local government representatives have a basic workload that includes decision-making around local plans, policies and regulations; civic representation; assisting constituents; and

working with other organisations (public and private sector). Importantly, councils are also tasked with employing a chief executive and monitoring performance and delivery.

79. With regard to differences, as noted above, the starkest is in population, but even then there is not an exact connection between population and work load. We have taken account of several characteristics in addition to population to compare the size of each council. We are limited by the ready availability of information. However, with the information that is available, we have been able to use statistical methods to identify several factors that are significant influences on the workload of Councils.
80. We can identify councils that are most likely to be comparable in size, despite differences in what brings this about. Such comparisons can never be exact, because amongst all the councils there are influences on their size that are either unique or unable to be quantified using existing evidence. The analytical approach taken this year by the Authority will be further developed whenever the information base is able to reflect such situations.
81. We considered a variety of factors that could be used for sizing councils and, after consultation and further analysis, we are proposing several factors, with some differences between territorial authorities and regional/unitary councils. The indicators for each factor came from official statistics and departmental reports, and they were analysed by standard statistical methods which enabled the variety of demands on councils from different sources to be compared and accumulated. The initial list of factors and the modelling was identified with a representative group of elected local authority leaders, and then developed further by the Authority.
82. The strong direct effects on size from population, assets and operational expenditure were modified by differences in guest night stays, social deprivation levels and physical size.

#### **Factors proposed to be used in sizing**

83. Territorial authorities:

- a) **Population.** This factor not only determines the scale of services that a council will provide, but also the rating base by which activities are funded. Population is most likely to be the indicator that most New Zealanders would use when asked to distinguish between various councils. The statistics we are using are the most recent population estimates by Statistics New Zealand.
- b) **Operational expenditure.** In many cases, operational expenditure correlates with population, but there are also some differences - in particular when a council may be in the midst of a specific expansion programme in a particular area of activity. Our data is taken from the annual accounts of councils.
- c) **Asset size.** This represents the capital base of the council that the council is required to manage, providing essential service such as water, wastewater, roads and flood protection, and also social infrastructure. One of the challenges in asset management is to ensure that assets do not lose value. In recent years there has been greater focus on asset management in the sector, requiring (if it is undertaken rigorously) a higher degree

of attention to detail on the part of elected members, not just the asset managers in the organisation. The data on asset size is also extracted from the consolidated annual accounts of councils and includes the value of their council controlled organisations (CCOs).

We acknowledge that there are different degrees of assets held by local government. Some have highly commercial assets with commercial boards comprising directors selected for their relevant competencies and business experience. Others have land holdings that are long-term and more “passive” investments. Others again are assets such as ports which although highly commercial and competitive are often also strategic assets for their local government owners.

There are also different degrees of oversight. Some councils are extremely “hands on” with their assets and others are more arms-length in their relationships, particularly with CCOs. We recognise that whatever measure of asset size is used, its relevance will differ somewhat among councils to a greater extent than is likely with other factors.

- d) **Social deprivation.** This measures the differences between councils in their need to take account of economic disadvantage among citizens. We recognise that in many council districts the high level of social deprivation in some areas is counterbalanced by a higher economic status in others. However, we believe there are some councils that do not have this balance and that, given the reliance of many councils on rates income, for those councils a high level of social deprivation will have a significant impact. Data is drawn from the third quartile of the NZDEP index prepared from the last population census.
- e) **Number of guest nights.** This represents the demands on councils (e.g. infrastructure development and service provision) resulting from visitors. We recognise that this is a current issue which may in future years be resolved and that it is but one sector in New Zealand’s economy which is of concern to local government. However, it has been raised with us on many occasions and we believe it is relevant to allow for such demands being faced by council at present. It may be that it is replaced by another factor in future years. For this factor we use the Monthly Accommodation Survey of Statistics New Zealand. We were unable to find any data on visitors who may pass through a district and use facilities but not stay overnight, or on the current vexed issue of freedom campers.

#### 84. Regional councils:

Although all councils (territorial, regional and unitary) have a power of general competence, the legal responsibilities of regional councils and unitary councils differ from those of territorial authorities. The breadth of their mandate in national legal instruments (such as the Resource Management Act) requires regional and unitary councils to operate at a different scale from that of territorial authorities, especially in their focus on regulating and managing land and water. For example, regional and unitary councils must develop and administer Regional Plans and Unitary Plans, and territorial authorities must give effect to these plans, which drives behaviour around issues such as water quality (i.e. storm water

and waste water). In contrast, regional councils do not have the significant focus on social issues that is required from either unitary or territorial councils. Hence **land size** is inherently important to the work of a regional or unitary council. In measuring size, we are proposing to eliminate the deprivation index factor for regional councils and add a land area factor.

85. Unitary councils:

For some years, the Authority has added a loading of 12.5% to account for the additional regional council responsibilities of the four smaller unitary councils – Gisborne, Marlborough, Nelson and Tasman. This did not include Auckland, even though it is also a unitary council, because the remuneration for Auckland was considered separately when it was set up.

We are uncertain as to the basis for the 12.5%, and are thus proposing that this loading now be removed and that instead the size of these four unitary councils be measured by both the regional and the territorial authority factors. Thus the factors by which we measure the size of unitary councils would include both land area and social deprivation.

The Authority believes that with the additional regional council factor of land area included, this is a fairer way of sizing unitary councils.

**With regard to the proposed factors to be used for sizing councils**

- **Are there significant influences on council size that are not recognised by the factors identified?**
- **Are there any factors that we have identified that you believe should not be used and why?**
- **When measuring council assets, do you support the inclusion of all council assets, including those commercial companies that are operated by boards?**
- **If not, how should the Authority distinguish between different classes of assets?**

**Weighting**

86. The weight given to each factor was assessed intuitively by the Local Government Advisory Group, drawing on their knowledge and experience. These weights were then further refined by formal statistical analysis. The Authority has not yet completed this part of the exercise and, before we do, we would like to hear views on the proposed factors. Nevertheless, in our work to date, the following “order of magnitude” listing indicates what

we consider to be the relative importance of the various factors in determining size. They are listed here in terms of our current view of the highest to lowest influence on size.

87. Territorial authorities:

- Population; operational expenditure
- Assets
- Deprivation index; visitor nights

88. Regional councils:

- Operational expenditure; geographic size
- Assets; population
- Visitor nights

89. Unitary authorities:

- Population; operational expenditure; geographic size
- Assets
- Deprivation index; visitor nights

90. When the weighting exercise is completed, the size of each council estimated in this way will become the size index.

- **Are you aware of evidence that would support or challenge the relativity of the factors for each type of council?**
- **If you believe other factors should be taken into account, where would they sit relative to others?**

### **Mayor/chair remuneration**

91. The work that the Authority commissioned from the HayGroup in 2015 included a review and evaluation of the roles of mayor, regional council chair, committee chair and councillor across 20 councils.

92. The evidence reported by Hay was that mayor and regional council chair roles generally require a full-time commitment, though this is not true in absolutely all cases. Even in smaller authorities where the mayor's role may not be full time, the nature of the job means that it is usually difficult to get another job to supplement what might not be a fulltime income. From the knowledge of members of the Authority and advice from a range of participants in local government, including the Advisory Panel, the Authority accepts that mayors/chairs are full time and we propose that mayor/chair remuneration be determined on this basis.

93. We are also proposing that there should be a “base pay” for all mayors/chairs. Additional remuneration would then be on top of this, depending on the size of the council.

- **Should mayor/chair roles should be treated as full time?**
- **If not, how should they be treated?**
- **Should there be a “base” remuneration level for all mayors/chairs, with additional remuneration added according to the size of the council?**
- **If so, what should determine this “base remuneration”?**

#### **Councillor remuneration**

94. The relativity between mayor/chair and councillors is somewhat more difficult to determine and we note that in 2015 the Authority suggested that although there was evidence about the size of positions, there was less evidence about workload.

95. We are aware that there are clear differences in both the job size and the workload of councillors on different councils for a several reasons. There can also be significant differences in workloads of councillors within a single council. The influences on a councillor workload obviously include measurable factors such as population and the other indicators we have outlined above in paragraph 5, as well as the number of councillors, which varies from council to council.

96. However, other influences include current issues within a council area and individual councillor interest in or affiliation to different interest groups. The latter also applies to workload differences amongst councillors on a single council, as does the appetite for work amongst different councillors. The Authority is not able to take account of such differences in our determinations. Nor are we able to provide for “performance pay”. This means that on any single council the remuneration of the hardest working councillor will be the same as that of the lowest contributor.

97. Having looked carefully at the sizing factors, and discussed mayor/chair and councillor relativity with a variety of people, we have formed a view that we are unable to accommodate the differences between councillors on different councils with sufficient granularity to have a single national approach. The large metropolitan councils, for example, seem to have a higher councillor workload than of smaller rural and provincial councils, though this is not a universal rule. Additionally, there are differences between

similar sized councils which are addressed at council level by the allocation of committee and portfolio responsibilities.

98. We are also conscious of the discrepancies amongst councils in the current relationships between councillor remuneration and that of the mayor/chair. The range is from 54% down to 21%, and in some cases the proportion appears to be arbitrary. Discrepancies are also evident where councils of similar size (population) show variances of up to 10% in the ratio between councillors and mayors/chairs remuneration. Some of this may be historical - the legacy of previous approaches - or the result of councils having decreased or increased the number of councillors over time.
99. The Authority is looking at a new approach that, while providing a fiscal framework, would put the decisions round the details of councillor remuneration into the hands of the local council, which we believe is better able to understand and reflect community needs than we are on a national basis.
100. We are looking at setting a total “governance/representation pool” that each council would distribute. The pool would be linked to the size of the council and thus be irrespective of the number of elected members. Because we are now proposing formally that all mayor/chair roles be considered full time, the Authority would be in a position to set the salary for that position. Thus the mayor/chair remuneration would be separately allocated by the Authority, but included in the governance/representation pool allocated to each council. However, all other positions – councillors, deputy mayor/chair, chairs of committees, portfolio holders etc and community board members – would be allocated from its own pool by each council.
101. The pool proposal was included as one alternative in the 1997 LGNZ consultation paper, albeit the remuneration framework then was very different from how it has evolved today.
102. The advantages of this approach are that it focusses on the total governance and representation cost for each council (minus the mayor/chair) and that it allows each council to decide its own councillor and community board remuneration levels, including for positions of responsibility, reflecting its priorities for the current triennium. The total pool would be relative to the size of the council rather than to the number of elected members. Consequentially, if a council wished to increase its numbers via a representation review, and thus spread the workload, the allocated pool would need to be spread amongst more people. The reverse would also apply. It should be noted that if the workload for the whole council increased because of a change in the metrics of any factor(s) by which the council is sized, then the council would move to a higher ranking on the scale which would provide overall higher total remuneration pool.
103. The disadvantage is that no council is necessarily the master of its own destiny in terms of numbers of councillors. It must convince the Local Government Commission of the need to increase or decrease numbers. However, we do note that where representation changes reflect changes in what we call the “size” of the council (as described above in para 77-91),



any changes should also be reflected in the remuneration pool available to the council so there would then be a direct connection.

104. The pool approach provides councils with the flexibility to provide differences in positions of responsibility in a nuanced way. Because each council varies in terms of its committee/portfolio structure, this is an area where councils need discretion to decide. Current practice is for the Authority to set the councillor remuneration for each council, then to provide each council a “pool” equivalent to twice the base remuneration of one of its councillors to allocate to those undertaking specific positions of responsibility. These may include deputy mayor, committee chair, portfolio holder or other specifically designated roles. We have had no significant advice that the size of this extra pool is inadequate. However, we are aware that the provisions are applied in slightly different ways by different councils and that there are some councils that find the current provisions restrictive.
105. For example, there has been some confusion in the past as to whether every single councillor on a council can receive part of this additional pool by being allocated a position of responsibility. Generally, the Authority has not agreed to this when the council has proposed sharing the additional pool equally because this has simply amounted to a pay-rise for all councillors to move them above the level applied in the Determination. However, we have had enquiries about this and also observed current practice.
106. We propose that under the new regime (i.e. a total governance/representation pool for each council) the following rules should apply:
- a) All roles and remuneration levels will need to be agreed by formal resolution of the council, with a 75% majority.
  - b) A remuneration rate must be set for the base councillor role
  - c) The council needs to have a formal written role description for each additional position of responsibility above that of the base councillor role.
  - d) The Authority will expect that any such roles within a council will have different levels of additional remuneration, depending on the nature and workload involved. In particular this needs to apply where every single councillor is allocated an additional position (as distinct from a more usual practice of having a deputy mayor/chair and a handful of committee chairs).

- **Should councillor remuneration be decided by each council within the parameters of a governance/representation pool allocated to each council by the Remuneration Authority?**
- **If so, should each additional position of responsibility, above a base councillor role, require a formal role description?**

- **Should each council be required to gain a 75% majority vote to determine the allocation of remuneration across all its positions?**

107. We also note that elected members are increasingly being appointed to represent their council on various outside committees and bodies. We propose that if any council wishes to do so, such appointments can also be captured under the process outlined above.

- **Should external representation roles be able to be remunerated in a similar way to council positions of responsibility?**

108. The issue of director's fees for elected members who are appointed to CCOs is a difficult one. On the one hand it could be said that a councillor sitting on a CCO is doing work that is similar to that of another councillor who may have a specified position of responsibility – or even less if the second councillor is, for example, a committee chair. However, the legal liabilities of CCO directors have become more onerous in recent years and may be more than those of elected members.

109. Those appointed as directors of CCOs need to be aware of the specific legislative duties and regulatory obligations that are imposed on them, in their capacity as directors, by the various acts, including the Local Government Act 2002, the Companies Act 1993, the Health and Safety at Work Act 2015, the Charities Act 2005 and the Public Audit Act 2001.

110. It is not for the Authority to determine whether or not elected members should be directors of a CCO, but we do recognise the additional responsibility that is taken on in those cases and that it may require developing capabilities to meet obligations that are different from those required of other elected members. We also observe the increasing trend towards the appointment of external professional directors to such roles.

- **Do the additional demands placed on CCO board members make it fair for elected members appointed to such boards to receive the same director fees as are paid to other CCO board members?**

## Community Board remuneration

111. We note that 40 councils (more than half the territorial authorities) have community boards. We also note that there is a huge variety in the nature of the work undertaken by community boards and in the powers delegated to them. Some undertake substantial and substantive governance work on behalf of the council, whereas others are more in the nature of community representatives and advocates.
112. We are also aware that in some places community board members are doing work that elsewhere might be undertaken by council officers. However, assuming that community boards are part of the governance/representation structure of a council, then this means that, all else being equal, the current cost of governance and representation for these councils could be relatively higher than that of councils which do not have them. Some councils fund the boards out of a targeted rate applied to the area that the board represents, whereas others use a general rate – i.e. the same as for funding the remuneration of councillors.
113. We suggest that if a council wishes to not cover remuneration for its community board members from the proposed governance/representation pool, then a targeted rate should apply to the area represented by the particular community board. However, councillors appointed to represent the council on the community board would be paid from the governance/representation pool.
114. We also consider that it is important that the functions undertaken by any community board are clearly and transparently defined by the council concerned and consider that all community board delegations should be by way of a formal council resolution.

- **Should community board remuneration always come out of the council governance/representation pool?**
- **If not, should it be funded by way of targeted rate on the community concerned?**
- **If not, what other transparent and fair mechanisms are there for funding the remuneration of community board members?**

## A local government pay scale

115. Local government has no exact equivalent. The nearest that we have in New Zealand is central government, yet even that is not an exact match.

116. Section 2 of this paper sets out the legal requirements that the Authority is required to consider in making determinations. The first of those requires that the Authority “shall have regard in particular to the need to achieve and maintain fair relativity with remuneration received elsewhere”. This is particularly difficult in determining the remuneration for local government elected members because there is no obviously relevant comparator group. The Authority considered and rejected as inappropriate the following:

a) Local government senior managers’ salaries.

Information on local government management remuneration is readily available in market salary surveys and through councils’ annual reports. However employees of councils are selected for the knowledge, skills and experience they hold relative to the needs of the employment role. Elected members do not fit that profile at all. They are democratically chosen by the electors to represent the interests of the people of a particular area and provide governance over the council’s operations. There is no logical alignment that would connect the remuneration of the two groups.

b) Central government sector senior managers’ remuneration.

Information on public sector management remuneration is readily available in market salary surveys and the State Services Commission’s annual reports but this option suffers from exactly the same difficulties as option (a) above.

c) Remuneration of directors on boards, including public sector boards, commercial boards and large not-for-profit boards.

A significant part of the work of elected members consists of representational activities of one sort or another. Most boards of directors do not have this role. Those that do are often in the not-for-profit or NGO sector and, even there, the nature and time requirements of the representational work, including managing constituency issues, is different. Further, most boards are governing an enterprise that is essentially focused on a single group of goods or services within one industry, whereas councils have a significant array of services that are not necessarily similar in any manner – for example, providing building consents compared to social services.

117. Other aspects of local government elected roles which differ from the above are:

- The sheer “visibility” of the people involved, resulting in a lack of privacy. In some cases where the elected person is very high profile or important in a community, or when the community is very small, this is extreme and often their close family members are also impacted by this.
- This visibility is associated with the need for publicly elected representatives to “front” on difficult issues. This is less common amongst other boards members and

managers. When something goes wrong on a council the councillors and mayor/chair are held to account by the public, whereas on a board it would normally (though we recognise not always) be the CEO.

- The meeting requirements on local government are more onerous than they are in other sectors. The Local Government Official Information and Meetings Act 1987 and public expectation is that meetings will be held in public and that information behind decisions and actions will be readily available.
- Finally, and perhaps related to all the above, local government entities hold far more frequent meetings/workshops than do other governance boards and the distinction between governance and management is less clear than it is in most other models.

118. In the light of this, the Authority looked at a possible alignment with parliamentary remuneration for comparative purposes. Even though (as we note above) local government is not an exact match to central government, parliamentarians are also democratically elected to represent sections of the populace, and those who are members of the Government of the day also exercise governance over the public service. Within the parliamentary group there are different levels of remuneration between backbenchers, ministers and some other identifiable roles.

119. Given the obvious difference between central and local government elected members, any remuneration alignment could not be a direct one-on-one relationship. However, the nature of the roles is such that there are also similarities and this is the closest the Authority can find to “fair relativity with remuneration received elsewhere”. As in other areas of our work, this decision involved a degree of judgement – there is no exact science here and we would observe that the utility and value of any elected person is in the eye of the beholder.

120. We therefore propose that mayor/chair remuneration be related to that of MPs, but capped so that the highest remuneration for any individual mayor or chair cannot be more than that of a cabinet minister. All other mayor/chair roles would be provided with a relative alignment below that upper limit.

- **Is it appropriate for local government remuneration to be related to parliamentary remuneration, but taking account of differences in job sizes?**
- **If so, should that the relativity be capped so the incumbent in the biggest role in local government cannot receive more than a cabinet minister?**
- **If not, how should a local government pay scale be determined?**

## Timetable

121. The current practice of the Authority – major three-yearly reviews with annual updating in non-review years – has been a sensible approach. We propose to continue it in the interests of efficiency and also to reflect the fact that the data we are using for sizing is not necessarily available annually.
122. In the intervening years, we propose that any change in local government remuneration reflect the change in the salary and wage rates for the public sector as shown in Statistics NZ's Labour Market Statistics (LMS) which are produced quarterly. In 2014 the LMS replaced the Quarterly Employment Survey (QES), which was the mechanism chosen as the reference index when Parliament passed the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2015. Therefore, changes in MP remuneration are also tied to the change in salary and wage rates as published in the LMS. In addition to salary and wage rates, the LMS contain information on New Zealand's official employment and unemployment statistics, number of filled jobs by industry group, total hours worked, levels of income, total gross earnings and paid hours, and average hourly rates by sector.
123. The cycle adopted by the Authority for setting local government remuneration will be as follows:
- The first year of the cycle will be the local government election year. In that year the Authority will undertake a full review of council sizes, utilising the indicators described above. Prior to applying the result of the review, the Authority will apply the LMS changes to all local government remuneration, and the council sizing results will then be applied.
  - This determination will be issued on or about July 1 for implementation from the date the council formally takes office following the local government election later that year. At that time the Mayor/chair remuneration will be applied but the remuneration for all other positions to be decided out of the "governance/representation pool" will be applied on the day following the day on which the council formally resolves its remuneration policy for that triennium. Until then, from the day of assuming office, all councillors will be paid the base councillor remuneration that applied in the preceding triennium. The new determination will apply till the council ceases to formally hold office at the next local government election.
  - Meeting fees for RMA plan or consent hearings, as well as the parameters for expense reimbursement, will also be assessed at that time and any changes will apply to all councils at the same time as the remuneration changes.
  - In the subsequent two years, the determination will again be issued on or about July 1 but on these occasions for immediate implementation. For all councils, it will contain adjustments reflecting the change in the LMS. There will be no changes in plan or consent hearing fees or expenses policies at this time.

### **This consultation process from now on**

124. This proposal is being circulated to all councils to obtain feedback on the approach. The Authority would need to receive any written feedback that councils wish to make by **30 October 2017**. We look forward to hearing from you.
125. For this year (2017) the Authority proposes to change remuneration according to the LMS change and we also propose to introduce the new provisions outlined in Section Two of this paper. All other changes would be introduced for the year 2019. This timetable allows time for councils to fully discuss the proposals and give us their responses. It allows us to then refine and test our final model for the “governance/representation pool” prior to implementation.
126. **We are conscious that 2019 is three years after the local government sector would have been expecting changes. However, with our proposal to change the model for sizing councils and to radically change the way councillor remuneration is decided, we believe that such a time period is justified.**