

STAFF REPORT

TO: Chairman and Members, Engineering Services Committee
FROM: Jeff Cuthbertson, Utilities Asset Manager
DATE: 12 June 2007
REFERENCE: W230
SUBJECT: **MOTUEKA COASTAL COMMUNITY WATER SUPPLY**

1 PURPOSE

The purpose of this report is to provide an update to the Engineering Services Committee.

2 COMMENT

Engineering Services staff have submitted a comprehensive Water Extraction Consent Application to Council. This application was notified on 24 March 2007.

Community consultation was undertaken during April 2007.

Submissions to the application closed on 2 May 2007. Council received 412 submissions and they continue to be received.

A Section 92 requesting clarification of some issues relating to the application have also been received. These issues are being worked through and will be resolved within the required deadline of 29 June 2007.

3 WAKATU – LEGAL CHALLENGE

Wakatu Incorporation have taken proceedings against both Council and the applicant (Engineering Services).

The first proceedings against Council relate to process as to why Council accepted the Engineering Services application and turned down the Wakatu application.

The second proceedings is against Council as the applicant in relation to a breach of contract and breach of joint venture. The applicant (Engineering Services) will be vigorously defending its position.

The legal proceedings for both of these claims will take place later in the year.

4 RECOMMENDATION

THAT this report be received.

Jeff Cuthbertson
Utilities Asset Manager