



A G E N D A

Council

Council Chambers

Thursday

30 January 2014

commencing at 9.00 am

His Worship the Mayor, M.T. Havill (**Chairperson**)
Cr. J.H. Butzbach, Cr. P.M. Cox, Cr. M.S. Dawson, Cr. D.G. Hope,
Cr. A.R. Keenan, Cr. L.J. Martin, Cr. M.D. Montagu, Cr. C.A. van Beek



COUNCIL MEETING

NOTICE IS HEREBY GIVEN THAT AN ORDINARY MEETING OF THE WESTLAND DISTRICT COUNCIL WILL BE HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA ON THURSDAY 30 JANUARY 2014 COMMENCING AT 9.00 AM

*Tanya Winter
Chief Executive*

15 January 2014

Council Vision

"Westland will, by 2030, be a world class tourist destination and have industries and businesses leading through innovation and service.

This will be achieved by:

- Involving the community and stakeholders*
- Having inspirational leadership*
- Having expanded development opportunities*
- Having top class infrastructure for all communities*
- Living the '100% Pure NZ' brand*

"Westland, the last best place"

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 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

1. MEMBERS PRESENT AND APOLOGIES:

1.1 Apologies.

1.2 Register of Conflicts of Interest.

2. CONFIRMATION OF MINUTES:

2.1 Confirmation of Minutes of Meetings of Council

2.1.1 Ordinary Meeting – 19 December 2013. (Pages 5-10)

2.2 Minutes and Reports to be received

2.2.1 Minutes of the Public Excluded portion of the Westland District Council Meeting, held on Thursday 19 December 2013.

(Refer Public Excluded Minutes).

3. PUBLIC FORUM

4. REPORTS

4.1 Mayor's Report.

A verbal update will be provided by Mayor Havill.

4.2 2014-15 Annual Plan Timetable. (Pages 11-14)

4.3 2013-16 West Coast Triennial Agreement. (Pages 15-20)

4.4 Wildfoods Festival Grant Applications. (Pages 21-23)

4.5 Jackson Bay Wharf Structural Assessment. (Pages 24-29)

5. 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:

5.1 Confidential Minutes.

5.2 Review of Council Controlled Organisations.

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)(a) and (d) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

GENERAL SUBJECT OF THE MATTER TO BE CONSIDERED		REASON FOR PASSING THIS RESOLUTION IN RELATION TO THE MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
1.	Confidential Minutes.	To protect the privacy of individuals/organisations under Section 7(2) (a) and (i)	48(1)(a)(i) & (d)
2.	Report to Council: Review of Council Controlled Organisations.	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or Section 7 (2) (b) (ii)	48(1)(a)(i) & (d)

**Date of Next Ordinary Council Meeting
27 February 2014
Council Chambers, 36 Weld Street, Hokitika.**

Ordinary Council Minutes

MINUTES OF AN ORDINARY MEETING OF THE WESTLAND DISTRICT COUNCIL, HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA ON THURSDAY 19 DECEMBER 2013 COMMENCING AT 9.00 AM

1. MEMBERS PRESENT

His Worship the Mayor, M.T. Havill

Deputy Mayor Cr. P.M. Cox

Cr. J.H. Butzbach, Cr. M.S. Dawson, Cr. D.G. Hope, Cr. A.R. Keenan, Cr. L.J. Martin, Cr. M.D. Montagu, Cr. C.A. van Beek.

1.1 Apologies

Nil.

Also In Attendance

T.L. Winter, Chief Executive; V. Goel, Group Manager: District Assets; S.H. Halliwell, Acting Group Manager Corporate Services and K.M. Manera, Receptionist.

The following staff members were in attendance for part of the meeting:

P.G. Anderson, Team Leader – Operations, Simon Eyre, Engineering Officer and Rebecca Beaumont, District Planner.

1.2 Register of Conflicts of Interest

The Conflicts of Interest Register was circulated and amendments were noted.

2. CONFIRMATION OF MINUTES:

2.1 Confirmation of Minutes of Meetings of Council

2.1.1 Ordinary Meeting – 28 November 2013

Moved Councillor van Beek, seconded Councillor Butzbach and **Resolved** that the Minutes of the Ordinary Meeting of Council held on the 28 November 2013 be confirmed as a true and correct record of the meeting subject to the following amendment:

“4.4 Proposed Harihari Community Centre

.....that Council confirms that the Harihari Community Facility project proceed with a revised budget of \$985,000.

2.2 Minutes and Reports to be received

2.2.1 Minutes of the Public Excluded portion of the Westland District Council Meeting, held on Thursday 28 November 2013.

(Refer Public Excluded Minutes).

3. PUBLIC FORUM

His Worship the Mayor welcomed Lyall Delore, President and Spokesperson for the Hokitika RSA Members.

Mr Lyall Delore spoke in regard to Item 4.5 Hokitika Memorial Hall (RSA Building).

Ms Karen Burrows, Secretary of the Hokitika RSA, Ms Kath Rogers, Mr Mark Davis and Mrs Frances Stapleton all spoke to this item.

His Worship the Mayor thanked Mr Lyall Delore and all members of the Hokitika RSA for attending.

The following items were taken out of order.

4. REPORTS

4.1 Mayor's Report

A verbal update was provided by Mayor Havill.

Moved Mayor Havill, seconded Deputy Mayor Cox and **Resolved** that the Mayors verbal Report be received.

4.3 Big Brothers Big Sisters of Westland

Moved Cr Martin, seconded Cr Dawson and **Resolved**:

- a) That Council ceases to provide administration and co-ordination support to Big Brothers Big Sisters of Westland.
- b) That the balance of \$1,885 in the Big Brothers Big Sisters cost centre be transferred to the Big Brothers Big Sisters Trust by 31 December 2013.

4.4 Council Meeting 2014

Moved Cr Dawson, seconded Cr Hope and **Resolved** that the schedule of Council Meetings for 2014 be adopted as amended.

Month	Meeting Date	
January	30 th	Hokitika
February	27 th	Hokitika
March	27 th	Haast
April	24 th	Hokitika
May	22 nd	Kumara
June	26 th	Hokitika
July	24 th	Harihari
August	28 th	Hokitika
September	25 th	Fox Glacier
October	23 rd	Hokitika
November	27 th	Whataroa
December	18 th	Ross

Cr Montagu and Cr Keenan recorded their votes against the motion.

The meeting then adjourned for morning tea at 10.06 am and reconvened at 10.31 am.

4.2 CCTO Annual Report

Graeme King, Chairman of Westland Holdings Limited was in attendance at 10.32am and spoke to the above item.

Mr Halliwell advised Council of the amounts owed to Council by WDPL; including overdue loan repayment, subvention payment, Rates and Insurance recoveries.

His Worship the Mayor thanked Graeme for attending and for all his hard work.

Moved Cr Butzbach, seconded Cr Dawson and **Resolved** that Council receive the 2012-13 Annual Report of Westland Holdings Ltd and subsidiaries.

4.7 Section 33 RMA: Transfer of Functions

The following Submitters were in attendance at the meeting at 11.00 am and spoke to their submission in regard to Transfer of Functions.

- Mr Jeff Cairney, does not support the proposal.
- Mr Hemi Te Rakau, does not support the proposal.
- Mr John Wood (Gold and Green Resources Ltd and West Coast Commercial Gold Miners' Association), supports the proposal.

Mr Wood put in an apology for Peter O'Sullivan (Minerals West Coast).

- Mr Rob Danford, does not support the proposal.
- Ms Susi Thompson, does not support the proposal.
- Mr Steve Maitland, does not support the proposal.

His Worship the Mayor thanked all submitters for attending.

The meeting then adjourned for lunch at 12.05 pm and reconvened at 12.49 pm.

Moved Cr van Beek, seconded Cr Dawson and **Resolved** that Council proceed with the transfer of functions to the West Coast Regional Council.

The motion was put to the meeting and was lost.

Moved Cr Montagu, seconded Cr Butzbach and **Resolved** that mining functions be retained by Westland District Council.

4.6 Improvements to Council Building at 36 Weld Street

Moved Cr Martin, seconded Cr Butzbach and **Resolved**:

- a) That improvements to the Council Building be funded from the Council building renewal reserve.
- b) That the Chief Executive is instructed to prepare a project plan with full costing for the Customer Service Centre to be brought through the 2014-15 Annual Plan.

4.5 Hokitika Memorial Hall (RSA Building)

Moved Cr Martin, seconded Deputy Mayor Cox and **Resolved** that Council establishes a working party to work with the Hokitika RSA on the future of the building and land.

Moved Cr Martin, seconded Deputy Mayor Cox and **Resolved** that the Council representatives on the working party are:

Cr Butzbach.

Cr Dawson.

Cr Keenan.

4.8 Special Consultative Procedure to Revoke the Jackson Bay Wharf Bylaw 2001

Moved Cr Montagu, seconded Cr Dawson and **Resolved** that the Statement of Proposal including the Westland District Council Jackson Bay Wharf Bylaw 2001 be adopted and the special consultative procedure commence forthwith.

4.9 Credit Card Limit Increase

Moved Cr Montagu, seconded Cr Butzbach and **Resolved**:

- a) That the limit on the credit card is increased to \$10,000.
- b) That the Delegations Manual be updated to reflect this decision.

5. **MATTERS TO BE CONSIDERED IN THE 'PUBLIC EXCLUDED SECTION'**

Moved Cr Butzbach, seconded Cr Martin and **Resolved** that Council exclude the public in accordance with Section 48, Local Government Official Information and Meetings Act 1987 at 2.08pm.

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

5.1 **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)(a) and (d) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	GENERAL SUBJECT OF THE MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO THE MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
1.	Confidential Minutes	To protect the privacy of individuals/organisations under Section 7(2) (a) and (i)	48(1)(a)(i) & (d)

Moved Cr Butzbach, seconded Cr Martin and **Resolved** that the business conducted in the "Public Excluded Section" be confirmed and the public be readmitted at 2.10 pm.

MEETING CLOSED AT 2.10 PM

NEXT MEETING: THURSDAY 30 JANUARY 2014

To be held in the Council Chambers,
Westland District Council, 36 Weld Street, Hokitika.

Confirmed by:

Mike Havill
Mayor

Date

Report



DATE: 30 January 2014
TO: Mayor and Councillors
FROM: Group Manager: Planning, Community and Environment

2014-15 ANNUAL PLAN TIMETABLE

1.0 SUMMARY

- 1.1 The purpose of this report is to outline the Annual Plan Timetable 2014/15.
- 1.2 This issue arises from the requirement to run an efficient planning process.
- 1.3 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:
- (b) To enable democratic local decision-making and action, by and on behalf of, communities; and
 - (c) 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.
- 1.4 Council seeks to meet this obligation and the achievement of the district vision set out in the Long Term Plan 2012-22. The matters raised in this report relate to those elements of the vision identified in the following table.

Vision's Objectives	Achieved By
Involving the community and stakeholders Having inspirational leadership	Delivering an Annual Plan on time that has been clearly communicated and discussed by the community in an engaged consultation process.

- 1.5 This report concludes by recommending that Council adopt the Annual Plan Timetable 2014/15.

2.0 BACKGROUND

- 2.1 Council has completely overhauled its budgets in 2013/14. In doing so, council adopted a 4 year strategy to achieve a balanced budget. 2014/15 is year 2 of that strategy.
- 2.2 In 2013 Council was unable to complete the Annual Plan on-time, using a similar timetable. This was due to the very complex matters that needed to be addressed in that year. 2014/15 shouldn't require that extra time.
- 2.3 Council needs to consider any changes and new developments which may affect this plan before confirming the 2014/15 Annual Plan, by 30 June 2014.
- 2.4 Council must complete a one month special consultative procedure.
- 2.5 The Government have proposed changes to annual planning. These have not yet come into law.

3.0 CURRENT SITUATION

- 3.1 Council now has a sustainable budget and assuming the same approach the preparation of the 2014/15 Annual Plan should be able to be completed relatively smoothly.

4.0 OPTIONS

- 4.1 There are limited options, the adoption of an Annual Plan and the process is a statutory requirement. Council can tweak the dates, but must have a 1 month consultation and should give staff sufficient time to prepare documents.

5.0 SIGNIFICANCE AND CONSULTATION

- 5.1 This matter is administrative and therefore of low significance.

6.0 PREFERRED OPTION AND REASONS

- 6.1 Council agree with the timetable as proposed.
- 6.2 Council amend the timetable.

7.0 RECOMMENDATION

- A) That Council approve the Annual Plan Timetable 2014/15

Appendix 1: Annual Plan Timetable 2014/15

Jim Ebenhoh

Group Manager: Planning, Community and Environment

APPENDIX 1

Annual Plan Timetable 2014/15

Date	Type of Meeting	Description
13 February	Workshop	To consider updated financial strategy and recommended variances from LTP: -Detailed budgets -Capital work programme
26 February	Debate #1	Formal meeting to debate financial strategy and recommended changes from LTP.
27 February	Council Ordinary Meeting	Ordinary business: -Consultation Plan to be confirmed.
13 March	Debate #2	Formal meeting to consider the impact of the decisions from Debate#1 and conclude amendments.
27 March	Adopt Draft Annual Plan	Ordinary Council Meeting. To confirm document for consultation, no debate.
4 April to 4 May	Consultation	Consultation Plan to be confirmed.
14 May	Hearing of Submissions	Formal Meeting to listen to and read submissions.
15 May	Consideration of Submissions	Formal Meeting to consider submissions and seek further advice from Officers
29 May	Last Debate	Formal Meeting to debate final Annual Plan amendments.
26 June	Adopt Annual Plan	Ordinary Council Meeting to adopt Annual Plan. No debate

Easter: 18-21 April

ANZAC Day: 25 April

Report



DATE: 30 January 2014
TO: Mayor and Councillors
FROM: Chief Executive

2013-2016 WEST COAST TRIENNIAL AGREEMENT

1.0 SUMMARY

- 1.1 The purpose of this report is to adopt the 2013-16 West Coast Triennial Agreement.
- 1.2 This issue arises from s.15 of the Local Government Act 2002 which requires all Councils to adopt a triennial agreement by 1 March after the local body election.
- 1.3 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.
- 1.4 Council seeks to meet this obligation and the achievement of the District Vision set out in the Long Term Plan 2012-22. The matters raised in this report relate to those elements of the vision identified in the following table.

Vision's Objectives	Achieved By
Having inspirational leadership	Having a document in place that formalises how Council will work with other local government organisations for the benefit of the region

- 1.5 This report concludes by recommending that Council adopts the 2013-16 West Coast Triennial Agreement.

2.0 BACKGROUND

- 2.1 The Local Government Act 2002 places certain requirements on Councils after the local body elections. Adopting a triennial agreement is one of these.
- 2.2 The document includes protocols for communication and co-ordination, and a statement of the process for consultation on proposals for new regional council activities.

3.0 CURRENT SITUATION

- 3.1 The West Coast Regional Council have made some minor changes to update the triennial agreement from 2010-2013 that reflects the current situation and future focus. The changes are highlighted and a copy is attached as **Appendix 1**.
- 3.2 Of note is the addition of shared services to the section "Scope and Issues". This supports central government's changes through the Better Local Government Reform to encourage councils to work more closely together for regional benefit.
- 3.3 West Coast Regional Council and Grey District Council adopted the Triennial Agreement in 2013. Buller are planning to adopt it at their first meeting in 2014.

4.0 OPTIONS

- 4.1 **Option 1:** Adopt the triennial agreement as attached.
- 4.2 **Option 2:** Don't adopt the agreement.
- 4.3 **Option 3:** Amend the agreement.

5.0 SIGNIFICANCE AND CONSULTATION

- 5.1 This matter is one of legislative compliance and as such is deemed to be of low significance.
- 5.2 Consultation is not required for this decision.

6.0 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)

- 6.1 A Triennial Agreement **must** be adopted. It is a legislative imperative under the LGA.
- 6.2 Adopting the proposed Triennial Agreement provides a formal indication to the other West Coast councils that Westland District Council supports the regional co-operation signified by this document. This is a high level intention only and does not commit Council to anything more.
- 6.3 If Council chooses not to adopt the agreement, it would need to give a clear explanation to the other councils as to why it has decided not to.
- 6.4 If Council chooses to amend the agreement, the changes would need to be notified to the other councils and a process of discussion and negotiation with them would be required.

7.0 PREFERRED OPTION AND REASONS

- 7.1 The preferred option is Option 1. This would ensure that Council meets the statutory deadline, and is ready to participate in discussions on regional issues.

8.0 RECOMMENDATION

- A) **THAT** Council adopts the 2013-16 West Coast Triennial Agreement.

Tanya Winter
Chief Executive

Appendix 1: 2013-2016 West Coast Triennial Agreement

2013 – 2016 West Coast Triennial Agreement

Purpose

This triennial agreement has been prepared in accordance with and to satisfy the requirements of s15 of the Local Government Act 2002.

The parties to this agreement commit to working for the good governance of their towns, district or region by acting collaboratively and ensuring that issues in common are determined in a manner that is inclusive and avoids unnecessary duplication.

This agreement will ensure appropriate levels of consultation and co-ordination are maintained between the local authorities of this region, and between individual local authorities as might be notified.

Agreement

The parties:

Buller District Council
Grey District Council
Westland District Council
West Coast Regional Council

agree to work in good faith together for the good governance of their localities and the region.

As signatories to this agreement each local authority will ensure:

- Early notification to affected local authorities, through the distribution of draft documentation, of major policy discussions which may have implications beyond the boundaries of the decision making authority. This specifically includes the further development of consultation policies and policies on significance;
- The application of a 'no surprises' policy whereby early notice will be given over disagreements between local authorities concerning policy or programmes before key public announcements are made;
- The parties agree to refrain from expressing criticism of each other publicly, through the media or any other form. While it is accepted that disagreements will occur from time to time, it is preferable to deal with the issues by open discussion between the parties rather than via the media.
- Opportunities for involvement by affected local authorities in the development of policies or plans that have inter-jurisdictional or cross boundary implications, including the identification of outcomes and priorities;
- That where practicable processes for engaging with communities and agencies in order to identify community outcomes, and prioritise those outcomes, are undertaken jointly or in a collaborative manner which avoids unnecessary duplication; and
- Opportunities for other local authorities, whether party to this agreement or not, to work jointly on the development of strategies and plans for the achievement of identified outcomes and priorities.

Scope and Issues

The parties agree that, in addition to the general obligations under this agreement to consult, the local authorities will meet together to develop common approaches on the following issues identified as priorities for the region:

- economic development
- emergency management and disaster recovery including lifelines
- natural hazards
- Shared services Regional Transport planning and road safety
- waste management
- rural fire (this is an issue for the territorial authorities only)

Significant New Activities Proposed by the West Coast Regional Council

The parties agree that should the West Coast Regional Council or its Council Controlled Organizations wish to undertake a significant new activity or undertake an activity currently undertaken or proposed to be undertaken by one or more of the other parties, the West Coast Regional Council will consult with the other parties as required by s16 of the Local Government Act 2002.

Form

Consultation in relation to this agreement will take the following forms:

- A forum, of Mayors and the regional Chairperson, and their Chief Executive Officers will occur at least once every six months to review the performance of the agreement and discuss any other topical issues where a collaborative approach may add value;
- Meetings between staff as necessary to achieve communication and co-ordination on issues identified in the agreement.

Servicing

The parties agree that responsibility for servicing this agreement shall be shared, with responsibility passing from local authority to local authority following the triennial election. Servicing involves:

- Providing those secretarial services required; and
- Acting as a media and communications contact (including the provision of information to the public on request) in relation to matters covered in the agreement.

The West Coast Regional Council will be the local authority responsible for servicing this agreement from 2013 - 2016.

Agreement to Review

The parties agree to review the terms of this agreement within 4 (four) weeks of a request by one of the parties made in writing to the local authority delegated responsibility to service this Agreement.

Resolving Disagreement

In the event of a disagreement over the terms of this agreement the parties agree to refer the issue of disagreement to arbitration for non-binding resolution. If no agreement on an arbitrator is forthcoming a mediator will be appointed by the president of the Westland District Law Society.

Authority

This agreement is signed on this 30th day of January 2014, by the following on behalf of their respective authorities.

Council

Signature

Buller District Council

.....
Garry Howard
Mayor

Grey District Council

.....
Tony Kokshoorn
Mayor

Westland District Council

.....
Mike Havill
Mayor

West Coast Regional Council

.....
Andrew Robb
Chairman

Report



DATE: 30 January 2014
TO: Mayor and Councillors
FROM: Events Manager

WILDFOODS FESTIVAL GRANT APPLICATIONS

1.0 SUMMARY

- 1.1 The purpose of this report is to request that Council resolves to apply for external funding from Air Rescue and Pub Charity for the 2014 Wildfoods Festival.
- 1.2 This issue arises from the need to formalise the applications by means of a resolution from Council to request external funding from Air Rescue Trust and Pub Charity. These organisations require the resolution before accepting an application.
- 1.3 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.
- 1.4 Council seeks to meet this obligation and the achievement of the District Vision set out in the Long Term Plan 2012-22. The matters raised in this report relate to those elements of the vision identified in the following table.

Vision's Objectives	Achieved By
Having expanded development opportunities	Support to seek external funding for the 2014 Wildfoods Festival.

- 1.5 This report concludes by recommending that Council endorses the Events Department to seek external funding of \$30,000 from Air Rescue Trust and \$10,000 from Pub Charity.

2.0 BACKGROUND

- 2.1 Wildfoods Festival has always relied on external funding to help fund the event.
- 2.2 In past years similar grants have been received from these funding organisations.

3.0 CURRENT SITUATION

- 3.1 Council has budgeted \$40,000 of external funding to help fund the 2014 Wildfoods Festival.
- 3.2 Events staff have identified two organisations where the Wildfoods Festival meets the criteria for funding. They are:
- Air Rescue Trust - \$30,000 for marquee and toilets
 - Pub Charity - \$10,000 for security

4.0 OPTIONS

- 4.1 **Option 1.** Approval to apply for external funding for the 2014 Wildfoods Festival
- 4.2 **Option 2.** Not Apply

5.0 SIGNIFICANCE AND CONSULTATION

- 5.1 In accordance with Council's Policy on Significance this decision is assessed as low significance. Applying for funding is administrative in nature.
- 5.2 No consultation is required on this matter.

6.0 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)

- 6.1 Applying for funding for the festival will mean the costs of marquees, toilets and security will be covered if the applications are successful.
- 6.2 If Council does not apply or the applications are not successful the event is dependent on ticket sales and other sales on the day to meet revenue targets.

7.0 PREFERRED OPTION AND REASONS

- 7.1 The preferred option is Option 1. Approval to apply for external funding for the 2014 Wildfoods Festival.

8.0 RECOMMENDATIONS

- A) **THAT** Council approves the Events Department application for funding of \$30,000 from Air Rescue Trust for toilets and marquee for the Wildfoods Festival 2014.
- B) **THAT** Council supports the Events Department application for funding of \$10,000 from Pub Charity for security for the 2014 Wildfoods Festival.

Mike Keenan
Events Manager

Report



DATE: 30 January 2014
TO: Mayor and Councillors
FROM: Chief Executive

JACKSON BAY WHARF STRUCTURAL ASSESSMENT

1.0 SUMMARY

- 1.1 The purpose of this report is to seek Council approval to proceed with a structural assessment of the Jackson Bay Wharf.
- 1.2 This issue arises from concerns about the condition of the wharf, the requirement for an Asset Management Plan to inform future repairs and maintenance, and the need to establish a funding model, including the setting of fees and charges.
- 1.3 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.
- 1.4 Council seeks to meet this obligation and the achievement of the District Vision set out in the Long Term Plan 2012-22. The matters raised in this report relate to those elements of the vision identified in the following table.

Vision's Objectives	Achieved By
Having top class infrastructure for all communities	Ensuring the Jackson Bay Wharf is fit for purpose and that Council is able to fund repairs, maintenance and renewal

- 1.5 This report concludes by recommending that Council approves \$13,500 for a structural assessment of the Jackson Bay Wharf. This will be funded from rates and will result in a variance against budget in 2013-14.

2.0 BACKGROUND

- 2.1 The Jackson Bay wharf is one of Westland's strategic assets. Ownership of the wharf was transferred from the Crown to Council in 1998. On transfer of the wharf, Council obtained a Coastal Permit from the West Coast Regional Council for "exclusive occupation...for the purpose of the continued use of the Jackson Bay Wharf."
- 2.2 In late 2011, Council and Westland District Property Ltd (WDPL) began working towards the transfer of the management of Jackson Bay Wharf from Council to WDPL, to become effective from 1 July 2012. Due diligence was undertaken and a Transition Plan was drafted for the wharf and associated facilities to be managed by WDPL, with the goal of bringing its operation to breakeven within a 5 year period.

Capital Repairs, Maintenance and Operations / Asset Management functions

- 2.3 Under the management agreement WDPL are responsible for all repairs and maintenance of the wharf, with Council retaining ownership of the asset and therefore responsibility for asset management.
- 2.4 At their AGM on 27 November 2013 WDPL management raised concerns with the boards of both Westland Holdings Ltd and WDPL about the condition of the Jackson Bay Wharf. Their concerns were based on feedback from fishermen using the wharf and from assessments that had been undertaken by Council staff, Westroads contractors, and WDPL staff who had visited the wharf to undertake repairs.
- 2.5 This concern was formalised in an email from WDPL management to Council's Chief Executive on 28 November 2013. The Chief Executive then

asked Council staff for an update on the wharf's condition and was provided with that information.

2.6 On 23 December 2013 WDPL recommended the wharf be closed temporarily until urgent repairs could be undertaken. A meeting was held with management from WDPL and the Council CE and Group Manager: District Assets on 24 December 2013 and a plan was agreed as follows:

- WDPL would put signs up at the wharf warning users to take care when using it (this was completed on 25 December)
- WDPL would have the repairs undertaken as soon as possible in the New Year (this is taking place in the week 27 January)
- Council would contact a marine engineer to obtain a quote for a structural assessment (this has happened and is the subject of this report).

2.7 Structural assessments on the wharf have been produced in the past. In 2001 Worley Consultants were engaged to provide a structural assessment and on the basis of that assessment Opus Consultants were asked to develop design and specification for the recommended repairs. Some capital repair works were undertaken as a result of this report. This report is now thirteen years old and a detailed review is required.

2.8 As part of Council's 2015-25 Long Term Plan, asset management plans (AMPs) will be produced for the Council assets that do not have AMPs in place already. The wharf would be one of these assets, and in order to produce a long term AMP a condition assessment is required.

Fees and Charges

2.9 When Council took over the wharf in 1998 options were considered as to how to make the wharf viable, to generate enough revenue from the users and beneficiaries to protect and maintain the asset. In that regard a small committee of representatives of the fishing industry was put together and its recommendations on fees and charges were brought to Council

2.10 The committee's recommendation was to charge \$300+GST for crayfish and \$23+GST for wet fish. The charges were based on the total value of the two types of catch unloaded across the wharf. This recommendation was accepted by Council and included in the Jackson Bay Bylaw 2001.

- 2.11 These fees and charges still stand today and are seen by some users as inequitable. A number of suggestions have been made as to how the fees and charges could be set differently. An asset management plan (including a structural assessment) would ensure this process is more robust and accurate.

3.0 CURRENT SITUATION

- 3.1 In December 2013 Council resolved to revoke the Jackson Bay Wharf Bylaw 2001 because it was not necessary to have a bylaw to manage the wharf. As part of this a Special Consultative Procedure (SCP) will be undertaken. A meeting with the users of the wharf was planned as an integral part of this process.
- 3.2 A combination of the following matters provided the perfect opportunity to hold a meeting in Jackson Bay: reports expressing concern about the condition of the wharf, the issues with fees and charges, and the revocation of the bylaw. The CE decided to defer the SCP until after this meeting so that an explanation of the rationale for revoking the bylaw could be presented and other matters could be discussed.
- 3.3 A meeting was held with users of the wharf on Thursday 23 January 2014 at the school in Hannah's Clearing. This was attended by Mayor Havill, Deputy Mayor Cox, Councillor Hope, Tanya Winter CE, and Marion Smith and Mark Jurisich from WDPL. Twenty-seven people attended.
- 3.4 It was agreed at that meeting that in order to progress issues relating to the wharf, including development of an asset management plan, and fees and charges, two actions need to be initiated.
- 3.4.1 Council need to understand the current condition of the wharf in order to create an asset management plan that provided accurate information on the annual funding required to maintain the wharf, and therefore what the funding policy should be and the level of fees and charges.
- 3.4.2 The users need to come up with a funding formula for the fees and charges that they agree are equitable.
- 3.5 The CE has obtained a quote of \$13,500 from marine consultants OCEL to undertake a condition assessment of Jackson Bay Wharf. There is no budget

for this work, and if Council approves the recommendation in this report the costs would be identified as a variance against the Jackson Bay Wharf cost centre.

4.0 OPTIONS

- 4.1 Option 1: Proceed with a structural assessment of the Jackson Bay Wharf
- 4.2 Option 2: Do not proceed with a structural assessment
- 4.3 Option 3: Refer the project to the Annual Plan 2014-15

5.0 SIGNIFICANCE AND CONSULTATION

- 5.1 In accordance with Council's Policy on Significance this decision is assessed as having a moderate level of significance for the following reasons:
 - 5.1.1 The funding required, while small in quantum, would be unbudgeted expenditure
 - 5.1.2 The number of people affected is small, but the wharf is a vital piece of infrastructure that supports the fishing industry and therefore the livelihoods of those who work in it
 - 5.1.3 Jackson Bay Wharf is listed as a Strategic Asset in the 2012-22 Long Term Plan. This means the wharf has been assessed in accordance with s.5 of the Local Government Act as one *"that the local authority needs to retain if the local authority is to maintain the local authority's capacity to achieve or promote any outcome that the local authority determines to be important to the current or future well-being of the community..."*
- 5.2 Consultation has been undertaken in that Council met with Jackson Bay Wharf users on Thursday 23 January 2014 at Hannah's Clearing to discuss this matter and seek feedback. Twenty-seven people attended that meeting.

6.0 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)

- 6.1 **Option 1** would honour the commitment made at the meeting on 23 January and mean that both Council and the users of the wharf would have a better understanding of the current condition of the wharf and how much it will cost to maintain it now and into the future. The condition assessment will be required at some stage anyway to inform the development of an asset management plan. Approving this project now brings it forward and means the work will be completed earlier than planned. However, this project is not

budgeted for in 2013-14 and there would therefore be unbudgeted expenditure of \$13,500 with a resulting variance against the Jackson Bay Wharf cost centre.

6.2 **Option 2** would erode the trust and progress made at the meeting on 23 January, and result in the current situation of limited asset information about the condition of the wharf, and dissatisfaction with the way fees and charges are set, continuing. However, this option also means Council would not spend \$13,500 that it has not budgeted for.

6.3 **Option 3** would enable Council to assess this project against all the other projects in the Annual Plan 2014-15. It means that the wider community would have a say on the allocation of \$13,500 to fund a wharf structural assessment. However, it also means that the current situation as outlined in 6.2 above would continue for a further 5-6 months. This could disenfranchise the people who attended the meeting on 23 January and erode the expectation that Council would action this project immediately.

7.0 PREFERRED OPTION AND REASONS

7.1 **Option 1** is the preferred option. This would provide immediate condition information that can then be used to determine the likely cost of repairs and maintenance and renewal work for the wharf. It will also honour the commitment made to those attending the meeting on 23 January.

8.0 RECOMMENDATION

A) **THAT** Council approves \$13,500 for a structural assessment of the Jackson Bay Wharf. This will be funded from rates and will result in a variance against budget in the Jackson Bay Wharf cost centre.

Tanya Winter
Chief Executive