



AGENDA

RĀRANGI TAKE

NOTICE OF MEETING OF THE

CAPITAL PROJECTS AND TENDERS COMMITTEE

to be held on **Tuesday 12 May 2020** commencing at **3.00 pm**
via Zoom

Chairperson: Cr Carruthers

Members: His Worship the Mayor
Cr Hartshorne
Kw Tumahai

Cr Hart
Kw Madgwick



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

Council Vision:

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

Purpose:

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

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

1. **KARAKIA TĪMATANGA OPENING KARAKIA**

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

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

2. **NGĀ WHAKAPAAHA APOLOGIES**

(includes leave of absence notification)

3. **WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST**

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

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

4. NGĀ MENETI O TE HUI KAUNIHĒRA MINUTES OF MEETINGS

Minutes circulated separately

5. ACTION LIST (Page 5)

6. NGĀ TĀPAETANGA PRESENTATIONS

- **Projects underway and status update**

7. PŪRONGO KAIMAHI STAFF REPORTS

- **Carnegie Building Report** (Pages 6 - 13)
- **Cost Plus Services Contracts – Verbal Update from Transportation Manager**
- **Local Supplier Preference – Verbal Update from Transportation Manager**
- **Approval of Draft Terms of Reference for West Coast Wilderness Trail Sub-Committee** (Pages 14 - 20)

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

(to consider and adopt confidential items)

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

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

Item No.	General subject of each matter	Reason for passing this resolution in	Ground(s) under Section 48(1) for the passing of this resolution
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	to be considered	relation to each matter	
1	Confidential Minutes – 11 February 2020	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason or withholding exists. Section 48(1)(a)
2	Purchase of Land	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason or withholding exists. Section 48(1)(a)
3	Hokitika Parks, Reserves and Cemetery Contract	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason or withholding exists. Section 48(1)(a)
4	Special Contract Extension	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason or withholding exists. Section 48(1)(a)

**DATE OF NEXT CAPITAL PROJECTS AND TENDERS COMMITTEE MEETING
11 AUGUST 2020
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA**

CAPITAL PROJECTS AND TENDERS COMMITTEE – ACTION LISTING

Date	Item	Action Required	Status	Lead Officer
11.02.20	Pensioner Housing	Upgrade of one bathroom in Revell Street, Hokitika.	<ul style="list-style-type: none"> • Works complete 	Capital Projects Manager
11.02.20	Include \$40,214.62 for the upgrade of three bathrooms in the 2020-21 Annual Plan.	Refer to the Annual Plan Process	<ul style="list-style-type: none"> • Included in the Annual Plan 	Group Manager: Corporate Services
11.02.20	Establish a WCWT Trail Sub-Committee	Draft a Terms of Reference completed Report to Council to dissolve the Westland Wilderness Trust	<ul style="list-style-type: none"> • Draft Terms of Reference developed 26 Feb • Meeting with GDC planned 	Chief Executive Chief Executive

Report



DATE: 12 May 2020

TO: Capital Projects and Tenders Committee

FROM: Group Manager: District Assets

CARNEGIE BUILDING EARTHQUAKE STRENGTHENING

1 SUMMARY

- 1.1 The purpose of this report is to inform members of the Capital Projects and Tenders Committee of the progress made to date with the earthquake strengthening of the Carnegie Building Project and seeks direction on how to progress. The building was emptied and the successful tenderer selected but the final project cost calculated post tender has a large project deficit.
- 1.2 This issue arises from the fact that all Tenders submitted for the earthquake strengthening of the Carnegie Building omitted significant portions of the total scope. This was due to the lack of understanding documented of what was actually required. The relevant discussions have subsequently taken place between the Engineers, Architects and the Contractor. Therefore a firm estimate is now available to achieve the entire scope of work which creates an unbudgeted shortfall of nearly \$800,000.
- 1.3 Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in May 2018, which are set out in the Long Term Plan 2018-28. These are stated on Page 2 of this agenda.
- 1.4 This report concludes by recommending that the earthquake strengthening of the Carnegie Building is allowed to proceed with the condition of obtaining the sufficient external funding to complete the entire scope of works.
If no additional external funding is forthcoming, granted by 1 December 2020, the Council put the project on hold until such time that the entire scope of works can be completed.

2 BACKGROUND

2.1 The Carnegie building is a cornerstone in Hokitika’s cultural and visitor hub and as such is highly valued by the community. It stood as a free Public Library in Hamilton Street since 1908 and was serving as a Museum and Art Exhibition Centre until it closed in December 2019.

2.2 The first engineering report completed by Opus in September 2016 indicated the seismic performance of the Carnegie Building at 12% as per the New Building Standard (NBS) at Importance Level (IL) 3; 36% is considered earthquake prone. A second engineering report was completed by Opus in February 2017, after consulting a historic building engineering expert, which indicated the seismic performance as now at 20-28% still under NBS at IL3. At this point it was argued that the importance level 2 was better aligned with the true use of the building. Resetting the importance level reduces the severity of the factors considered by engineers and the calculations became more favourable. The building was defined as not earthquake prone, i.e. buildings in excess of 34%. A third engineering assessment was completed by SIMCO Consulting later in 2017 which indicated the seismic performance in excess of 34% at IL2.
Council proceeded with SIMCO to complete the design work to bring the Carnegie building up to 100% NBS at IL2.

2.3 The Carnegie Building Earthquake Strengthening Project will enable it to resume its museum function and thus reopen to the public.

2.4 The funding sources for the project are as below:

Income source	Value
Westland District Council Major District Initiative Funding	\$ 500,000
Lottery Environment and Heritage Grant	\$ 500,000
Westland District Council (resolution carried in the Council meeting on 25 July 2019)	\$392,391 + 10% contingency

2.5 In April three applications have been made for the shortfall envisaged in order to meet the new cost requirement, i.e. \$ 794,830:

- Lotteries
- The Culture & Heritage Fund
- Crown Infrastructure Partners (as part of the “Shovel Ready” initiative)

Outcomes are only expected by the end of May 2020 for these applications and it is uncertain how successful WDC will be.

3 CURRENT SITUATION

- 3.1 The Carnegie Building is currently empty, ready for the construction work to start. The collection items in storage are secure at present and their condition is regularly monitored so a delay will have little effect on the museum items themselves even if they are kept in storage for a long period.
- 3.2 The Long Term Plan (LTP) has \$ 4,500,000 assigned as seed money for a future museum project. The Council approved portion of funding has been brought forward and therefore the balance approved for further work has been reduced. The Carnegie Building is seen as an integral part of the future Museum site. However, only the said \$ 392,391 + 10% contingency was approved thus far and no further funding was requested in the annual plan discussions. This means that a shortfall of nearly \$800,000 exists for this project.
- 3.3 The current expenditure to date is \$ 157,039.78 which comprises of engineering cost for completion of the strengthening design, building consent costs and museum staff for packing and emptying the building. WDC have finalised pricing with the successful tenderer, CYB Construction, which sits at a total of \$ 1,547,312.62. This includes the total project demolition, strengthening and construction scope. The contractual requirements have been finalised with CYB but no contract has been signed due to the uncertainty of the shortfall funding. Final total project cost, after tenders were received and negotiations completed, is estimated to be \$2.18 million and hence the shortfall. Pricing differences can be attributed to a higher cost being submitted for all the major construction elements including structural steel, concrete and carpentry. Further detail was clarified and priced on items such as security and fire design; final pricing reflect this. CYB Construction’s final price is the lowest cost submitted compared to the other conforming Tenders submitted (while others had items tagged out). In an attempt to bring the expenditure back to originally budgeted levels, one could propose some cuts to the scope such as all fittings and contingency. The building will not be fit-for-purpose in this state but it would ensure that the required earthquake strengthening can be completed as planned.

A summary breakdown of costs is provided in the Table below:

Description	Current Situation	Proposed costs following “project cuts”
Expenditure already incurred	\$ 157,040	\$ 157,040
Additional expenditure expected*	\$ 210,427	\$ 210,427
Tender price to undertake project**	\$ 1,547,312.62	\$ 1,233,127.30
Contingency	\$ 285,290	
TOTAL	\$ 2,177,453.61	1,577,978.30

*Additional Expenditure that can be calculated would include professional fees and contract management

**Tender price to undertake the strengthening & meet museum standards is provided in the *Current Situation* while a cut was done removing all finishes

- 3.4 The \$500,000 Lotteries Grant was awarded based on the requirements that the entire scope of works would be completed, i.e. the earthquake strengthening but also fittings that ensure museum standards are met. The Chief Executive informed the Grant Authorities of our current situation and WDC are awaiting a reply from its latest Lotteries Application. Meeting museum standards include temperature and humidity control of the environment. This is of importance in order to assure that the local and visiting collection items are safe for display especially, over lengthy periods of time without degradation. This will also open the possibility of national exhibits being able to be brought to Hokitika for display.
- 3.5 In an attempt to bring the expenditure back to original budgeted levels, all fittings have been removed including the heating, ventilation and air conditioning (HVAC), lighting, floor and wall finishes as well as plumbing and contingency; i.e. a total of 20.3% of the building cost and all contingency. This is extremely risky as no allowance is made for any variations which are very likely to occur with a building of this age. The building will not be fit-for-purpose in this state but it would ensure that the required earthquake strengthening can be completed as planned.
- 3.6 Due to the Covid-19 worldwide pandemic, it is expected that raw materials, such as steel beams, may increase in price and have longer lead times than originally thought. This does add risk especially considering the already tight budget.
- 3.7 Once the Contract is signed with the Contractor, CYB have assured WDC that physical works can start, i.e. site establishment and demolition work while materials are being ordered. This is the reason why this project could be classified as “shovel ready”.

4 OPTIONS

Each section below represents one option only, there are four possible options available at this stage.

- 4.1 **Option 1:** continue the project with the full scope and the Capital Projects and Tenders Committee confirming the additional funds required to cover the full shortfall amount.

- 4.2 **Option 2:** continue with the full scope of the project only if additional funding is sourced, i.e. specifically the three applications mentioned in 2.6 or any further funding being applied for.
- 4.3 **Option 3:** downgrade the scope of works as outlined above in 2.5 and 3.4, i.e. the exclusion of fitting out the building and the option of removing the contingency and progressing with the reduced scope as soon as possible.
- 4.4 **Option 4:** put the entire project on hold, i.e. council do not sign the Contract with CYB, leave the building empty and the museum pieces in storage.

5 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)

- 5.1 **Option 1:** Continue the project with the full scope and the Capital Projects and Tenders Committee confirming the \$ 794,830 additional funds required. This means that WDC can sign the Contract as it stands with the Contractor and work can start as soon as possible. Further capital funding, assigned to later stages in the LTP, would have to be brought forward in order to complete the scope.

It would mean that Hokitika has a suitable museum with an exhibition space once again by the end of 2021. It would mean that significantly reduced funding would be available for the upgrade of the museum, located behind the Carnegie Building, at a later stage. If any of the funding applied for in April as stated in 2.6 above is confirmed, it would immediately reduce the overall shortfall required depending on amount granted.
- 5.2 **Option 2:** Continue with the full scope of the project only if additional funding is sourced. This would mean that WDC will not be signing the contract with CYB Construction until the entire shortfall amount has been raised, therefore the project is effectively on hold until funding is obtained. If the current funding applications are not granted, further options will need to be considered (one of the two options outlined below) while WDC staff continue to seek external funding until the entire amount required is raised. The timeline for that would be uncertain and already pledged funding sources would need to be informed of a delay. This includes the possibility of existing sources withdrawing the funding.

The collection items are securely stored. The cost of this storage and regular checks would have to be re-considered if the timeline for starting the physical works is delayed significantly. Contractor availability would need to be considered, as well as the fact that Westland's cultural icon remains closed for a potentially unknown period of time.
- 5.3 **Option 3:** WDC could downgrade the scope of works as outlined in 2.5 and 3.4, i.e. the exclusion of fitting out the building and the option of removing

the contingency. This would mean that a staged approach is taken to the Carnegie Building upgrade with the first stage being the structural strengthening work and a fit-out stage at a later stage when funding is secured.

The HVAC system, lighting, floor and wall finishes as well as plumbing make up a total of 20.3% of the building construction cost and could be removed. This amounts to \$ 314,186. The building will however not be fit-for-purpose in this state but it would ensure that the required earthquake strengthening can be completed as planned.

Originally, a 15% contingency was applied to the project using the Engineer's estimate, which amounts to \$ 285,290, and could be removed. This would be extremely risky as no allowance is made for any variations which are very likely with a building of this age.

Council would have to confirm a new budget with which to proceed.

If all fit-out items and contingency are removed, the previously granted funding, as per point 2.4, would be sufficient to complete the project with the reduced scope. This variation in scope must be confirmed with Lotteries as a building to museum standards was specified with this grant.

The current contract with CYB can be amended before signing depending on the items removed and the works can start thereafter. WDC staff would continue to investigate further funding options in order to achieve the complete scope of works but possibly at a delayed stage, i.e. a more phased approach as additional funding is granted. Any further funding is, however, uncertain and therefore so is the completion of the Carnegie Building.

- 5.4 **Option 4:** WDC could put the entire project on hold, leave the building empty and the museum pieces in storage. As explained for Option 2, the collection items are securely stored but the cost of this storage and regular checks would have to be considered if the timeline for starting the works is expected to be significantly delayed. When funding becomes available through other sources, the project can be revisited but might be more costly. In the meantime, the Carnegie Building, one of Westland's cultural icons, remains closed and under strength.

This would mean that funds already granted and paid would have to be returned while the already incurred costs remain.

If no supplementary external funding is forthcoming, an option is to revisit this with the next LTP discussion. The scope of works could be revised to possibly include the Drummond Hall upgrade with the earthquake strengthening and getting the building to meet museum standards.

6 SIGNIFICANCE AND ENGAGEMENT

6.1 Significance

The Carnegie Building is defined as a Strategic Asset in Councils LTP and therefore the decision is considered to have a high level of Significance as outlined in Councils Significance and Engagement Policy. There is also a high level of public interest in the building. Further delays limit the operation of the building for the artistic community who use the gallery space for exhibits. There is a potentially significant cost associated with the decision.

6.2 Engagement

Council has understood the desires of the community when the decision was made to strengthen the Carnegie Building.

The financial situation has changed dramatically within the country since the project began. Should Council decide to fund the project shortfall, further consultation through the Annual Plan needs to be considered.

7 PREFERRED OPTION(S) AND REASONS

7.1 The preferred option is **Option 2**, to continue with the full scope of the project only if additional funding is sourced, detailed in 5.2 above. This would ensure that the Carnegie Building can be strengthened to requirements and can serve the community as museum and exhibition centre by the end of next year. This option would mean that the project can proceed as planned. However, this is entirely dependent on external decisions to grant WDC and specifically this project the required funding.

For WDC to commit an additional \$800,000 at this stage is not recommended as rates will be required for more critical items such as ensuring clean drinking water and the maintenance of the roading networks.

7.2 If external funding is not granted, the recommendation is to adapt **Option 4**, i.e. to put the project on hold at this stage but with a view to revisit it with the next LTP alongside the upgrade of Drummond Hall/museum complex. This project would then be reviewed together with all others and receive the priority it deserves in light of the circumstances at the time. The biggest reason for this decision would be the significant additional financial implications that the expenditure has on the community and its rate-payers.

The museum pieces are safe at this stage and will be for a number of years in current storage conditions.

8 **RECOMMENDATION(S)**

- A) **THAT** the committee receive this report.

- B) **THAT** the earthquake strengthening of the Carnegie Building is allowed to proceed with the condition of obtaining the sufficient external funding to complete the entire scope of works, being the seismic strengthening requirements as well as meeting museum standards.

- C) **THAT** if no additional external funding is granted by 1 Dec 2020 Council put the project on hold until such time that the entire scope of works can be completed.

Louis Sparks
Group Manager: District Assets

Report



DATE: 12 May 2020

TO: Capital Projects and Tenders Committee

FROM: Chief Executive

ADOPTION OF TERMS OF REFERENCE – WEST COAST WILDERNESS TRAIL SUB-COMMITTEE AND APPOINTMENT OF COMMITTEE MEMBERS

1 SUMMARY

- 1.1 The purpose of this report is to adopt the Terms of Reference (ToR) and appointment of members of the West Coast Wilderness Trail Sub-Committee.
- 1.2 This issue arises from the need to ensure stakeholders are represented to provide guidance on the strategy of the West Coast Wilderness Trail (WCWT).
- 1.3 Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in May 2018, which are set out in the Long Term Plan 2018-28. These are stated on Page 2 of this agenda.
- 1.4 This report concludes by recommending that Council adopt the Terms of Reference and appointment of members for the West Coast Wilderness Trail Sub-Committee.

2 BACKGROUND

- 2.1 At the Inaugural Council meeting, it was determined that a committee structure would be more relevant and effective than a portfolio system.
- 2.2 As part of this, Council determined that a Capital Projects and Tenders Committee (CPTC) was required to provide oversight of the Capital Works Program and also to Award Tenders.
- 2.3 On the 11 February 2020, the CE presented a report outlining the Governance Structure of the WCWT and the requirement to add a level of governance that brings all the key stakeholders around the table to determine to future

aspirations of the WCWT and report back to the CPTC. Based on this the CPTC resolved to establish a WCWT subcommittee.

2.4 The West Coast Wilderness Trail Sub-Committee reports directly through the Capital Project and Tenders Committee.

3 CURRENT SITUATION

3.1 Based on the resolution of Council to establish a WCWT Subcommittee the CE has developed the draft Terms of Reference for the subcommittee.

3.2 To follow correct process, the West Coast Wilderness Trail Sub-Committee Terms of Reference must be adopted by the Capital Projects and Tenders Committee before the first meeting of the committee takes place. In the terms of reference, the names of appointed members must be stated.

4 OPTIONS

4.1 **Option 1:** Adopt the terms of reference for the West Coast Wilderness Trail Sub-Committee and appoint the following as members of the Committee:

- Chairperson (WDC appointed representative and appointed by the Chair of the Capital Projects and Tenders Committee)
- Iwi Representation
- Ex-Officio – Mayor
- Grey District Council Representative
- Chair - West Coast Wilderness Trail Trust
- Trail Manager - West Coast Wilderness Trail Trust
- Trustpower Representative
- Department of Conservation – Hokitika Operations Manager (or representative)

4.2 **Option 2:** Request changes to the terms of reference and appointees.

4.3 **Option 3:** Do nothing.

5 SIGNIFICANCE AND ENGAGEMENT

5.1 The adoption of the terms of reference is administrative in nature and is therefore assessed as being of low significance.

5.2 Wider community engagement is not necessary.

6 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)

- 6.1 **Option 1:** Adopt terms of reference for the West Coast Wilderness Trail Sub-Committee and named members to the Committee.
- 6.2 **Option 2:** Request changes to the ToR and appointees.
- 6.3 **Option 3:** Do nothing.

If Council elect to do nothing, the Sub-Committee cannot be formed.

- 6.4 There is no financial implication to Council in adopting the ToR and appointing the Committee members.

7 PREFERRED OPTION(S) AND REASONS

- 7.1 The preferred option is Option 1 to enable the West Coast Wilderness Trail Trust to continue overseeing the governance of the West Coast Wilderness Trail. The reason being is that to enable the Council to work with key stakeholder groups in a formal committee structure, which will provide the future direction and priorities of the WCWT. The Sub-committee will work closely with Council staff to ensure the Asset Management Plans meet the overall objectives of Council.

8 RECOMMENDATION(S)

- A) **THAT** the Capital Projects and Tenders Committee adopt the Terms of Reference of the West Coast Wilderness Trail Sub-Committee and appoint the following members:


- Chairperson (WDC appointed representative and appointed by the Chair of the Capital Projects and Tenders Committee)
- Iwi Representation
- Ex-Officio – Mayor
- Grey District Council Representative
- Chair - West Coast Wilderness Trail Trust
- Trail Manager - West Coast Wilderness Trail Trust
- Trustpower Representative
- Department of Conservation – Hokitika Operations Manager (or representative)

Simon Bastion
Chief Executive

Appendix 1: Terms of Reference – West Coast Wilderness Trail Sub-Committee

TERMS OF REFERENCE

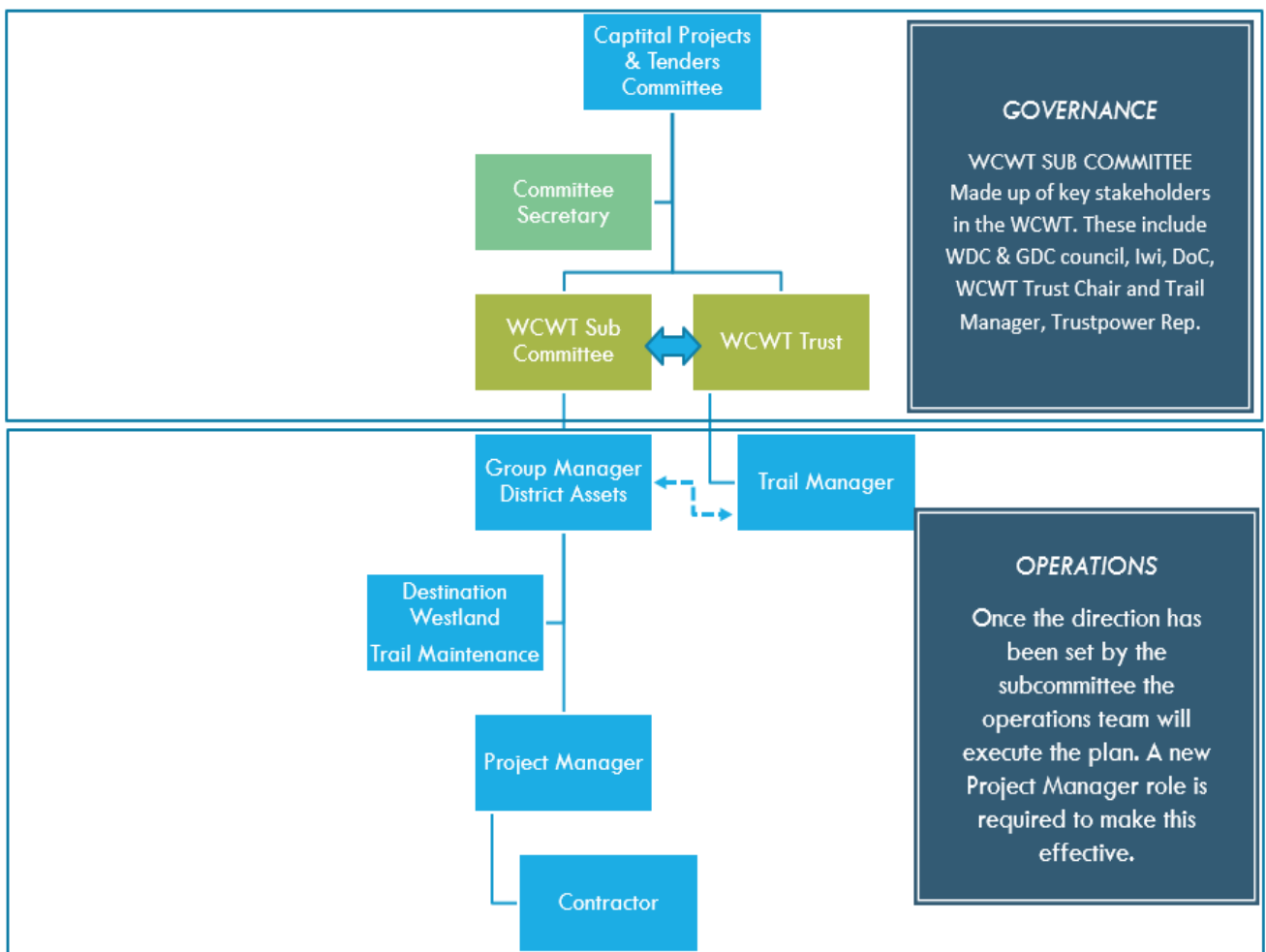
West Coast Wilderness Trail Sub-Committee

	Authorising Body	Mayor / Council
	Status	Sub-Committee of Capital Project
	Title	West Coast Wilderness Trail Sub Committee
	Approval Date	
	Administrative Support	Chief Executive Office

Purpose

The purpose of the West Coast Wilderness Trail Sub-Committee is to oversee the Governance of the West Coast Wilderness Trail. The makeup of the Sub Committee is to ensure stakeholders are represented to provide guidance on the strategy of the trail.

West Coast Wilderness Trail Governance Structure



Responsibility

The West Coast Wilderness Trail Sub-Committee is responsible for the following:

- Defining the overall Strategic Plan for the West Coast Wilderness Trail (WCWT)
- Ownership of the development and maintenance of the WCWT Asset Management Plan
- Defining the priority projects with the WCWT Asset Management Plan
- Reviewing and defining financial sustainability of each proposal
- Ensuring the prioritisation of projects reflects the community/user needs
- Supports the NZ Cycle Trail Ngā Haerenga network program and strategy and meet the criteria set by Major Great Rides NZ.
- Working closely with all key stakeholders of the WCWT.
- Supporting Funding applications as applicable

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

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

Report to the Capital Projects and Tenders Committee on a regular basis to provide updates as required.

DELEGATIONS TO THE COMMITTEE:

The West Coast Wilderness Trail Sub-Committee shall have the following delegated powers and be accountable to Council for the exercising of these powers. In exercising the delegated powers, the sub-committee will operate within:

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

The West Coast Wilderness Trail Sub-Committee shall have delegated authority to:

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

Power to Delegate

The West Coast Wilderness Trail Sub-Committee may not delegate any of its responsibilities, duties or powers.

Membership

The West Coast Wilderness Trail Sub-Committee will comprise the following, one of which will be the chairperson:

- Chairperson (WDC appointed representative and appointed by the Chair of the Capital Projects and Tenders Committee)
- Iwi Representation
- Ex-Officio – Mayor
- Grey District Council Representative
- Chair - West Coast Wilderness Trail Trust
- Trail Manager - West Coast Wilderness Trail Trust
- Trustpower Representative
- Department of Conservation – Hokitika Operations Manager (or representative)

Chairperson

The Chairperson is responsible for:

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

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

Quorum

The quorum at any meeting of the Sub-Committee shall be Chairperson and any three members.

Frequency of Meetings

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

Relationships with Other Parties

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

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

The Sub-Committee acknowledges that NZTA are a major stakeholder in the outcomes of the WCWT and plays an important part in aspects of the trail that impact on NZTA assets and rider safety. Whilst they do not form part of the membership of the Sub-Committee that will be consulted on any aspect of the committees work that they will be impacted on.

The Sub-Committee also recognises the role MBIE plays in their role with Major Great Rides. Not only are they a provider of funding but also ensure the overall performance and health of the trail is maintained and where possible improved. The sub-committee will seek support for the strategy and direction of the trail through MBIE on a regular basis or as stipulated in formal agreements.

Contacts with Media and Outside Agencies

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

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

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

Conduct of Affairs

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

Public Access and Reporting

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

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

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

The Sub-Committee shall record minutes of all its proceedings.

**The Terms of Reference were adopted by the
West Coast Wilderness Trail Sub Committee on the XX XXX 2020.**