



**I, Kitea Tipuna, Tumu Whakarae Chief Executive, hereby give notice that
Infrastructure and Regulatory Committee Meeting will be held on:**

Date: Tuesday, 5 November 2024
Time: 1:30 pm
Location: Council Chamber, Wairoa District Council,
Coronation Square, Wairoa

AGENDA

Infrastructure and Regulatory Committee Meeting

5 November 2024

MEMBERSHIP: His Worship the Mayor Craig Little, Cr Chaans Tumataroa-Clarke, Cr Denise Eaglesome-Karekare, Mr Chris Olsen, Cr Benita Cairns

The agenda and associated papers are also available on our website: www.wairoadc.govt.nz

For further information please contact us 06 838 7309 or by email info@wairoadc.govt.nz

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- 1 KARAKIA**
- 2 APOLOGIES FOR ABSENCE**
- 3 DECLARATIONS OF CONFLICT OF INTEREST**
- 4 CHAIRPERSON'S ANNOUNCEMENTS**
- 5 LATE ITEMS OF URGENT BUSINESS**
- 6 PUBLIC PARTICIPATION**

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed. As per Standing Order 15.1 requests to speak must be made to the Chief Executive Officer at least one clear day before the meeting; however this requirement may be waived by the Chairperson. Requests should also outline the matters that will be addressed by the speaker(s).

7 MINUTES OF THE PREVIOUS MEETING

Ordinary Meeting - 8 October 2024

**MINUTES OF WAIROA DISTRICT COUNCIL
INFRASTRUCTURE AND REGULATORY COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA
ON TUESDAY, 8 OCTOBER 2024 AT 1:30 PM**

PRESENT: His Worship the Mayor Craig Little, Cr Chaans Tumataroa-Clarke, Cr Denise Eaglesome-Karekare, Mr Chris Olsen, Cr Benita Cairns

IN ATTENDANCE: **Kitea Tipuna** (Tumu Whakarae | Chief Executive), **Gary Borg** (Pouwhakarae – Pūtea/Tautāwhi Rangapū | Group Manager Finance and Corporate Support), **Hinetaakoha Viriaere** (Pouwhakarae Whakamahere me te Waeture | Group Manager Planning & Regulatory), **Michael Hardie** (Pouwhakarae – Hua Pūmau | Group Manager Assets and Infrastructure), **Juanita Savage** (Pouwhakarae Rātonga Hapori me te Whakawhanake | Group Manager Community Services and Development)

1 KARAKIA

The opening karakia was given by The Chair, Cr Chaans Tumataroa-Clarke.

2 APOLOGIES FOR ABSENCE

APOLOGY

COMMITTEE RESOLUTION 2024/106

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Chaans Tumataroa-Clarke

That the apology for lateness for Cr Cairns be accepted and leave of absence granted.

CARRIED

3 DECLARATION OF CONFLICT OF INTEREST

To be declared as the agenda progresses.

4 CHAIRPERSON'S ANNOUNCEMENTS

Nil.

5 LATE ITEMS OF URGENT BUSINESS

Nil.

6 PUBLIC PARTICIPATION

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed. As per Standing Order 14.14 requests to speak must be made to the meeting secretary at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

7 MINUTES OF THE PREVIOUS MEETING

RECOMMENDATION-ITEM DEFERRED

That the minutes [and confidential minutes] of the Ordinary Meeting held on 10 September 2024 be confirmed.

8 GENERAL ITEMS

8.1 ASSETS & INFRASTRUCTURE GROUP - UPDATE

COMMITTEE RESOLUTION 2024/107

Moved: Cr Chaans Tumataroa-Clarke

Seconded: His Worship the Mayor Craig Little

The Committee receive the report, and provide direction where appropriate.

CARRIED

The Group Manager of Assets and Infrastructure introduced this report, emphasising the focus on addressing risk and capital gained. He mentioned that the Council had secured \$7 million in Crown Resilience Funding, with portions allocated for coastal protection, river erosion control, bridge scour improvements.

Cr Cairns inquired whether there would be any financial implications associated with receiving this funding.

The Group Manager of Finance and Corporate Support noted the risk of funds being reprioritised, which could lead to spending the same allocation more than once.

The Chief Executive noted that a regional letter had been sent to NZTA, urging them to fulfil their funding commitments toward the region's roading recovery. Additionally, advice was provided to His Worship, encouraging efforts to strengthen the existing relationship with NZTA, emphasising the importance of being regionally connected while maintaining a focus on addressing the specific, unique needs of the local community.

The committee discussed the following:

- In relation to item 6.4.7 Māhia recycling centre, it was decided to hold two public hui on the same day- one at Te Rakato Marae and another in Mokotahi- to address community concerns.
- Community concerns about the proposed new town hall facility in Frasertown with some residents expressing apprehension that it may replicate issues experienced with the previous facility.
- A request for enhanced airport safety measures, including lighting and personnel to reduce bird strike incidents.

- The need for an education program to inform the community about proper recycling practices, as current efforts are insufficient.

8.2 PLANNING & REGULATORY REPORT - SPRING 2024 UPDATE

COMMITTEE RESOLUTION 2024/108

Moved: Cr Benita Cairns

Seconded: Cr Denise Eaglesome-Karekare

The Committee receive the report titled 'Planning and Regulatory Report – Spring Update 2024'.

CARRIED

The Group Manager of Planning & Regulatory spoke to this report and highlighted:

- The need for the committee to update the terms of reference for the Infrastructure Committee to better reflect its strategic direction.
- The District Plan review will prioritise key updates based on legislative changes, with the support of consultants.

His Worship expressed concerns about the long-term responsibility for temporary accommodations, noting the communication risk that residents may later feel misled about the nature of these temporary arrangements.

The Group Manager of Planning & Regulatory highlighted that all affected residents had signed letters of authority, ensuring they are informed of their responsibilities.

The committee discussed the following:

- Some marae had been unaware of additional resource consent triggers and associated costs, resulting in significant budget overruns; it was noted that all marae within the district could benefit from the proposed directory and guide.
- Concerns that the proposed BCA amalgamation might cause inefficiencies and challenges due to differing council systems if not carefully managed.
- A lack of accountability for vaping retailers could increase underage access to vaping products, raising health concerns within the community.

The Group Manager of Planning & Regulatory acknowledged Mr Fowler for his significant time commitment to the Global Concept Kaupapa, noting that he would continue to provide ongoing support to the council, free of charge, in the areas of natural hazards, building and control.

The Meeting closed at 3:14pm with a closing karakia given by The Chair, Cr Chaans Tumataroa-Clarke.

The minutes of this meeting were confirmed at the Infrastructure and Regulatory Committee Meeting held on 5 November 2024.

Infrastructure and Regulatory Committee – Actions Sheet

<u>ACTION</u>	<u>MEETING THE ACTION WAS RAISED IN</u>	<u>DUE DATE</u>	<u>OFFICER RESPONSIBLE</u>	<u>COMMENTS</u>	<u>STATUS</u>	<u>PUBLIC EXCLUDED</u>
A list of roads that need and upgrade/maintenance	13/08/2024		Michael Hardie		Completed	No
Clarification on CSR Dashboard graphs, including overall narratives and required recommendations.	13/08/2024		Michael Hardie	Work in progress.	In Progress	No
Provide the Committee with a table outline the differences in costs/funding provided to projects.	10/09/2024		Michael Hardie		Not Started	No
Take the update in regard to Blowhole Realignment to Council to gather further action/input on Better Off funding	10/09/2024		Michael Hardie		Not Started	No
Update Terms of Reference for Council to have a Māori Standing Committee representative at the Infrastructure and Regulatory Committee Meetings	10/09/2024		Governance		Completed	No

.....
CHAIRPERSON

8 GENERAL ITEMS

8.1 WAIKARI (GLENBROOK) BRIDGE UPDATE

Author: Mike Hardie, Pouwhakarae - Hua Pumau | Group Manager Assets & Infrastructure

Authoriser: Kitea Tipuna, Tumu Whakarae Chief Executive

Appendices: Nil

1. PURPOSE

- 1.1 This report provides information for Committee on the replacement of Waikari (Glenbrook) Bridge. No decisions are required by Committee at this stage.

RECOMMENDATION

The Pouwhakarae - Hua Pumau | Group Manager Assets & Infrastructure RECOMMENDS that Committee receive the report.

2. BACKGROUND

- 2.1 The Waikari (Glenbrook) Bridge is approximately 1.8km southeast of State Highway 2 and the Putorino settlement and approximately 18km from Lake Tutira. The bridge is one of the largest bridges in Wairoa that collapsed during the Cyclone Gabrielle event.
- 2.2 The bridge is located on Glenbrook Road, crossing the Waikari River at the territorial boundary of Hastings District and Wairoa District Councils. The bridge was badly damaged during Cyclone Gabrielle, which struck Hawke's Bay in February 2023. A temporary ford is currently in use, however a permanent replacement is required.
- 2.3 Emergency works were undertaken through Section 330(1) of the RMA to temporarily reinstate access across the Waikare River through the construction of culverted fords, which allows residents access to their properties. This occurred on the 24th of March 2023 and completed on the 22 September 2023. Various options for the bridge replacement, including leaving the temporary ford in place, replacing at the existing location or providing a new bridge at an alternative location (either upstream or downstream), were considered.
- 2.4 This report provides an update on the next steps for this project.

3. FEASIBILITY & DESIGN

- 3.1 This conventional bridge replacement is under the design development stage with a final design expected December 2024. Project cost estimate is \$7M and it is programed to be completed in the 2025 Construction season.
- 3.2 Consultation is currently being planned and resource consent submission and procurement will occur early 2025
- 3.3 The findings of the feasibility assessment revealed that the existing bridge had geotechnical instability issues and therefore couldn't be replaced on the existing bridge

alignment. The option which included an alternative bridge location - downstream - has been selected as the most suitable solution. This option provides a single-lane replacement bridge at a downstream location to the washed away Glenbrook/Waikari Bridge. The proposed alignment of 50m downstream of the existing bridge was set by eliminating as many of the risks identified in the feasibility assessment.

- 3.4 There are approximately eight properties that rely on road access across the Waikari River as Glenbrook Road contains no other exits. The proposed replacement bridge is likely to be 75m long and consists of a 23-29-23m, three-span arrangement. The bridge will provide a single 3.1m lane with a trafficable width of 4.1m on a 5.1m wide reinforced concrete deck.



- 4.2.1.1. In February 2022 Cyclone Gabrielle caused damage to the bridge and, consequently, the bridge was removed.
- 4.2.1.2. A concrete ford is currently in place but is not a long-term solution.
- 4.2.1.3. We are currently designing the permanent replacement and well as commencing the procurement process for construction.
- 4.2.2. New bridge
 - 4.2.2.1. The bridge will reconnect people in a resilient, cost effective, culturally and environmentally sensitive way, taking into consideration the needs and vision of the communities.
 - 4.2.2.2. Land required for construction is not confirmed, discussions underway with landowners.
 - 4.2.2.3. The bridge will be designed with a 100-year design life, designed for a 1/50 Annual Exceedance Probability (AEP) Serviceability Limit State (SLS2) flood event and a 1/500 AEP Ultimate Limit State (ULS) flood event, designed for a 1/500-year seismic event, and built so there is a 1.2m freeboard above the levels of a 1/50-year flood event
- 4.3 Engagement will occur with affected properties and mana whenua, with project neighbours, other stakeholders and the wider community who require the bridge for regular access. Engagement in community will be based around:
 - 4.3.1. 1 x Council briefing on design process and intended community input.
 - 4.3.2. 1 x joint hapu/marae and or community workshop/drop-in session
 - 4.3.3. Distribution of inform materials (letter or email) to residents and stakeholders at or prior to workshop/hui

5. FUNDING

- 5.1 Funding for this project sits under the North Island Weather Event (NIWE) funding which has recently been approved at 97.5% subsidy, for the remainder of this financial year. There is an unknown risk as funding beyond this year is not secured yet, but this risk is being monitored and managed through NZTA processes and will be reported back to the Committee as this risk becomes clearer.

Further Information

n/a

References (to or from other Committees)

n/a

8.2 NGA PAEARU MAHI/TERMS OF REFERENCE: INFRASTRUCTURE AND REGULATORY COMMITTEE

Author: Frances Manase, Kaiurungi Mana Ārahi | Governance Officer

Authoriser: Juanita Savage, Pouwhakarae - Rātonga Hapori me te Whakawhanake | Group Manager Community Services & Development

Appendices: 1. Terms of Reference: Infrastructure and Regulatory Committee [↓](#)

PURPOSE

- 1.1 This report provides information for Committee on the requested adjustments to the Terms of Reference to the Infrastructure and Regulatory Committee. Seeking permission to adopt the changes outlined in the report.

RECOMMENDATION

The Kaiurungi Mana Ārahi | Governance Officer RECOMMENDS that Committee receive the report and accept the proposed changes to the Terms of Reference for the Infrastructure and Regulatory Committee.

2. BACKGROUND

- 2.1 As discussed in the September meeting (10/09/2024), it was suggested to have a representative attend future Infrastructure and Regulatory Committee meetings. To formalise this, the Terms of Reference is required to be reviewed and tabled at an Ordinary Council meeting.
- 2.2 This report is to show the Infrastructure and Regulatory Committee the proposed changes and an opportunity to make further adjustments prior to being tabled at the next Ordinary Council meeting.

NGĀ PAEARU MAHI/TERMS OF REFERENCE: INFRASTRUCTURE AND REGULATORY COMMITTEE



NGĀ MEMATANGA/MEMBERSHIP

His Worship the Mayor, 3 councillors, 1 independent member, 1 Māori Standing Committee representative

TE KŌRAMA/QUORUM

3 committee members

NGĀ WĀ HUI/MEETING FREQUENCY

Every 12 weeks and as required.

At this stage INF and REG meet every 4 weeks not 12.

TE KAUPAPA/PURPOSE

This committee guides the physical development and growth of Wairoa through a focus on land use, transport and infrastructure strategies and policies relating to planning, growth, housing and the appropriate provision of enabling infrastructure, as well as programmes and strategic projects associated with these activities. The committee will establish an annual work programme outlining key focus areas in line with its key responsibilities, which include:

- Relevant Strategy and policy
- Infrastructure Strategy and Policy
- Transport
- Spatial Planning
- oversight of Council's involvement in central government strategies, plans or initiatives that impact on Wairoa's future land use and infrastructure
- acquisition and disposal of property relating to the committee's responsibilities and in accordance with the LTP
- Regulatory activities including compliance, BCA and RMA consents

To provide strategic direction on Council's infrastructure, and the infrastructure climate change mitigation and adaptation programme of works.

To monitor, understand and mitigate risks.

- Developing and adopting plans, projects and policies that advance the Council's vision and goals in relation to its key Financial Strategy and Infrastructure Strategy while complying with purpose of the Local Government.

- Monitoring the financial and non-financial performance of the organisation with a particular emphasis on the delivery of the capital works programme. implementation and effectiveness of strategies, plans and policies
- Specifically monitor and provide oversight of significant projects, including reviewing business cases and agreed on next steps on significant projects.
- Responsible for assisting Council in its general overview of procurement and tender activity.

To provide strategic direction on Council's procurement framework and related documentation and to finalise procurement for contracts over \$100,000.

NGĀ KAWENGA/RESPONSIBILITIES

- Ensure that the work of the Committee is carried out in a way that enhances the social, economic, cultural, and environmental wellbeing of the Wairoa district
- To provide strategic direction on Council's procurement framework and related documentation in order to ensure that contracts are procured to meet the current and future needs of communities in the Wairoa district
- To make a decision on procurement for contracts over \$100,000.
- Monitor the implementation of the Council's Asset Management Plans
- To provide direction on strategic priorities and resourcing on Council's infrastructure climate change mitigation and adaptation programme of works for the current and future needs of communities in the Wairoa district
- To provide direction on strategic priorities and resourcing on Council's infrastructure programme of works for the current and future needs of communities in the Wairoa district
- Regulatory performance of permitted activities, resource consents, building consents, and bylaw rules, including compliance and enforcement.
- State of the Environment monitoring.
- Receive information on environmental monitoring and performance monitoring trends and recommend to the Strategy and Policy Committee to inform policy review.
- Monitor Council's actions on Climate Change.

NGĀ TUKU MANA/DELEGATIONS

All powers necessary to perform the Committee's responsibilities except:

- a. Powers that Council cannot lawfully delegate under the Local Government Act 2002.
- b. Where the Committee's responsibility is limited to making a recommendation only.
- c. Approval of expenditure not contained within approved budgets.
- d. The approval of final policy.
- e. Deciding significant matters for which there is high public interest and which are controversial

- f. The commissioning of reports on new policy where that policy programme of work has not been approved by the Council
- g. Establishing subcommittees
- h. Delegating the Committee's responsibilities, duties or powers

NGĀ TUKANGA/PROCEDURES

- Minutes are submitted to Council for receipt
- There will be an appropriate induction for new members of the Committee

Property Working Group

Reports to Infrastructure committee

Comprised of: (can be mix of elected members and staff)

Responsible for:

- Overseeing purchasing, development and disposal of property
- Maintenance of property
- Strategic projects as delegated by committee
- Developing a work programme in line with infra com
- Oversight of the property strategy
- Oversight of airport AMPS
- Monitoring of Public Safety Bylaw (car policy etc.)

Meeting Frequency:

- 6 weekly (timed 2 weeks before committee to manage recommendations).

8.3 ASSETS & INFRASTRUCTURE GROUP - UPDATE

Author: Mike Hardie, Pouwhakarae-Hua Pumau | Group Manager Assets & Infrastructure

Authoriser: Kitea Tipuna, Tumu Whakarae Chief Executive

Appendices: 1. Capital Projects Update [↓](#)

PURPOSE

This report provides information for Committee on Assets & Infrastructure Group and the differing activities within.

RECOMMENDATION

The Pouwhakarae-Hua Pumau | Group Manager Assets & Infrastructure RECOMMENDS that Committee receive the report, and provide direction where appropriate.

2. BACKGROUND

2.1 This report is aimed at providing the Infrastructure & Regulatory Committee key information, updates, and risk of key assets and infrastructure items at a high level.

3. DIRECTION

3.1 This section will outline the direction that Council officers are seeking from the Infrastructure & Regulatory Committee. It will outline how projects align with Council's direction and how these projects are being delivered in line with relevant policies and strategies i.e., Infrastructure strategy, procurement guidelines, AMPs, LTP, Annual Plan.

4. MONITORING

4.1 This section will refer to the monitoring dashboard. This is the operational spend and CSR data for each activity in the Assets and Infrastructure department. This is currently being reformed and will be presented at later meetings.

5. KEY UPDATES

5.1 The report focus for the Committee is **Risks**

5.2 Council's core function of managing assets & infrastructure has the inevitable presence of risks.

5.3 A generic risk update was provided to the Committee in June 2024 to ensure that there was governance oversight on managing these risks.

5.4 The direction at that time was for the GM Assets & Infrastructure to provide risk specific reports every 3-4 months, focusing on updates of risks outlined in report and any new risks (extreme or high).

6. CORPORATE RISKS

6.1 The following are updates on the top 5 current corporate risks (extreme or high generally) as per the Assets & Infrastructure Risk Register:

6.1.1. Landfill Capacity

- 6.1.1.1. Risk: Landfill reaches capacity and inadequate plans are in place for waste disposal (new cell or alternative disposal locations)
- 6.1.1.2. Update June 2024: The Solid Waste team have put forward a key decision item in the LTP consultation as to developing another cell at the current landfill site versus transitioning to an out of district disposal site. In combination with this, there is work is being done on the Waste Minimisation and Management Plan (sets the overall direction of Solid Waste) with a focus on minimisation & a proposed Kerbside collection model which encourages minimisation.
- 6.1.1.3. Update October 2024: The June 2024 flooding has put extra pressure on the capacity of the landfill. Due to this, Council fast-tracked the intention to transport waste out of the district to Omarunui Landfill in Hastings. A 3 year agreement has been endorsed by the Omarunui Landfill Joint Committee. This gives Council time to plan the future for Solid Waste. A key part of this planning is the creation of A Solid Waste working group which involves representatives from Elected Members, Council, Experts, and community. Terms of Reference is being developed and an initial meeting between Elected Member reps and staff have taken place.

6.1.2. Local Water Done Well

- 6.1.2.1. Risk: Planning and implementation of the Local Water Done Well CCO model is financially unaffordable and impacts local staff negatively.
- 6.1.2.2. Update June 2024: The Regional Recovery Agency is taking the lead for the HB councils to bring together a model that will work for the HB councils. Funding from the previous 3 water model is being used to help fund this work.
- 6.1.2.3. Update October 2024: This is progressing with the aim to consult with the community following Christmas period. Initial numbers have been put together by PWC on the proposed Water Services CCO. A report will be tabled on 31st October which seeks approval by individual Council's to go to the Business Case Stage.

6.1.3. NZTA Funding

- 6.1.3.1. Risk: Reductions in funding, by Council or Waka Kotahi impact ability to deliver the required programmes, resulting in reduced levels of service and increased risk
- 6.1.3.2. Update June 2024: Activity Management Plans (AMPs) are put together every 3 years and are updated to ensure the budgets in place meet the current level of service requirements. These plans are essentially bidding for NLTP funds against other councils/NZTA/Kiwi rail, and the outcome is unknown officially until the NZTA makes their decisions. For the 24-27 period, notification of this is due in July 2024.
- 6.1.3.3. Updated October 2024: Notification for the 2024-27 has been provided. Maintenance, Operations, and Renewals budgets have increased overall. Capital projects have reduced (\$0), and so has walking and cycling. The focus is to maintain what we have rather than build new infrastructure. Ongoing planning will start looking at the shaping up the 2027-30 period.

6.1.4. Climate Change

- 6.1.4.1. Risk: There will be increasing intensity of climate related event(s) requiring emergency work across infrastructure that cannot be funded out of normal budgetary provisions.
- 6.1.4.2. Update June 2024: Early climate change asset risk assessments have been completed and are incorporated into AMPs and Infrastructure Strategies/Planning, which highlights the key areas that investment is needed to ensure a more resilient infrastructure network, or highlights where change is needed. This needs to become more engrained in decision making processes moving forward.
- 6.1.4.3. Update October 2024: No further updates specific to Climate Change in the infrastructure and assets space, apart from financially the government has recognised the need for resilience improvements, granting \$7m of resilience funding (Business case/Benefit-Cost analysis pending)

6.1.5. Staff Resources

- 6.1.5.1. Risk: Inadequate pool of local resources to fill vacancies, as well as single dependencies & capacity, which impact on the ability to deliver the infrastructure portfolio's core services.
- 6.1.5.2. Update June 2024: Vacancies are advertised regularly, where appropriate permanent resources cannot be found there is a reliance on external support which comes at a cost premium. Continually working with HR to ensure we are reaching far and wide when advertising. There are a lot of single person dependencies which put council at risk, a focus needs to be on succession planning, cadetship programmes, and the like.
- 6.1.5.3. Update October 2024: The June update still stands. Succession planning and cadetship programmes are encouraged to be at the top of the priorities in terms of human resources. External support is required and on-going.

7. SERVICE LEVEL RISKS

- 7.1 The following are updates on the top 3 current service risks (extreme or high generally) per Activity as per the Assets & Infrastructure Risk Register:

7.1.1. Land Transport

- 7.1.1.1. Inadequate Investment in Sealed Pavement Renewals & Surfacing
 - 7.1.1.1.1. Risk: Inadequate investment in sealed pavement and surfacing renewals resulting in the age profile of sealed pavements and/or surfaces increasing, requiring increased investment, and impacting LoS & Risk.
 - 7.1.1.1.2. Update June 2024: Activity Management Planning, Finalisation of 30-year FWP, Improvements to data collection and performance measuring, dTIMS modelling, working with suppliers to innovate and reduce renewal cost, are all initiatives that the roading team are delivering to ensure that the most relevant and up to date information is at the forefront so appropriate decisions can be made.
 - 7.1.1.1.3. Update October 2024: The Activity Management Planning has been recognised as being high level with a significant increase in investment approved by NZTA & Council in the recent NLTP/LTP processes. More kms

of resurfacing will take place over the next 3 years, which will lead into further planning for the next three years.

7.1.1.2. Increased storm events and damage

7.1.1.2.1. Risk: Roding network experiences increased storm events and damage which exacerbates a deterioration in pavement and surface condition AND the roding network is vulnerable to climate change impacts, affecting network resilience and accessibility

7.1.1.2.2. Update June 2024: Culvert capacity assessments/upgrades, proactive drainage maintenance, renewals and upgrades, adequate condition assessment and monitoring, Improved planning for climate change to understand impacts on the road network and inform future work programmes, are all ongoing initiatives that the roding team are undertaking to attempt to mitigate effects caused from storm events.

7.1.1.2.3. Update October 2024: Ongoing work as per June update, increased investment in the maintenance space makes some of this work easier, but items such as culvert capacity upgrade improvements take a back seat due to funding constraints.

7.1.1.3. Gravel resources

7.1.1.3.1. Risk: Maintenance and renewals of sealed and unsealed roads are at risk of deterioration due to lack of access to appropriate gravel resources in the district, and high costs to bring in resources from out of district causes an affordability issue.

7.1.1.3.2. Update June 2024: A report has been undertaken which highlights this risk and indicates local gravel sites with potential volumes left. Continual discussions and planning with current contractors is happening to look at varying options. More work is required for long term security.

7.1.1.3.3. Update October 2024: No further update currently.

7.1.1.4. Uneconomic Roads

7.1.1.4.1. Risk: Road maintenance, repair and renewal costs are increasing, as are some expectations from community, which is presenting affordability challenges for Council and ratepayers

7.1.1.4.2. Update October 2024: Uneconomic roads are formed roads deemed as providing minimal benefit to the Wairoa district, and worthy of reviewing their "maintained" road status. There is a possible opportunity to reduce ongoing costs, by changing the status of "Uneconomic roads" and reduce/remove ongoing investment. NZTA have updated the uneconomic transport infrastructure policy which provides clearer definition of terms and requirements and sets out a policy process. Council staff have had two workshops (far apart) so a reboot in this area is now a focus to ensure Council have the opportunity to set good direction moving forward on this.

7.1.2. 3-Waters

7.1.2.1. Mahanga & Tuai Water supplies

- 7.1.2.1.1. Risk: Water supplies do not meet Taumata Arowai's compliance standards, putting the community and Council at risk of contamination and penalties.
- 7.1.2.1.2. Update June 2024: Extensions to the deadlines to be compliant have been requested from Taumata Arowai, 1 year water take resource consent extensions have been granted for these supplies, have engaged external support to bring options to the table for Mahanga, and Tuai engagement is planned to discuss this issue with the Tuai community.
- 7.1.2.1.3. Update October 2024: Extensions were not granted, but an understanding that we are working on getting these complex supplies into compliance has been given, with a commitment from Taumata Arowai to work closely with Council to ensure a successful outcome. Tuai engagement is set for early November 2024. The Mahanga options report is behind schedule, but is still aimed to be presented in 2024.
- 7.1.2.2. Wastewater inflow and infiltration
 - 7.1.2.2.1. Risk: Wastewater inflow and infiltration during rainfall events contribute to a higher amount of wastewater generation. System overflows causing service disruption and contamination for crews to deal with.
 - 7.1.2.2.2. Update June 2024: A lot of work has been done in this area in the last 2 years. Included in this relining of pipes, smoke testing. This was looking to be in a far better position, but due to cyclone there is a high-likely risk that stormwater has been plumbed back into the wastewater which means a lot of investigation and re-work, all large costs.
 - 7.1.2.2.3. Update October 2024: No further update at this stage.
- 7.1.2.3. Local Water Done Well
 - 7.1.2.3.1. As described in 3.1.2

7.1.3. Solid Waste

- 7.1.3.1. Contractors
 - 7.1.3.1.1. Risk: Experienced and knowledgeable Contractors/operators are difficult to attract and retain for operating a small/remote site, resulting in poor quality and compliance standards and high operating costs.
 - 7.1.3.1.2. Update June 2024: Continual market analysis and working with current contractor to ensure this is mitigated. Planning going forward includes taking this risk into account i.e., transfer station, kerbside collection planning.
 - 7.1.3.1.3. Update October 2024: Ongoing planning is occurring in the Solid Waste space. Extensions for contract, procuring new contracts, new levels of service, are all in the mix for consideration.
- 7.1.3.2. Public
 - 7.1.3.2.1. Risk: Public or personnel incident and landfill site due to inadequate H&S controls results in ill health, injury, or death
 - 7.1.3.2.2. Update June 2024: Reviewing hazardous waste handling procedures to ensure immediate burial of asbestos-contain material, review exclusion

zone procedures to ensure they are appropriate for protecting the public and staff from the significant hazards that exist at the tipping wall and as a result of moving machinery, regular review of the level of control in place to manage the risk, are ongoing initiatives that are engrained in our contractor management processes.

7.1.3.2.3. Update October 2024: As per above, plus change of key contractor personnel has seen an improvement in the landfill management as a whole.

7.1.3.3. Costs

7.1.3.3.1. Risk: Cost of landfill operation becomes unaffordable due to increasing costs of compliance and small waste stream

7.1.3.3.2. Update June 2024: Landfill/Solid Waste Service Sustainability review has been completed to assess viability of WDC continuing to operate landfill. This has been put forward in a proposal outlined in 3.1.1.

7.1.3.3.3. Update October 2024: A Solid Waste Working Group is in the process of being formed to ensure there is oversight in the multiple, complex issues moving forward. There are a stream of activities and key decisions in this space which need to be made, which ultimately will feed into the viability of a landfill in the district moving forward. A 3 year agreement to transport solid waste to Hastings gives some room to ensure this group and Council make the best decision for the community.

7.1.4. *Open & Built Spaces*

7.1.4.1. Lack of formal contracts

7.1.4.1.1. Risk: Lack of formal contracts potentially resulting in the Council being liable for H&S, operational, regulatory, financial issues / breaches / fines / prosecutions

7.1.4.1.2. Update June 2024: Currently reviewing all Council service providers and the contracts in place, and initiating a new round of procurement for open spaces contracts

7.1.4.1.3. Update October 2024: Procurement documents have been developed and aimed to be released late 2024/early 2025. There is risk around this in terms of finding value for money, ease of access for locals, and developing contracts that attract the appropriate resources.

7.1.4.2. Asset Management Planning

7.1.4.2.1. Risk: Poor asset management practices including lack of data/information/ knowledge on which to produce informed decisions on investment

7.1.4.2.2. Update June 2024: Investing in improved asset data systems (RAMM) including owner / tenant information and any agreements that are in place for maintenance and operations.

7.1.4.2.3. Update October 2024: No further update currently.

7.1.4.3. Reactive maintenance on Building portfolio

7.1.4.3.1. Risk: Reactive maintenance not solving underlying issues with Building Performance, leading to a continually degrading asset portfolio

- 7.1.4.3.2. Update June 2024: AMPs with forecasts and plans developed, RAMM will be implemented to assess condition and have better understanding of the assets, assessment of the appropriateness for Council to own certain assets is underway.
- 7.1.4.3.3. Update October 2024: Resources and lack of systems are still an issue.
- 7.1.4.4. Ahi Komau Complex
 - 7.1.4.4.1. Risk: Full financial lifecycle/costs not fully understood and more investment than expected going into completing the build and operational costs, as well as under resourced to manage a commercial complex.
 - 7.1.4.4.2. October 2024 Update: An analysis is being undertaken on the full costs of running this operation, which will be tabled at Council with potential options moving forward. Resourcing of running this complex is being worked on either through a new Property Officer, and also investigating what external managers may look like.
- 7.2 Please see attached Assets & Infrastructure – Capital Projects Update, Attachment 1 for the Capex Project summary. This dashboard provides details surround capex projects (usually valued over \$100k), and commentary specifically around risks as well as any mitigation measures in place.

Further Information

N/a

References (to or from other Committees)

N/a

Further Information

N/a

Item No.	Project	Risk	Res.	Phase	Financials			Forecast		Delivery		Commentary
					Budget	Variation Budget	Spent to date	spend	%	Delivery date		
1	Flood Damage Repairs, Mohaka Waiau, Package 4			Delivery	\$ 1,355,000	\$ 132,798	\$ 1,249,280	\$ 1,487,798	70	Dec 24	Awarded to Fulton Hogan. Two new packages of work were added to this contract. Another recently, Ohuka Road RP 12.8 Retaining Wall is completed. Work due to commence on Sheetpile Wall on Papuni Road RP 2.15. New package of work FH are completing two dropout repairs on Papuni Road utilising fill from an old dropout which will also allow the road to move away from an old dropout. Work is commencing with a dropout repair and culvert replacement on Mangaroa Road. Three bridge abutment scour repair jobs have been awarded and are due to start.	
2	Flood Damage Repairs, Mohaka Waiau, Package 4 - Emergency Variations			Delivery	\$ -	\$ 2,407,000	\$ 1,923,000	\$ -	60	Jun 25		
3	Flood Damage Repairs Waikaremoana Ruakituri Package 3			Delivery	\$ 1,100,000	\$ -	\$ 920,000	\$ 1,100,000	75	Dec 24	Awarded to QRS. Earthworks package still to complete. Cricklewood Road RP 5.3 Earthworks completed with pavement to do and the Ohuka Road 9.8 fill due to commence soon. Russell Parade underground power has been completed with overhead lines and poles removed. Work due to start on pavement widening and kerb and channel. Work continuing the Tiniroto Road 3.48 site.	
4	Flood Damage Repairs Waikaremoana Ruakituri Package 3 - Agency Works Variations			Delivery	\$ -	\$ 7,062,000	\$ 7,283,000	\$ -	60	Jun 25		
5	Structural Bridge Repairs 2022			Delivery	\$ 926,930	\$ -	\$ 926,930	\$ -	50	Dec 24	Awarded to QRS, variations added from Cyclone Gabrielle. At this stage minor works are still being completed under this contract.	
6	Structural Bridge Repairs 2022 - Emergency Works Variations			Delivery	\$ -	\$ 11,200,000	\$ 11,200,000	\$ -	50	Jun 25		
7	Beach Revetment			Completed	\$ 1,201,043	\$ -	\$ 1,201,043	\$ 1,201,043	100	Sep 24	Awarded to Pryde Contracting. Work has been completed. Working through a variation claim.	
8	Bridge Improvements Package 2024			Delivery	\$ 506,668	\$ -	\$ 125,000	\$ 506,668	45	Dec 24	Awarded to Ritchie Civil Ltd. Tukemokihī Woolshed Bridge complete with Poututu Bridge surfacing to complete.	
9	Recycling Centre			Design	\$ 229,000	\$ -	\$ 30,000	\$ 229,000	5	Dec 24	Following delays since 2021, MBIE have given one final extension – project must be completed by December 2024. No exceptions. Working on pre-engagement and engagement with the Community. Council did not endorse a reclassification of land on 24th September Council hui. It is unknown at this time whether MBIE will agree to another extension.	
10	Upgrade, Nuhaka, Oraka (TIF round 6).			Design	\$ 212,000	\$ 262,000	\$ 10,000	\$ 262,000	5	Dec 24	MBIE agreed to reallocate some of the funds awarded in TIF Round 7 from Mahia and Opoutama to increase the budget for Oraka. This has enabled the team to engage Permaloo for a turn key replacement solution and will ensure there are enough funds to complete the project.	
11	Ground Upgrade (TIF round 6).			Completed	\$ 165,000	\$ 849,000	\$ 1,014,000	\$ 1,014,000	100	Aug 24	Physical works complete. CCC pending.	
12	Destination Playground			Investigative	\$ 310,000	\$ -	\$ -	\$ 310,000	5	Jun 25	Two concepts have been prepared. Waiting on feedback from community representatives.	
13	Senior Housing Healthy Homes			Completed	\$ -	\$ 198,000	\$ 198,000	\$ 198,000	100	Nov 23	Improve flats air quality and heat in line with central govt new standards. Complete	

8.4 PLANNING & REGULATORY REPORT - OCTOBER 2024 UPDATE

Author: Hinetaakoha Viriaere, Pouwhakarae - Whakamahere me te Waeture | Group Manager Planning and Regulatory

Authoriser: Kitea Tipuna, Tumu Whakarae Chief Executive

Appendices: 1. Planning & Regulatory Report - October 2024 Update [↓](#)

PURPOSE

This report provides information for the Committee on key matters from the Planning and Regulatory Group and includes updates from Planning and Resource Management, Building Control including Rapid Building Assessments and Compliance and Licensing.

1.1 No decisions are required by Committee.

RECOMMENDATION

The Pouwhakarae - Whakamahere me te Waeture | Group Manager Planning and Regulatory RECOMMENDS that Committee receive the report titled 'Planning and Regulatory Report – October Update 2024'.

2. BACKGROUND

2.1 Each month the Pouwhakarae Whakamahere me te Waeture presents a report to the Infrastructure and Regulatory Committee that provides updates from the Planning and Regulatory Group.

2.2 The Planning and Regulatory October Update report highlights key updates on the following matters:

- RMA reform developments
- District Plan Review
- TAS temporary accommodation units
- IANZ Assessment update
- Rapid Building Assessments
- Building Act Reform Update
- Land Information Memorandum Reform
- Staff Updates
- Expression of Interest – District Licensing Committee

Further Information

[Resource Management Act 1991 No 69 \(as at 03 September 2024\), Public Act Contents – New Zealand Legislation](#)

https://www.parliament.nz/en/pb/sc/make-a-submission/document/54SCTIN_SCF_B4D9BBC3-C823-4130-0608-08DCCD28B5EC/building-overseas-building-products-standards-and-certification

<https://www.building.govt.nz/building-officials/bca-accreditation/legislative-requirements-bca-accreditation-scheme#:~:text=Section%20196&text=If%20a%20registered%20BCA%20continues,entitled%20to%20maintain%20its%20registration.>

[Building \(Accreditation of Building Consent Authorities\) Regulations 2006\(external link\)](#)

<https://www.legislation.govt.nz/act/public/1987/0174/latest/DLM122242.html>

<https://www.legislation.govt.nz/act/public/2012/0120/latest/DLM3339333.html>

<https://www.wairoadc.govt.nz/public-notice/eoi-district-licensing-committee-member/>

References (to or from other Committees)

Ordinary Council on October 22nd, 2024 (Updates to the Wairoa District Council Delegations Manual (October 2024)).



PŪRONGO WHAKAMAHERE ME WAETURE - PLANNING & REGULATORY REPORT

OCTOBER UPDATE 2024

1. WHAKAMAHERE/PLANNING

1.1. RESOURCE MANAGEMENT REFORM

Ministry for the Environment provided a Resource Management Reform Update for October 2024 that primarily included changes to the Resource Management Act 1991 and national direction. The Resource Management (Freshwater and Other Matters) Amendment Act 2024 (the Act) took effect on 25 October 2024. The Act amended the Resource Management Act 1991 (RMA) and national direction instruments including:

- National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB)
- National Policy Statement for Freshwater Management 2020 (NPS-FM)
- Resource Management (National Environmental Standards for Freshwater Regulations 2020 (NES-F))

The changes in the Act:

- Suspend for three years requirements under the NPS-IB for councils to identify new significant natural areas (SNAs) and include them in district plans. The Act also extends some SNA implementation timeframes to 31 December 2030.
- Exclude the hierarchy of obligations in the NPS-FM from consideration in resource consenting. This includes existing applications already lodged with a consent authority.
- Speed up and simplify the process for preparing and amending national direction, including national environmental standards, national planning standards, national policy statements and the New Zealand Coastal Policy Statement.

1.2 DISTRICT PLAN REVIEW UPDATE

The Wairoa District Plan became operative on 25 June 2005. It is now over ten years old and requires review. A significant amount of effort has gone into preparing for the review and several reports and scoping documents were prepared over the period 2016-2018. However, there have been delays due to the uncertainty caused by Resource Management Act reforms and their subsequent repeal in recent years, further RMA reform, staff shortages and significant flooding events including in February 2023 (Cyclone Gabrielle) and June 2024.

However, the Wairoa District Plan Review is a priority for Wairoa District Council and the Plan needs to be updated to reflect current resource management issues facing the region. It needs to be updated with relevant National Planning Standards, National Policy Statements, National Environmental Standards and relevant Treaty Settlement legislation.

Mahea NZ Ltd is providing support to the Planning Team to progress the Wairoa District Plan Review (WDPR) work programme for the Wairoa District Council. Mahea is a Gisborne based RMA Planning consultancy who offer a senior team of highly skilled consultants, with strong experience across both in Te Ao Māori and mainstream environmental policy, RMA planning, advice and implementation.

Next month a report will be presented to the Infrastructure and Regulatory Committee providing an update on the plan review work programme and next steps.

1.3 TAS UPDATE

As of 22nd October 2024, 21 Units have been delivered over 12 properties. These are included below:

154 Kopu Road	One-bedroom unit and a sleepout
186 Kopu Road	One-bedroom unit
149 Apatu Street	One-bedroom unit
21 Karaka Street	One-bedroom unit
107 McLean Street	Two-bedroom unit and two sleepouts
109 McLean Street	Two-bedroom unit
145 McLean Street	Two-bedroom unit
152 Apatu Street	Two-bedroom unit
148 Apatu Street	Two-bedroom unit and sleepout
48 McLean Street	Two sleepouts
25 Scott Street	Three sleepouts
359 Ngamotu Road	One Sleepout
23 Airport Road	One-bedroom unit
226 Kopu Road	One-bedroom unit

2. TŪTOHU WAIHANGA – BUILDING CONTROL

2.1. BUILDING ACT REFORM UPDATE

The Chairperson of the Transport and Infrastructure Committee is calling for public submissions on the building (Overseas Building Products, Standards, and Certification Schemes) Amendment Bill.

This bill would amend the Building Act 2004 to make it easier for designers and market participants to use new or competing building products. It would allow the Minister for Building and Construction to recognise overseas standards and makes a number of other amendments to the Building Act to remove barriers to the import of overseas building products.

2.2 IANZ ASSESSMENT UPDATE

Section 12 and 212 of the *Building Act 2004* (the Act) require that a territorial authority perform the duties of a Building Consent Authority (BCA) within its district. International Accreditation New Zealand (IANZ) who are appointed by Ministry of Business, Innovation and Employment (MBIE)'s Chief Executive, completed their 2024 accreditation assessment of the Wairoa District Councils Building Compliance Authority in accordance with the *Building (Accreditation of Building Consent Authorities) Regulation 2006* in September. The assessment is to review whether our Building Consent Authority (BCA) has the procedures and systems in place to satisfy MBIE accreditation requirements in accordance with s196 of the *Building Act 2004*. If a registered BCA continues to meet the criteria for registration this section provides that it is entitled to maintain its registration.

The Building Compliance team had a remote IANZ assessment (phase 1) in April 2024. As a result, our BCA received x2 GNCs (General non-compliances) regarding modular construction methods, which is a relatively new aspect for BCAs throughout NZ. We received x2 recommendations which required minor tweaks to existing processes. The team resolved the GNCs, addressed the recommendations and the WDC Building Consent Authority (BCA) manual has been updated to reflect these matters and training provided to BCA staff.

An onsite assessment was undertaken by IANZ of our processes, procedures and systems in September, x 4 GNCs (x1 already resolved) were issued with x3 minor GNCs to resolve. A total of x6 GNCs were issued for 2024. Due to this result (maintaining our BCAs low risk rating) IANZ will not be returning for another assessment for 2 years.

During the onsite IANZ assessment in September the Wairoa District Council was issued with a General Non-Compliance (GNC) relating to the Wairoa District Council Delegations Manual. This GNC related to changes to role titles and the addition and deletion of relevant legislative clauses as it relates to that role and to the Building Act. Therefore, a report was taken to Council for a resolution to amend the WDC Delegations Manual to include the required amendments. Evidence that these updates have been formally resolved will now be sent through to IANZ to clear the relevant GNC.

2.3 RAPID BUILDING ASSESSMENTS

Rapid Building Assessments (RBAs) from those commercial and residential buildings affected by Cyclone Gabrielle during September and October are shown in Tables 1 and 2 below. There has been no movement for Commercial buildings in the placard data over this period. There were 2 yellow placards (Cyclone Gabrielle event) removed for residential homes from September to October.

Table 1: RBAs (Cyclone Gabrielle) Commercial - September – October 2024

Rapid Building Assessments Tally – September & October 2024	Commercial – September	Commercial – October
Red – entry prohibited	0	0
Yellow – restricted access	33	33
White – can be used	35	34
Green – building reinstated	44	44

Table 2: RBAs (Cyclone Gabrielle) Residential- September – October 2024

Rapid Building Assessments Tally – September and October 2024	Residential – September	Residential – October
Red – entry prohibited	3	3
Yellow – restricted access	82	80
White – can be used	134	135
Green – building reinstated	139	140

Rapid Building Assessments (RBAs) from the residential buildings affected by June Rain Event during September and October are shown in Table 3 below. There were 11 yellow placards (June Rain event 2024) removed for residential homes from September to October.

Table 3: RBAs (June Rain Event) Residential - September & October 2024

Rapid Building Assessments Tally – September and October 2024	Residential – September	Residential – October
Red – entry prohibited	0	0
Yellow – restricted access	129	118

2.4 LIM REFORM UPDATE

The Local Government Official Information and Meetings Amendment Bill has passed its third reading. Amongst other things, the bill proposes changes to the national hazard information provided in LIMs (land information memoranda).

The amendment will come into force on 1 July 2025 (unless brought in earlier by an Order in Council).

What this means for councils:

- Territorial authorities and regional councils must provide information “that identifies” hazards and impacts (including potential ones) affecting land in a district, and their cumulative or combined effects – but they do not have to create new information for each LIM.
- The impact and potential impact of climate change that exacerbates natural hazards or potential natural hazards must also be identified if the council holds this information.

- The information must be summarised and presented in the LIM in the form required by regulations.
- Regional councils must provide natural hazard information and support to territorial authorities.
- Local authorities are not legally liable when providing natural hazard information in good faith.
- Councils must be consulted before new regulations about LIM information are made.

This amendment act also includes new reasons for withholding information under LGOIMA.

Taituarā has reached out to the Department of Internal Affairs to support the sector through the changes and contribute to the development of regulations and national direction.

3. TŪTOHU ME TE WHAKAAETANGA – COMPLIANCE & LICENSING

3.1 COMPLIANCE & LICENSING KEY UPDATES

3.1.2 STAFFING UPDATE

In October, there have been two new appointments in the Planning and Regulatory Group. New staff members include a Regulatory Projects Officer who has begun work on the review of the Wairoa District Council Dog Control Bylaw, Dog Control Policy/Selected Owner Policy in accordance with legislative requirements. Furthermore, a Compliance Officer has joined the Compliance team to assist in meeting our regulatory requirements in the delivery of Councils compliance services including providing animal and bylaw enforcement services in accordance with the relevant acts and bylaws.

3.1.3 DISTRICT LICENSING COMMITTEE

Wairoa District Council is calling for expressions of interest to fill two positions on its District Licensing Committee for a Commissioner (Chair) and a committee member role. The committee consider and determine applications pursuant to the Sale and Supply of Alcohol Act 2012.

Over the 2023/24 year, the DLC issued 37 managers certificates, seven licences and 16 special licences.

Each territorial authority must appoint one or more DLCs to manage licensing matters within its district. Functions of the DLC include:

- Determining applications for licences, managers' certificates and renewals
- Determining temporary authority applications (on/off-licences)
- Varying, suspending or cancelling special licences
- Referring applications to ARLA (Alcohol Regulatory & Licensing Authority)
- Conducting inquiries and making reports as required by ARLA

- Other functions conferred on it by any Act.

A DLC is made up of a chair and two members who have terms of office up to five years.

The quorum for a DLC meeting is three members, except when licence or manager's certificate applications have no objections or matters raised in opposition. In this case the Chair can form a quorum of one.

The chair of a DLC can either be an elected member of the territorial authority, or a commissioner appointed by the Chief Executive, on the recommendation of the territorial authority.

A commissioner has all the functions, powers and duties of the chairperson and:

- Should have good standing in the community and the necessary knowledge, skill and experience relating to matters that are likely to come before the committee.
- Must not have involvement, or appearance of involvement, with the alcohol industry to the extent that there would be a bias or appearance of bias.
- May not be constable, Medical Officer of Health, inspector, or employee of a territorial authority.

A deputy chair, who must be an elected member of the territorial authority, may be appointed to deputise for the chair in the case of illness or absence from New Zealand.

Elected members of a DLC hold a semi-judicial role and must make fair and legally correct decisions. They must not be influenced by concerns that a decision may be unpopular and affect the member's re-election prospects. An elected member appointed as the chair of a DLC cannot continue if they cease to be an elected member, unless they have the required competencies and are appointed as a commissioner.

Members of a DLC are eligible people, either community members or elected members of a territorial authority, who are selected from a list of potential DLC members with experience relevant to alcohol licensing matters.

All members and the chair are appointed for a period of up to five years and can be reappointed for one or more further periods of up to five years.

Report Date: 29th October 2024