



AGENDA

RĀRANGI TAKE

NOTICE OF AN ORDINARY MEETING OF

COUNCIL

to be held on **Thursday 26 September 2019** commencing at **11.30 am**
in the Council Chambers, 36 Weld Street, Hokitika

Chairperson: His Worship the Mayor

Members:	Cr Martin (Deputy)	Cr Lash (Deputy)
	Cr Carruthers	Cr Eatwell
	Cr Havill ONZM	Cr Neale
	Cr Olson	Cr Routhan
	Kw Tumahai (or Representative)	Kw Rochford (or Representative:
		Kw Rasmussen)



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. NGĀ WHAKAPAAHA APOLOGIES

2. 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.

3. NGĀ TAKE WHAWHATI TATA KĀORE I TE RĀRANGI TAKE URGENT ITEMS NOT ON THE AGENDA

Section 46A of the Local Government Official Information and Meetings Act 1987 states:

- (7) An item that is not on the agenda for a meeting may be dealt with at the meeting if
 -
 - (a) the local authority by resolution so decides, and
 - (b) the presiding member explains at the meeting at a time when it is open to the public, -
 - (i) the reason why the item is not on the agenda; and

(ii) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

(7A) Where an item is not on the agenda for a meeting, -

(a) that item may be discussed at the meeting if -

(i) that item is a minor matter relating to the general business of the local authority; and

(ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but

(b) No resolution, decision, or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.

4. NGĀ MENETI O TE HUI KAUNIHĒRA MINUTES OF COUNCIL MEETINGS

Minutes circulated separately

5. NGĀ TĀPAETANGA PRESENTATIONS

- 1.30 pm – Verbal update on Ute Muster – Melanie Anderson, Acting Chief Executive of Destination Westland.
- Presentations to retiring Councillors at the end of the Triennium – Deputy Mayor Lash, Cr. Havill, Cr. Routhan.

6. ACTION LIST

(Pages 6 - 7)

7. PŪRONGO KAIMAHI STAFF REPORTS

- Speed Limit Review (Pages 8 - 14)
- Sunset Point Resource Consent Requirements (Pages 15 - 19)
- Sunset Point Project Update (Pages 20 - 26)
- Projects and Carry-forwards (Pages 27 - 33)
- Responsible Camping (Pages 34 - 39)
- Delegations to CE during Election Period (Pages 40 - 43)

8. ADMINISTRATIVE RESOLUTIONS

Nil.

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

(to consider and adopt confidential items)

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

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

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1	Confidential Council Minutes – 22 August 2019	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.	CE's Performance Review	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.	Director Appointment of Westroads	Good reason to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason or withholding exists. Section 48(1)(a)

This resolution is made in reliance on sections 48(1)(a) and (d) of the Local Government Official Information and Meetings Act 1987 and the particular interests or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public area as follows:

Item No.	Interest
1.	Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a)); and Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i)); and Maintain legal professional privilege (Schedule 7(2)(g)); and

Item No.	Interest
	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations (Schedule 7(2)(i)).
2. & 3.	Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a))

**DATE OF INAUGURAL COUNCIL MEETING – 24 OCTOBER 2019
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA**

Council Meetings - Action List

Date of Meeting	Item	Action	Officer	Status
28.06.18	Kaniere School Students – Cycle trail	Council staff to get back to the Kaniere School Students regarding the proposal.	DA	Council Engineers are working on a solution for road crossing.
28.02.19	Responsible Camping Areas	<p>THAT Council initiates a full review of the Freedom Camping Bylaw 2018</p> <p>THAT Council determine the membership of a Freedom Camping Working Group consisting of representatives from Council, Council Officers, accommodation providers, community representatives, and stakeholders.</p>	RSM	Report to the 26 September 2019 Council Meeting.
04.04.19	Speed Limits	Extension of some limits and open conversation with road users on suitable speed limits.	DA	Report to the 26 September 2019 Council Meeting.
18.04.19	Transfer of Pensioner Housing to Destination Westland	Report to May Council Meeting	CE	Working with CE of DW on future pensioner housing strategy. No progress on this currently due to other priorities.
23.05.19	Local Government Leaders' Climate Change Declaration	Council resolved that the document be signed	Mayor	Already communicated to Councillors.
27.06.19	Manatu Whakaaetanga Partnership Agreement	To be signed at the 22 August 2019 Council Meeting.	Mayor	Signed by Te Runanga o Ngati Waewae at the 22 August 2019 Council Meeting.
27.06.19	Cass Square	Meeting of a working group to develop a plan for Cass Square	DA	Working Group have met and overall concept discussed. District Assets to provide layout concept for further consideration with the Working Group.

Date of Meeting	Item	Action	Officer	Status
25.07.19	Whitebaiters Walk	Council approved the relocation of the Whitebaiters Walk panels with the project being funded from Council's cash reserve.	CE	Signage near Railway Terrace has been removed. Installation on Gibson Quay to be progressed.
25.07.19	Haast Civil Defence and Community Development	Council resolved to release funds from the Marks Road Reserve Fund for Stage One – Purchase of Civil Defence Equipment for the Haast Community.	CE	Community discussion and items confirmed. PO underway.
25.07.19	Carnegie Building Project	<p>Council resolved to underwrite the Carnegie Building upgrade to \$392,391 plus a total project contingency of 10%.</p> <p>The CE to seek additional external funding to minimise or eliminate the Council additional funding commitment.</p>	CE	Carnegie Building is currently closed. Packaging of the collection is underway.
25.07.19	Whataroa and Kumara Water Supplies	Staff to write to the Whataroa and Kumara communities providing an update for the communities on both water supplies.	DA	<p>District Assets staff attended Whataroa community meeting on 19 August 2019. Council asked that staff communicate with the Whataroa Community on progress.</p> <p>Kumara water supply operational.</p>
22.08.19	Fox Landfill	<p>Council signed off on a staged approach and approved the short-term option to mitigate potential reputational risks to Council and environmental risks.</p> <p>Council support staff in progressing their investigations into the engineering methodology, financial implications and funding mechanisms of the long-term options.</p>	OM	Tender for armoring of landfill is underway.

Report



DATE: 26 September 2019

TO: Mayor and Councillors

FROM: Transportation Manager

REVIEW OF SPEED LIMITS BYLAW

1 SUMMARY

- 1.1 The purpose of this report is to seek Council approval to carry out a formal review of the speed limits set within the Westland District roading network in order to update the schedules within the current bylaw.
- 1.2 This issue arises from trials of altered speed limits on various roads within the Westland District roading network carried out at the start of 2019. Positive feedback from the public along with further roads suggested was received and this has helped form the basis of a wider internal review of the current speed limits within Westland Districts roading network. This work has also utilised previous speed studies done as well as data available through the speed management system “Megamaps” that was created to assist road controlling authorities in setting safe and appropriate speed limits for their networks.
- 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 allow for full public consultation on reviewed speed limits for the Westland District roading network. This will include receipt and hearing of submissions and final modification and adoption of the schedule of speed limits to be amended into the current bylaw.

2 BACKGROUND

- 2.1 In February/March of 2019 a series of test sites were set up around the district in order to better socialise possible alternative speed limits that could be gazetted for various roads on the WDC network. Roads where these sites were set up were generally typical of many other parts of the network. The feedback received on those sections has been used to assist in informing the next stage in this process which is the purpose of this agenda item.
- 2.2 Nationwide there is currently a moderate amount of discussion going on around safe and appropriate speed limits for roads. This also includes reviews of speed limits on the state highway network that is being carried out by the New Zealand Transport Agency (NZTA). The current government has also targeted reduction of the road toll as something that could be achieved by reviewing speed limits on roads.

3 CURRENT SITUATION

- 3.1 Presently the default open road speed limit on any road within NZ is 100km/h. Most of these roads have not been constructed in such a way that can safely accommodate this speed. When road users make mistakes on these roads while travelling at 100km/h there is often not sufficient time or space within the formed road to react and correct these mistakes to avoid crashing. The ideal solution is to upgrade the roads to allow vehicles to safely travel at the true open road speed limit. This option is unfortunately not affordable nor in many cases practical.
- 3.2 Nationally, data has been collected from various sources (including GPS providers and Road Controlling Authorities) to identify current average speeds on various networks as well as safe and appropriate speeds. This data has been collated and presented on the NZTA Megamaps website that is available to RCA's to utilise as a tool for reviewing speed limits.
- 3.3 Presently the guidelines indicate that the worst 10% of the network is examined and speeds adjusted to suit. If Council was to pursue this approach there would only be around 7km of network that is affected. For consistency it is proposed to cover a wider percentage of the network. Potentially up to 70% of the network could be reviewed. (this represents approximately 420km)

4 OPTIONS

- 4.1 **Option One: Do nothing, status quo.** The speed limit bylaw was updated in 2018 to accommodate several new subdivisions/roads that. Whilst it was not

technically due for review at that time, it was incorporated into a wider bylaw review to minimise the costs of consultation. Doing nothing at this point is a valid option however there is sufficient public interest and support to formally test the waters around better speed management.

- 4.2 **Option Two: Full public consultation on speed limits within the Westland District road network in accordance with the guidelines set out by the Land Transport Rule: Setting of Speed Limits 2017 followed by ratification of any agreed modified speed limits.** (ratification is carried out by Council following endorsement from NZTA)

5 SIGNIFICANCE AND ENGAGEMENT

- 5.1 Under the guidance of the Council's Significance and Engagement Policy, the decision to be made today is considered to be of medium significance. As it deals with speed on district roads (except the State Highway network) there is a large number of affected parties. In most cases however the proposed changes will have little effect on the majority of road users as they simply seek to better align posted speeds with average user speeds.
- 5.2 Earlier this year speed limit trials were carried out on several key roads within the district. These trials affected all users of the chosen roads for a period of approximately 6 to 8 weeks. Feedback received over that time through various means was generally positive and well supported. This indicated that there is a desire to carry out wider reviews of the roading network and speed.
- 5.3 Given the level of significance, consultation will need to be wider than simply the district. The Land Transport Rule: Setting of Speed Limits 2017 provides guidelines for the wider consultation required for this proposal. A minimum of 1 month consultation is standard for this activity when single road speed limit changes are proposed. Given the scope of changes proposed, it is recommended that consultation be extended over 3 months (November 2019, December 2019, January 2020) with October 2019 utilised for preparation of the full consultation documentation, February 2020 for hearing of any submissions and final ratification of any changes in March 2020.

6 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)

- 6.1 **Option One: Status Quo**, no review of existing speed limits. This option carries no financial implications. There is however reasonable public support for this review to be carried out.

- 6.2 **Option Two: Full public consultation in accordance with the Land Transport Rule: Setting of Speed Limits 2017 followed by ratification of any agreed modified speed limits.** The consultation process will carry a financial cost, this cost is likely to be fairly small and able to be funded through existing budget allocations. It is intended to make good use of free advertising through social media and Council's website. Other advertising costs will be for newspaper advertisements and printing of information packs to be sent to significant affected parties. Final implementation of any changes (which involves sign purchase and installation) is likely to be in the \$80-120k region and also able to be accommodated into existing land transport budget allocations.
- 6.3 It is proposed to carry out this activity within the existing land transport budget allocations so there is no intention to create unbudgeted expenditure

7 PREFERRED OPTION(S) AND REASONS

- 7.1 **Option Two** to review and consult on speed limits is the preferred option because there is demonstrated public support for change in certain areas within the network. Considering also the high percentage of visitor drivers that use our network it is important that we provide a positive and consistent driving experience for all without sending mixed messages that it is OK to travel at 100km/h on a narrow rural road when the appropriate speed may be closer to 60 or 80km/h.

8 RECOMMENDATION(S)

- A) **THAT** Council agrees to carry out a formal review on speed limits within the Westland District road network. This will involve full formal public consultation (in accordance with the timelines set in item 5.3 above) and the receipt and hearing of submissions prior to formally adopting any speed limit changes into the revised bylaw. or,
- B) **THAT** the Council continues with the current bylaw speed limits and only goes to formal review at the end of the 5 year bylaw term when it is a requirement to review.

Karl Jackson
Transportation Manager

Appendix 1: Indicative (but not exhaustive) list of existing, average and proposed speed limits within the Westland District.

Road Name	Section Start	Section End	Posted Speed	SAAS (Safe and Appropriate Speed)	Mean Speed	Proposed Speed	Already Trialled Y/N
Woodstock Rimu Road	3700	SH6	100	80	80-84	80	N
Whitcombe Valley Road	0	End	100	80	60-64	80	N
Upper Kokatahi	0	2800	80	60	70-74	80	N
Upper Kokatahi	2800	End	100	80	70-74	80	N
Stopbank Road	0	End	100	80	30-44	40	N
Station Road	0	End	100	80	60-64	80	N
Nielson Road	0	End	100	60	60-64	80	N
Johnston Road	0	End	100	80	50-59	80	N
Cropp Road	0	End	100	80	60-64	80	N
Wall Road	0	End	100	80	55-59	80	N
Mulvaney Road	0	End	100	60	40-44	80	N
MacArthur Road	0	End	100	60	40-44	80	N
Neilson Road	0	End	100	60	60-64	80	N
Ford Road South	0	End	100	80	55-59	80	N
Municipal Road	0	End	100	80	60-64	80	N
Lake Arthur Road	0	End	100	60	45-49	60	N
Camelback Road	0	End	100	60	40-44	60	N
MacArthur Road	0	End	100	60	40-44	80	N
Hackells Mill Road	0	End	100		50-54	60	N
Kaniere Road	0	End	80,70	80,60	65-74	60	Y
Stafford Loop Road	0	End	100	80,60	40-74	80	N
Stafford Road	0	End	100	60	55-59	80	N
Old Chch Road	0	9568	100	80	75-79	80	Y
Old Chch Road	9568	End	100	60	40-44	60	Y
Keoghans Road	0	End	100	80	40-44	60	N
Providence Drive	0	End	100	60	<30	60	N
Mehrtens Road	0	End	100	60	<30	60	N
Humphreys Gulley	0	End	100	80	60-64	80	N
German Road	0	End	100	80	60-64	80	N
Arahura Valley Road	0	End	100	80	60-64	80	N
Lake Kaniere Road	0	582	70	60	45-49	60	Y
Lake Kaniere Road	582	12500	100	80	75-79	80	Y

Kaniere-Kowhitirangi Road	0	10228	100	80	85-89	80	N
Kaniere-Kowhitirangi Road	10228	End	100	80	60-64	80	N
Forks-Okarito Road	0	End	100	80	55-59	60	N
Arthurstown Road	SH6	80km/h Zone	100	80	60-64	80	N
One Mile Line Road	0	End	100	80	60-64	80	N
Takutai Road	0	End	100	60	40-44	80	N
Golf Links Road	0	End	100	80	50-54	80	N
Sanctuary Place	0	End	100	60	35-39	50	N
Seddons Terrace Road	0	End	100	60	<30	30	Y
Milltown Road	0	End	100	60	35-39	60	Y
Hau Road	2480	4948	100	60	40-54	60	Y
Gillespies Beach Road	0	End	100			60	Y
Dorothy Falls Road	0	End	100	60	35-39	60	Y
Bold Head Road	0	End	100	60	35-39	60	N
Beach Road	0	End	100	80,60	35-39	60	N
Adair Road	0	End	100	60	40-44	60	N
Pine Tree Road	Kaniere Rd	Hokitika-Kaniere Tramway	70	40	35-39	40	Y
Pine Tree Road	Kaniere Rd	End	70	60	35-39	60	Y
Dents Road	Kaniere Rd	End	70	40	35-39	40	N
Hokitika-Kaniere Tramway	Kaniere Rd	Pine Tree Rd	70	40	35-39	40	Y
Sewell Street (CBD)	Hampden St	Gibson Quay	50	40	<30	30	Y
Tancred Street (CBD)	Hampden St	Gibson Quay	50	40	<30	30	Y
Revell Street (CBD)	Hampden St	Gibson Quay	50	40	<30	30	Y
Beach Street (CBD)	Stafford St	Gibson Quay	50	40	<30	30	Y
Wharf Street (CBD)	Camp St	Gibson Quay	50	40	<30	30	Y
Railway Terrace (CBD)	Weld St	Stafford St	50	40	<30	30	Y
Stafford Street (CBD)	Railway Tce	Revell St	50	40	<30	30	Y
Weld Street (CBD)	Fitzherbert St	Revell St	50	40	<30	30	Y
Hamilton Street (CBD)	Revell St	Sewell St	50	40	<30	30	Y

Camp Street (CBD)	Revell St	Tancred St	50	40	<30	30	Y
Gibson Quay (CBD)	Doc Office	Sunset Point	50	40	<30	30	Y
Condon Street (Franz)	SH6	Cron St	50	40	<30	30	N
Cowan Place (Franz)	SH6	End	50	40	<30	30	N
Graham Place (Franz)	Cowan Pl	End	50	40	<30	30	N
Cron Street (Franz)	0	End	50	40	<30	30	N
Kamahi Crescent (Franz)	Cron St	End	50	40	<30	30	N
Batson Place (Franz)	Kamahi Pl	End	50	40	<30	30	N
Douglas Drive (Franz)	SH6	Cron St	50	40	<30	30	N
Wallace Street (Franz)	SH6	End	50	40	<30	30	N
Marks Road (Haast)	SH6	SH6	60	40	30-34	30	N
Adair Road (Haast)	Marks Rd	End	60	40	30-34	30	N
Tahutahi Road (Haast)	Marks Rd	End	50	40	<30	30	N
Opuka Place (Haast)	Tahutahi Rd	End	50	40	<30	30	N
Puakareka Road (Haast)	Tahtahi Rd	Nyhon Pl	50	40	<30	30	N
Nyhon Place (Haast)	Tahutahi Rd	End	50	40	<30	30	N
Awarua Place (Haast)	Nyhon Pl	End	50	40	<30	30	N

Report



DATE: 26 September 2019

TO: Mayor and Councillors

FROM: Operations Manager: District Assets

SUNSET POINT HARDFILL SITE

1 SUMMARY

- 1.1 The purpose of this report is to provide an update on the Sunset Point fill activities.
- 1.2 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.
- 1.3 This report is informational in nature, giving Elected Members a status update. It concludes with the recommendation that Council receive this report and the information contained therein.

2 BACKGROUND

- 2.1 Earthworks to level and fill the surface of a section of Sunset Point have been undertaken since September 2018. This has included filling a surface area of 2,800 m² with 5,635 cubic metres of clean fill.
- 2.2 The purpose of these activities is to enhance the recreational opportunities in this area in conjunction with the Hokitika Beachfront Development Plan.
- 2.3 (Please note that these activities are separate from the rockwall and protection of the old Sunset Point landfill site.)

- 2.4 These activities took place within 50 metres of the Coastal Marine Area, and on August 9th, a letter was received from West Coast Regional Council in regards to these activities. West Coast Regional Council asserted that the earthworks and deposition of materials were unconsented and that some of the fill materials were not clean. The letter concluded by requesting that WDC engage a suitably qualified person to investigate the site and determine the best way to undertake remediation of the site. WCRC also noted that they may need to consider a level of enforcement if WDC's remedial actions were insufficient.
- 2.5 Westland District Council responded to the West Coast Regional Council and acknowledged that one load of demolition material regrettably contained a small amount of non-clean material including concrete, spiral pipes.
- 2.6 The contractor responsible for the accidental deposition of these materials has since excavated the site, removed the offending materials and remediated the surface and evidence of this has been provided to Regional Council. It must also be noted that unauthorised contractors and members of the public have also been illegally dumping at this location. Public notices and closing of this area have been actioned.
- 2.7 Golder Associates were engaged undertake some soil samples of affected area on Thursday 22nd August on WDC's behalf. These results have now been received by Council. One sample showed a negligible presence of asbestos and heavy metals, slightly above background measurement limits. This report has been submitted to Regional Council for discussion and review.

3 CURRENT SITUATION

- 3.1 A resource consent application covering works completed to date and two further, adjacent stages of landscape filling and shaping was submitted to the West Coast Regional Council on 3 September 2019.
- 3.2 Soil sample & investigation results were also provided to the West Coast Regional Council on 13 September 2019.
- 3.3 No formal response to either has been received as yet. **Until such time as a response is received, no options or financial implications can be tabled for Council consideration.**
- 3.4 Please note that Council holds other resource consents in and adjacent to the Sunset Point area. These are detailed in the appendix to this report.

4 RECOMMENDATION(S)

- A) **THAT** Council receive this report as an informational update on the situation, with a subsequent update to be expected once West Coast Regional Council has had time to consider the information they have received.

Erle Bencich

Operations Manager: District Assets

Appendix 1: Resource consents WDC holds in and adjacent to Sunset Point

APPENDIX - SUNSET POINT & SURROUNDING AREAS: RESOURCE CONSENTS

Resource consent	Valid from/to	Location	Purpose
RC12238/1	25 January 2013- 25 January 2048	Sunset Point, Hokitika	To occupy space in the Coastal Marine Area by the construction of rock protection works.
RC12238/2	25 January 2013- 25 January 2048	Sunset Point, Hokitika	To erect structures in the form of rock protection works.
RC12238/3	25 January 2013- 25 January 2048	Sunset Point, Hokitika	To alter the foreshore/seabed to erect rock protection works.
RC12238/4	25 January 2013- 25 January 2048	Sunset Point, Hokitika	To excavate and deposit natural material in the Coastal Marine Area while undertaking rock protection works.
RC11049/1	26 April 2011- 26 April 2041	Sunset Point, Hokitika	To construct coastal protection works (rock wall) in the coastal marine area at Hokitika.
RC11049/2	26 April 2011- 26 April 2041	Sunset Point, Hokitika	To occupy space in the coastal marine area because of the construction of coastal protection works (rock wall).
RCN99279/1	8 March 2000- 8 March 2025	Hokitika River Mouth, Gibson Quay	For maintenance of the existing coastal rock protection works along approximately 85 metres of foreshore on the true right bank of the Hokitika River Mouth, Gibson Quay, Hokitika, and the disturbance of the foreshore associated with maintenance.
RC04049/1	3 December 2004 – 27 July 2033	Coastal Marine Area from Weld Street & Hampden Street, Hokitika township	To place erosion protection structures, namely two rock groynes, in the CMA at Weld Street and Hampden Street, Hokitika town.
RC04049/2	3 December 2004 – 27 July 2033	Coastal Marine Area from Weld Street & Hampden Street, Hokitika township	To disturb and alter the foreshore for the purpose of placing rock groynes in the CMA at Weld Street and Hampden Street, Hokitika town.
RC98105	27 July 1998 – 27 July 2023	Coastal Marine Area, Tudor Street, Hokitika	Construction of a rock groyne up to 99 metres long.



ALL BEACHFRONT / RIVER
RESOURCE CONSENTS NEAR
SUNSET POINT.

Report



DATE: 26 September 2019
TO: Mayor and Councillors
FROM: Property and Special Projects Supervisor

SUNSET POINT PROJECT UPDATE

1 SUMMARY

- 1.1 The purpose of this report is to provide an update on the Sunset Point project for councils information.
- 1.2 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.
- 1.3 This report concludes by recommending that Council receive this report.

2 BACKGROUND

- 2.1 In October 2016 Council proceeded with increasing rock protection works and raising the level of Sunset Point accepting donated fill to elevate the base levels.
- 2.2 On 24 August 2017 Council adopted the concept design of Sunset Point. Council received Round 2 TIFFF funding to assist with the construction of the Sunset Point design. Construction work has been continuing, as contractors are available.

3 CURRENT SITUATION

3.1 **Funding for the Sunset Project is provided for as follows:**

TOTAL Projected Budget	\$ 985,325.
WDC	\$ 485,000. (loan funded)
TIFF	\$ 500,000.
Expenditure to date	\$ 280,000.

3.2 Works to Date

- Installation of new raised access road.
- Received fill to areas between the road and the rock wall.
- Installation of Rock protection to eastern rock wall
- Installation of 100m of rock 1m high from the Tambo south.
- Installation of rock diving wall and new fill material to establish appropriate levels across the point.
- Purchase of new public toilets (currently stored at Westroads)

3.3 Design Developments

The southern carpark is now thinner than the original concept due to the required rake of the rock protection wall. The angle of the wall reduces the available space for car parking and forces council to have angle parking on the river and the sea sides of the point with no space for parking through the middle. The geometry achieves a turning circle at the end of the carpark ensuring traffic flow continues during times of high volume.

The toilets will be located to the north of the first car park to reduce the extent of pipework and electrical required.

There was an intention to have a retaining wall along the river side to create a stepped change in level with a reference to the wharf structure. This will be held until the final stage of the construction if funding remains available. The alternative is to smoothly grade the terrain from the kerb down to walkway.

Construction progress is paused while a retrospective land use resource consent is issued. This is addressed in a separate report to Council.

Pricing and planning continues for the installation of the works mentioned below.

Planned works

- Installation of kerb and channel edge definitions.
- Chip seal to access road and car parks.
- Vehicle stops and line marking and bollards.
- Lay and compact pit material for ring path.
- Foundation, pipework, electrical and install toilet.
- Reinstate the art seat.
- Install soil and plant out planters.
- Add material to form final levels and grass.

4 OPTIONS

4.1 There are no options associated with this report, as it is provided as an update.

5 SIGNIFICANCE AND ENGAGEMENT

5.1 This matter is of low significance as this report is an update on progress to date.

5.2 An engagement and consultation process remains in place with the Hokitika Reserves and Environs Committee.

6 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)

6.1 The project is funded and has been carried over into this financial year for completion.

6.2 There is no further implication to council.

7 PREFERRED OPTION(S) AND REASONS

7.1 This report is for information only.

8 RECOMMENDATION(S)

A) THAT Council accept the report.

Simon Eyre
Property and Special Project Supervisor

Appendix 1: Refer appendix 1

SUNSET POINT Project Update
Appendix 1.



River side storm damage



Raised fill protection prior to rock being placed on the river side



1m high rock protection installation



Cross Section of recent fill



Base levels, fill and rock edging to car park



Base levels, fill and rock edging to car park



Topping material stock pile



Pre construction works aerial photography



Latest aerial photography

Report



DATE: 26 September 2019

TO: Mayor and Councillors

FROM: Group Manager: Corporate Services

PROJECTS AND CARRY FORWARDS TO 2019-20

1 SUMMARY

- 1.1 The purpose of this report is to:
 - 1.1.1 Seek Council approval for the carry forward of funding for projects that were scheduled from previous financial years, but were not completed by 30 June 2019,
 - 1.1.2 Seek Council approval for the future allocation of funds that were generated for specific purposes and were in surplus as at 30 June 2019.
- 1.2 This issue arises because Council is accountable for the application of its revenues and other funding sources to service levels and infrastructure in accordance with its Long Term Plan 2018-28.
- 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 2018-28. These are stated on Page 2 of this agenda.
- 1.4 This report concludes by recommending that Council approves the carry forward of funds for the projects itemised in **Appendix 1**, and approves the future allocation of funds for specific purposes.

2 BACKGROUND

- 2.1 Council approves its annual budget based on planned levels of service and capital works for the financial year.
- 2.2 It is common that certain undertakings will be partially complete, committed but not started or deferred as at the end of the financial year.

- 2.3 These items will appear as favourable variances in the financial year 2018-19 in which their funding was recognised as revenue, or where debt was planned to be drawn.
- 2.4 Council has an obligation to deliver on its commitments, but where projects and expenditure are carried forward they will be reported as adverse variances against the budget for the financial year in which they are completed.
- 2.5 Typically, the types of items carried forward are:
 - 2.5.1 Capital projects partially completed.
 - 2.5.2 Projects funded by third parties.
 - 2.5.3 Long-term operational projects.
 - 2.5.4 Activities whose frequency is less than annual but for which the funding is phased evenly over more than one financial year.

3 CURRENT SITUATION

- 3.1 Council is expecting to report a favourable variance in its external debt position for the year ended 30 June 2019. This in part relates to the non-completion of the items proposed for carry forward in **Appendix 1**.
- 3.2 Any variances against Council's operating budget will be addressed in the Annual Report for the year ending 30 June 2019. However, the funds proposed for future allocation will be included in these variances.
- 3.3 The amounts proposed to be carried forward are estimated by deducting expenditure to date from the original budget and adjusted by any known variations; as advised by activity managers.
- 3.4 Where projects have been cancelled or superseded in the budget for 2019-20, they have been excluded from the carry forward schedule.
- 3.5 Council has previously expressed concern regarding the backlog of projects, the exposure to unrealistic commitments and the consequential reputational risk.
- 3.6 The proposed carry forward schedule attached as **Appendix 1**, has been drafted after consideration of these commitments alongside those included in the Annual Plan 2019-20.
- 3.7 Progress on completion of these items will be communicated through Council's monthly financial report during 2019-20.

4 OPTIONS

- 4.1 **Option 1** - Approve the carry forward of items contained in **Appendix 1** to the financial year 2019-20, and the future allocation of funds until they can be expended in accordance with the relevant conditions.
- 4.2 **Option 2** - Approve amended schedule, adding or deleting items.
- 4.3 **Option 3** – Reject all carry forwards

5 SIGNIFICANCE AND ENGAGEMENT

- 5.1 In accordance with Council’s policy, this matter is of low significance; insofar as it relates to existing circumstances that have been reported throughout the financial year, and any decision will not materially impact on levels of service, strategic assets or funding arrangements.
- 5.2 All of these items were consulted on when they were included in the Long Term Plan 2018-28, or previous annual plans. Some communities may consider a project important to them and be disappointed if a project is not carried forward.

6 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)

- 6.1 **Option 1** will generate adverse operating variances and additional debt requirements in the financial year 2019-20. However, these are merely the inversion of favourable variances in 2018-19, and are therefore essentially timing differences. Option 1 is financially prudent because it ensures that Council’s revenues and funding sources are applied to their intended purposes. It would also meet community expectations as Council will deliver on its commitments undertaken in the Long Term Plan 2018-28.
- 6.2 **Option 2** would invoke some departures from the Long Term Plan 2019-28 and may cause some adverse community reaction. This may be appropriate if Council determines that alternative applications of these funds are more prudent or of higher priority, or that the requirements have substantially changed.
- 6.3 **Option 3** would mean that some commitments made by Council in adopting the Long Term Plan 2018-28 are not fulfilled. In addition to potential adverse community reaction, this would not be financially prudent, particularly because some of the expenditure associated with these items was included in

the rates calculation for 2018-19. The adverse variances described in 6.1 would be avoided.

7 PREFERRED OPTION AND REASONS

7.1 The preferred option is Option 1 - Approve the carry forward of items contained in **Appendix 1** to the financial year 2019-20, and the future allocation of funds until they can be expended in accordance with the relevant conditions. This will demonstrate Council's resolve to deliver on its commitments and will ensure that revenues and other sources of funds are applied to their intended purposes.

8 RECOMMENDATIONS

A) **THAT** Council approves the carry forward to 2019-20 of funds totalling \$4,941,079 for the projects itemised in **Appendix 1**.

Lesley Crichton
Group Manager: Corporate Services

Appendix 1: Proposed carry forward schedule 2019-20

Proposed Carryover Schedule to 2019-20

GL	Activity	Detail	Funded by	Possible Carryover	Year	Group/Comment	Carry Over Y/N	Reason for Carry Over
4702581	Water Supply	Kumara - Water treatment plant - seismic valves	Depreciation	30,000	From 2016-17 Budget Year	District Assets	Y	preparedness for resilience, have capacity to complete all seismic valves this financial year
4708581	Water Supply	Whataroa - Seismic valves	Depreciation	20,000	From 2016-17 Budget Year	District Assets	Y	preparedness for resilience, have capacity to complete all seismic valves this financial year
4604581	Wastewater	Hokitika - Mains upgrade	Depreciation	51,154	From 2016-17 Budget Year	District Assets	Y	to be added to this year's pipeline replacement, Hokitika still has significant amounts of old pipeline installed
4612581	Wastewater	Haast - De-sludge oxidation ponds	Depreciation	150,000	From 2016-17 Budget Year	District Assets	Y	desludge survey completed, desludging is necessary for this pond this year or latest next year
4307581	Township Development	New footpaths - Franz	Depreciation	25,000	From 2016-17 Budget Year	District Assets	Y	Cron Street is in need of repair
3704581	Township Development	Footpath upgrades - Hokitika	Depreciation	27,000	From 2016-17 Budget Year	District Assets	Y	No resources to manage footpath upgrades during the last years but will this year - it was planned to be completed this financial year
4307581	Township Development	Footpath upgrades - Franz	Depreciation	15,000	From 2016-17 Budget Year	District Assets	Y	No resources to manage footpath upgrades during the last years but will this year - it was planned to be completed this financial year
4706581	Water Supply	Ross - Water Treatment Plant - Seismic Valves	Depreciation	30,000	From 2017-18 Budget Year	District Assets	Y	preparedness for resilience, have capacity to complete all seismic valves this financial year
4711581	Water Supply	Fox Glacier - Seismic Valves	Depreciation	30,000	From 2017-18 Budget Year	District Assets	Y	preparedness for resilience, have capacity to complete all seismic valves this financial year
4302581	Township Development	Township Maintenance - Kumara Rubbish Bins	Depreciation	3,000	From 2017-18 Budget Year	District Assets	Y	Replacements still required - Carryover funds needed to complete project.
3404581	Township Development	Township Maintenance - Hokitika Rubbish Bins	Depreciation	7,000	From 2017-18 Budget Year	District Assets	Y	Replacements still required - Carryover funds needed to complete project.
4304581	Township Development	Township Maintenance - Fox Rubbish Bins	Depreciation	3,000	From 2017-18 Budget Year	District Assets	Y	Replacements still required - Carryover funds needed to complete project.
4312581	Township Development	Township Maintenance - Haast Rubbish Bins	Depreciation	2,000	From 2017-18 Budget Year	District Assets	Y	Replacements still required - Carryover funds needed to complete project.
3420581	Reserves	Reserves - Lazar Park Upgrade	Depreciation	22,431	From 2017-18 Budget Year	District Assets	Y	Concept design in place only, some spend already undertaken
3504581	Cemeteries	Cemetery - Hokitika Upgrade & Expansion	Depreciation	10,000	From 2017-18 Budget Year	District Assets	Y	Land clearance required & development to proceed in November 2019.
4702581	Water Supply	Kumara - Mains upgrade programme	Depreciation	15,000	From 2018-19 Budget Year	District Assets	Y	investigative work already underway, awaiting quotation to do physical works
4704581	Water Supply	Hokitika - Mains upgrade programme	Depreciation	232,020	From 2018-19 Budget Year	District Assets	Y	project started and physical works near completion, budget was approved by council but still awaiting all invoices
4706581	Water Supply	Ross - Mains upgrade programme	Depreciation	60,000	From 2018-19 Budget Year	District Assets	Y	was on hold as Water Intake project took priority but will be able to start the project during this financial year so funding is needed
4706581	Water Supply	Ross - Water Source	Depreciation	19,763	From 2018-19 Budget Year	District Assets	Y	Intake approval is taking longer than expected but project is nearing finalisation so that physical works can start shortly so funding is needed to complete
4710581	Water Supply	Franz Josef - Mains upgrade programme	Depreciation	88,593	From 2018-19 Budget Year	District Assets	Y	started investigative work but due to lack of resources have not completed any physical works, funding required to complete upgrade of old pipelines
4711581	Water Supply	Fox Glacier - Mains upgrade programme	Depreciation	62,868	From 2018-19 Budget Year	District Assets	Y	no funding for upgrades in Fox this year so this money is required to upgrade a few AC pipe sections (Fox has significant amount of old pipeline installed)
4604581	Wastewater	Hokitika - Mains upgrade programme	Depreciation	60,000	From 2018-19 Budget Year	District Assets	Y	to be added to this year's pipeline replacement, Hokitika still has significant amounts of old pipeline installed
4604581	Wastewater	Hokitika - Pump upgrade (Kaniere)	Depreciation	130,000	From 2018-19 Budget Year	District Assets	Y	working on scoping this project, pump upgrade is still required
4301581	Transport	Footpath upgrades - Kokatahi	Depreciation	27,000	From 2018-19 Budget Year	District Assets	Y	No resources to manage footpath upgrades last year but we will this year - it was planned to be done this financial year
4304581	Transport	Footpath upgrades - Fox Glacier	Depreciation	3,000	From 2018-19 Budget Year	District Assets	Y	No resources to manage footpath upgrades last year but we will this year - it was planned to be done this financial year
4305581	Transport	Footpath upgrades - Kaniere	Depreciation	1,000	From 2018-19 Budget Year	District Assets	Y	No resources to manage footpath upgrades last year but we will this year - it was planned to be done this financial year
4306581	Transport	Footpath upgrades - Ross	Depreciation	3,000	From 2018-19 Budget Year	District Assets	Y	No resources to manage footpath upgrades last year but we will this year - it was planned to be done this financial year
4307581	Transport	Footpath upgrades - Franz Josef	Depreciation	20,000	From 2018-19 Budget Year	District Assets	Y	No resources to manage footpath upgrades last year but we will this year - it was planned to be done this financial year
4308581	Transport	Footpath upgrades - Whataroa	Depreciation	1,000	From 2018-19 Budget Year	District Assets	Y	No resources to manage footpath upgrades last year but we will this year - it was planned to be done this financial year
4309581	Transport	Footpath upgrades - Hari Hari	Depreciation	1,500	From 2018-19 Budget Year	District Assets	Y	No resources to manage footpath upgrades last year but we will this year - it was planned to be done this financial year
4312581	Transport	Footpath upgrades - Haast	Depreciation	1,500	From 2018-19 Budget Year	District Assets	Y	No resources to manage footpath upgrades last year but we will this year - it was planned to be done this financial year
3418581	Parks & Reserves	Reserves - Cass Square - Rubber matting	Depreciation	20,000	From 2018-19 Budget Year	District Assets	Y	this needs to be added to this year's project budget so that matting can be bought (budget for 1 year is insufficient)

4400581	Land and Buildings	Council HQ - Refurbishment	Depreciation	91,116	From 2018-19 Budget Year	District Assets	Y	project started already and funding required to add to this years funding to complete the refurbishment as planned
3606581	Land and Buildings	Swimming Pool Ross - EQ strengthening	Depreciation	10,000	From 2018-19 Budget Year	District Assets	Y	Project assigned to Destination Westland to manage, need this funding to progress
5300581	Information Systems	i-Site - Booking Computers	Depreciation	7,500	From 2018-19 Budget Year	Corporate Services	Y	On order at FY end, now delivered
5300581	Information Systems	i-Site - Interactive mapping	Depreciation	11,780	From 2018-19 Budget Year	Corporate Services	Y	On order at FY end, now delivered
5300581	Information Systems	i-Site - Self service computers	Depreciation	4,900	From 2018-19 Budget Year	Corporate Services	Y	On order at FY end, now delivered
6100581	Corporate Services	Information Management - DMS	Depreciation	17,741	From 2018-19 Budget Year	Corporate Services	Y	Two year project, scoped to run over 2 years.
3310581	Solid Waste	Franz Josef Landfill	Loan Funding	25,000	From 2014-15 Budget Year	District Assets	Y	This funding has been expended in August - Still needs carryover to balance project.
3312581	Solid Waste	Landfill- Haast - Digout new Cell	Loan Funding	3,740	From 2015-16 Budget Year	District Assets	Y	Project planned for start in September 2019.- Funding to be retained. Essential service.
3312581	Solid Waste	Haast intermediate cap current cell	Loan Funding	10,000	From 2015-16 Budget Year	District Assets	Y	Project planned for start in September 2019.- Funding to be retained. Essential service.
4711581	Water Supply	Fox Glacier - Water Treatment Plant Upgrade	Loan Funding	23,950	From 2017-18 Budget Year	District Assets	Y	Fox Glacier WTP project is going ahead now, tender went out in June, this money is needed for raw water instrumentation to finalise requirements for treatment
4604581	Wastewater	Hokitika - WWTP Upgrade	Loan Funding	101,420	From 2017-18 Budget Year	District Assets	Y	project started: aerators in place and have a design from T&T: need this funding to add to this year's funding to complete as per design
4611581	Wastewater	Fox Glacier - WWTP upgrade	Loan Funding	100,000	From 2017-18 Budget Year	District Assets	Y	Sludge survey completed and other requirements established for this upgrade: need the funding to complete full scope of project
4315581	Township Development	Haast Township - New Toilet Facilities, Dump Station, Shelter, Bt	Loan Funding	220,789	From 2017-18 Budget Year	District Assets	Y	Total Project \$617,200, of this \$394,320 is funded by TIF, \$222,880 to be funded by council. \$396,411 has been spent in prior Financial years.
3404581	Township Development	Sunset Point - New Toilets, Shelter & Carparks	Loan Funding	896,166	From 2017-18 Budget Year	District Assets	Y	Total Project \$985,325, of this \$500,000 is funded by TIF, \$485,325 to be funded by council. \$89,159 has been spent in prior Financial years.
4703581	Water Supply	Arahura - Water treatment plant	Loan Funding	82,039	From 2018-19 Budget Year	District Assets	Y	Project started but land ownership approval is taking longer than expected; funding is required to complete the new WTP
4711581	Water Supply	Fox Glacier - Plant upgrade	Loan Funding	50,000	From 2018-19 Budget Year	District Assets	Y	Fox Glacier WTP project is going ahead now, tender went out in June, this money is required to complete the plant upgrades
4604581	Wastewater	Hokitika - WWTP upgrade	Loan Funding	275,000	From 2018-19 Budget Year	District Assets	Y	project started: aerators in place and have a design from T&T: need this funding to add to this year's funding to complete as per design
4604581	Wastewater	Hokitika - Kaniere Road catchment	Loan Funding	50,000	From 2018-19 Budget Year	District Assets	Y	project started: Tonkin & Taylor are running the investigation at the moment
4611581	Wastewater	Fox Glacier - WWTP upgrade	Loan Funding	100,000	From 2018-19 Budget Year	District Assets	Y	Sludge survey completed and other requirements established for this upgrade: need the funding to complete full scope of project
3204581	Stormwater	Hokitika - Realignment Beach St	Loan Funding	20,000	From 2018-19 Budget Year	District Assets	Y	project work in progress with Stantec, require funding to complete the activity
3204581	Stormwater	Hokitika - Extension Jollie St	Loan Funding	240,000	From 2018-19 Budget Year	District Assets	Y	project work in progress with Stantec, require funding to complete the activity
3312581	Solid Waste	Haast - Preparation for new cell	Loan Funding	10,000	From 2018-19 Budget Year	District Assets	Y	Project planned for start in September 2019.- Funding to be retained. Essential service.
4319581	Restricted Public Buildings	Whataroa Toilets	Loan Funding	398,908	From 2018-19 Budget Year	District Assets	Y	Total Project \$401,000, of this \$300,750 is funded by TIF, \$100,250 to be funded by council. \$2,092 has been spent in prior Financial years.
3822581	Restricted Public Buildings	Ross Toilets	Loan Funding	417,908	From 2018-19 Budget Year	District Assets	Y	Total Project \$420,000, of this \$320,250 is funded by TIF, \$99,750 to be funded by council. \$2,092 has been spent in prior Financial years.
4317581	Restricted Public Buildings	Kumara Visitor Experience - Toilets and Shelter	Loan Funding	224,130	From 2018-19 Budget Year	District Assets	Y	Total Project \$245,500 of this \$184,550 is funded by TIF, \$60,950 to be funded by council. \$21,370 has been spent in prior Financial years.
3418581	Parks & Reserves	Reserves - Cass Square - Building improvements Pavilion	Loan Funding	20,000	From 2018-19 Budget Year	District Assets	Y	no resources available last year, this project needs to be scoped and started, funding is needed for that
3451581	Township Development	Franz Josef Urban Revitalisation Plan	Reserves	100,000	From 2015-16 Budget Year	District Assets	Y	Planning still in place for project, community involvement
3453581	Reserves	Reserves - Marks Road Reserve	Reserves	10,000	From 2016-17 Budget Year	District Assets	Y	planning still in progress for Mark's Road, funding needed when community planning is completed
3409581	Reserves	Reserves - Hokitika Waterfront Development	Reserves	10,663	From 2016-17 Budget Year	District Assets	Y	project is starting now, need previous year's funding to complete the scope of works
3704581	Reserves	Reserves - Hokitika Heritage Trail signs	Reserves	3,500	From 2016-17 Budget Year	District Assets	Y	As part of cultural and heritage project
3409581	Parks & Reserves	Reserves - Waterfront development	Reserves	50,000	From 2018-19 Budget Year	Corporate Services	Y	project is starting now, need previous year's funding to complete the scope of works
Capital Projects				4,758,079				
4301250	Township Maintenance	Council Created Reserve - Kokataki/Kowhitirangi	Rates	8,000	From 2018-19 Budget Year		Y	Unable to be claimed in 2018/2019 Financial year due to community group needing to become registered

2500401	District Plan	District Plan	Rates	175,000	From 2018-19 Budget Year	Y	Funded in the 2018-19 FY unspent, however planned to be spent over the next few years. Budget was removed from 2019-2020 due to this unspent budget
2500444							
		Operational Expenditure		183,000			
		Funding		4,941,079			
		Rates	183,000				
		Loan Funding	3,269,050				
		Depreciation	1,314,866				
		Reserves	174,163				
			4,941,079				

Report



DATE: 26 September 2019
TO: Mayor and Councillors
FROM: Regulatory Services Manager

RESPONSIBLE (FREEDOM) CAMPING WORKING GROUP UPDATE

1 SUMMARY

- 1.1 The purpose of this report is to provide Council with an update of the review of the 2018/2019 Freedom Camping Season by the Responsible (Freedom) Camping Review Working Group (The Working Group)
- 1.2 This issue arises from the adoption of a resolution to establish a Freedom Camping Review Working Group at a meeting of Council on 28 February 2019.
- 1.3 Council seeks to meet its obligations under the Local Government Act 2002, the Freedom Camping Act 2011, the Westland District Council Freedom Camping Bylaw 2018, 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 receives the report; Responsible (Freedom) Camping Working Group Update.

2 BACKGROUND

- 2.1 In March 2019, in response to concerns raised by some communities and accommodation establishments in relation to the 2018/2019 Freedom Camping Season, Council resolved to establish a Responsible (Freedom) Camping Review Working Group.

- 2.2 The objectives of the Responsible (Freedom) Camping Working Group are to:
- Collaboratively work together to assist in a review of Council's Freedom Camping Bylaw, 2018, to inform the discussion
 - Identify issues unable to be administered via a Freedom Camping Bylaw or Council enforcement, to enable an informed view to be conveyed by Council to appropriate authorities/organisations and/or ministerial departments for consideration or resolution.
 - Support the representatives to the Responsible (Freedom) Camping Working Group with information and advice as a collective group, and
 - Provide timely and relevant feedback and input to enable public consultation on a reviewed Freedom Camping Bylaw to progress.
- 2.3 The Freedom Camping Working Group convened for its first meeting on 3 July and a subsequent meeting on 6 September 2019. The next meeting is scheduled for mid-November, with the date to be confirmed following the inaugural meeting of the new Council, and appointment of three Council member representatives.

3 CURRENT SITUATION

- 3.1 At the meeting of 3 July 2019, it was collectively agreed that freedom camping was here to stay, and that the only controls the community and Council had due to the intent of current legislation, was to ensure 'freedom camping sites' were in appropriate places, where they could be monitored, and cleaned on a regular basis.
- 3.2 All attendees agreed that there was a need for the Freedom Camping Act to be reviewed, as it did not account for the impact on Commercial Operators, and was silent on distances from established accommodation providers where freedom camping could be permitted.
- 3.3 Members also discussed the limitations of the current certified self-containment standard, and the need for it to be reviewed to eliminate the ability of non-complying vehicles to display self-containment stickers and documentation, when they clearly do not meet the prescribed standard.
- 3.4 Social media was also raised as a concern, as the inability to control social media posts led to some of the sites being over prescribed in regard to number of sites permitted, and number of freedom campers trying to park overnight. This was of particular concern to residents and the wider community at the Beach Road / Kakapotahi freedom camping site who initiated an independent community led enforcement strategy to respond to the problem.

- 3.5 Discussion then followed in regard to the employment and warranting of additional enforcement officers to carry out required duties during the freedom camping season. Attendees were advised that an application would be made to MBIE for the 2019/2020 season, with an emphasis on compliance and enforcement requirements.
- 3.6 An analysis of the seven freedom camping sites, as prescribed in the Westland District Council Freedom Camping Bylaw 2018 Schedule was completed by members of the Working Group, with the following determinations.

Okuku

Response from those using the site had been positive, and no complaints or negative comments had been received during the previous season. Maintenance of vegetation on the site would be required to ensure appropriate visibility lines in respect to the highway were kept clear.

The Working Group agreed unanimously that the site remain available for the 2019/2020 season.

Acre's Creek

Council had received correspondence from NZTA that this site was not available for the 2019/2020 season. Any complaints relating to disposal of waste at this site are to be directed to NZTA

The Working Group supported NZTA's advisory that the site was not available for the 2019/2020 season.

Beach Road

Residents had continually expressed concern at the number of campers staying at the site, and safety concerns due to the site straddling a thoroughfare which gave access to the beach. Concern was also raised due to there being no facility for disposal of grey water, given the proximity of the site to a stream.

It was acknowledged that this site was listed and promoted by NZMCA as a stopover, and that it could be used by certified self-contained campers. The desire was that it was removed as being listed as a freedom camping site.

The Working group agreed unanimously that the site be removed from all social media apps for the 2019/2020 season.

Bruce Bay

Safety issues relating to entry and exit from the site were endorsed.

The Working group agreed unanimously that the site be removed from all social media apps for the 2019/2020 season.

Paringa

There were no censors from users or neighbouring property owners in regard to this site. It was well managed throughout the season and kept clean and tidy. Neighbouring business operators and residents were supportive of it remaining listed as a freedom camping site.

The Working Group agreed unanimously that the site remain available for the 2019/2020 season.

Hannah's Clearing

This site was not established for the 2018/2019 season, and was unlikely to be established due to requirement to carry out armouring works at the site to protect a historic landfill.

The Working group agreed unanimously that the site be removed from all social media apps for the 2019/2020 season.

Jackson's Bay

This site was not established for the 2018/2019 season due to concerns of negative impacts on the native penguin colony resident in the vicinity of the proposed site.

The Working group agreed unanimously that the site be removed from all social media apps for the 2019/2020 season.

3.7 Council Officers have received confirmation from freedom camping app providers have removed all reference to Acre's Creek, Beach Road and Bruce Bay as Freedom Camping sites. Hannah's Clearing and Jackson's Bay had been removed previously.

3.8 While this sites are no longer available as freedom camping sites, they may still be used by certified self-contained campers. Council officers will continue to monitor these sites for non-compliant camping, and issue infringements accordingly.

3.9 Bylaw Review

Members of the Working Group determined that a review of the Westland District Council Bylaw was not required as it met the intent of the Freedom Camping Act 2011, and that it was the Act that needed to be subject to a review.

- 3.10 Members recommended that the Schedules of the 2018 Bylaw be amended at the conclusion of the 2019/2020 season to reflect any changes to permitted freedom camping sites, restricted sites, and prohibited sites. The Working Group would make recommendation on these at the conclusion of the 2019/2020 camping season.
- 3.11 **Freedom Camping Act 2011 - Review**
At the Working Group meeting on 6 September 2019, members were advised that as part of a meeting between Minister Davis and the Mayor of Auckland, Phil Goff, the Government had confirmed that there will not be a review of the Freedom Camping Act's premise. Overtime the Government may amend sections of the Act to improve enforcement
- 3.12 **Self-Containment Certification**
At the Working Group meeting on 6 September, members were advised that MBIE had signalled their intent to appoint a government agency to oversee the review of the NZ Standard for Self-Containment. Their proposal will ensure that there is oversight over the vehicle inspectors and types of vehicles receiving certification. Those displaying counterfeit documentation may also be liable for copyright infringement. MBIE has yet to confirm the timeframe and further detail, but have made it a priority.
- 3.13 Members of the Working Group have agreed to make a submission on any consultation document that may be released in respect to the review of this NZ Standard, with the approval of Council.
- 3.14 **Alternative Sites for 2019/2020 Season**
Following a positive public meeting with the Whataroa Community, a request was made of Council staff that toilets and rubbish bins be placed at the Whataroa Gorge Road Reserve that is already being used by Campers. The Community endorsed this site being available as a Responsible (Freedom) Camping site for the 2019/2020 season, as it was their desire to encourage people to stay over, and spend, in the community. The feasibility of this site is being investigated by Council Officers.
- 3.15 Following approval of a public/private partnership approach to freedom camping sites by MBIE, Council Officers are in discussion with owners of property that would like to make land available for freedom campers.

3.16 If there is an agreement for facilities to be provided by Council, this will require the signing of an MOU between Council and the Private Owner/Operator that specifies conditions, and respective responsibilities, particularly in regard to cleaning, and disposal of waste. Six sites were identified, with two declined, and four in discussion. Approved site will be notified to the Working Group and Council prior to the commencement of the 2019/2020 season on 1 November 2019.

3.17 A condition of any site under consideration for approval is that it is not within the vicinity of an established and 'licensed' camping accommodation provider.

4 OPTIONS

4.1 This report is an update without options for consideration.

5 SIGNIFICANCE AND ENGAGEMENT

5.1 There are no matters of significance requiring public consultation in respect to this update.

6 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)

6.1 There are no options or financial implications in respect to this report

7 PREFERRED OPTION(S) AND REASONS

7.1 There are no preferred options in respect to this report

8 RECOMMENDATION(S)

A) **THAT** Council receives the report; 'Responsible (Freedom) Camping Working Group Update'

Te Aroha Cook
Regulatory Services Manager

Report



DATE: 26 September 2019
TO: Mayor and Councillors
FROM: Chief Executive (Acting)

DELEGATIONS TO THE CHIEF EXECUTIVE DURING THE ELECTION PERIOD

1 SUMMARY

- 1.1 The purpose of this report is to seek Council's approval to delegate to the Chief Executive the responsibilities, duties and powers of the Council, subject to limitations set out in clause 32(1) of Schedule 7 of the Local Government Act 2002 to the Chief Executive during the election period until the swearing in of the new Council at its Inaugural Meeting.
- 1.2 This issue arises due to the term of the current Council concluding following the official declaration of results during the election period and all delegations previously held by the Mayor and Councillors no longer being in effect.
- 1.3 Council seeks to meet its obligations under the Local Government Act 2002 and the Local Electoral Act 2001 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 'receives the report', and, 'delegates all of its responsibilities, duties and powers to the Chief Executive, subject to the limitations set out in clause 32(1) of Schedule 7 of the Local Government Act 2002, during the election period until the swearing in of the new Council, subject to; consultation with the person elected to the position of Mayor, attending only to those matters that cannot reasonably wait until the first meeting of the new Council and reporting to the first meeting of the new Council, any delegation acted upon.

2 BACKGROUND

- 2.1 Council are required to consider arrangements that need to be put in place to ensure the effective and efficient conduct of the Council's business during the election period. The election period is from the day following the declaration of the electoral results, until a new Council is sworn in at an Inaugural Meeting.
- 2.2 Clause 14 of Schedule 7 of the Local Government Act 2002 (LGA 2002) provides that a person newly elected to Council may not act until they have made the necessary declaration at the Inaugural Council meeting. Sections 86, 115 and 116 of the Local Electoral Act 2001 (LEA 2001) state that during the election period neither the outgoing nor the incoming elected members can act in their capacity as members of Council.

3 CURRENT SITUATION

- 3.1 Council has the authority to delegate powers to make decisions during the election period to the Chief Executive.
- 3.2 The delegation of Council's responsibilities, duties and powers for the election period, except those set out in paragraphs (a) to (h) of Clause 32 (1) of Schedule 7 of the LGA 2002, are over and above the existing delegations to the Chief Executive. It will ensure that the Chief Executive has the authority to operate effectively and efficiently and is able to respond to any unforeseen circumstances that may arise during the election period.
- 3.3 The delegation is only for the election period from the day following the declaration of the electoral results, until a new Council is sworn in at an Inaugural Meeting.
- 3.4 It is recommended that the delegation of Council's responsibilities, duties and powers for the election period are subject to the following conditions; that the Chief Executive may only act after consultation with the person elected to the position of Mayor; that the Chief Executive may only attend to those matters that cannot reasonably wait until the first meeting of the new Council; and, that the Chief Executive is required to report any decisions made under this delegation to the first meeting of the new Council.

4 OPTIONS

4.1 **Option 1** – Grant Delegated Authority to the Chief Executive during the election period.

4.1.1 The Council has the option of delegating to the Chief Executive all of its responsibilities, duties and powers for the election person, except those set out in paragraphs (a) to (h) in clause 32(1) of Schedule 7 of the LGA 2002.

4.1.2 The risks involved in delegating to the Chief Executive include the Council not agreeing with the decisions made, and over turning decisions at a later date. However, given the limited time period of this proposed delegation, and the conditions imposed, this risk is mitigated.

4.2 **Option 2** – No delegation is made to the Chief Executive during the election period

4.2.1 The Council has the option of not delegating any of its responsibilities, duties and power to the Chief Executive during the election period.

4.2.2 The risks of not delegating authority to the Chief Executive could prevent Council from undertaking its business during the election period. This is a relatively low risk given the time period of this proposed delegation, but must be considered in any event.

5 SIGNIFICANCE AND ENGAGEMENT

5.1 In terms of Council's Significance and Engagement Policy this matter is of low significance. No consultation is required to be undertaken, however, the decision will be publicly available and the delegations to the Chief Executive will be included in the Delegations Register.

6 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)

6.1 There are no financial or budget considerations

7 PREFERRED OPTION(S) AND REASONS

7.1 **Option 1** is the preferred options, as it makes provision for the Chief Executive to operate effectively and efficiently and respond to any unforeseen circumstances that may arise during the election period, with the appropriate delegations from Council.

8 RECOMMENDATION(S)

- A) **THAT** Council receives the report 'Delegations to the Chief Executive during the election period'.
- B) **THAT** Council delegates all of its responsibilities, duties and powers to the Chief Executive, subject to the limitations set out in clause 32(1) of Schedule 7 of the LGA 2002, for the election period, and subject to the requirement that the Chief Executive may only exercise this delegation:
- In consultation with the person elected to the position of Mayor,
 - By only attending to those matters that cannot reasonably wait until the first meeting of the new Council, and
 - By reporting and decisions made during the election period to the first meeting of Council.

Te Aroha Cook
Chief Executive (Acting)