



ORDINARY COUNCIL MINUTES

MINUTES OF THE ORDINARY COUNCIL MEETING OF WESTLAND DISTRICT COUNCIL HELD VIA ZOOM ON THURSDAY 24th MARCH 2022, COMMENCING AT 11:00 AM

The Council Meeting was live streamed to the Westland District Council YouTube Channel and presentations are made available on the council website.

1. KARAKIA TĪMATANGA OPENING KARAKIA

The opening Karakia was read by Cr Neale

2. MEMBERS PRESENT AND APOLOGIES

Chairperson	Cr Carruthers (Deputy)	
Members	His Worship the Mayor	
	Cr Davidson	Cr Hart
	Cr Hartshorne	Cr Keogan
	Cr Martin	Cr Neale
	Kw Madgwick	Kw Tumahai

NGĀ WHAKAPAAHA APOLOGIES

Kw Tumahai

ABSENT

No absences

Moved Cr Keogan seconded Cr Hart and **Resolved** that the apology Kw Tumahai be received and accepted.

STAFF PRESENT

S.R. Bastion, Chief Executive; T. Cook, Regulatory Services Manager; L. Crichton, Group Manager: Corporate Services; F. Scadden, Planning and Customer Services Manager; L. Sparks, Group Manager District Assets; D. Maitland; Executive Assistant, E. Rae, Strategy and Communications Advisor; S. Johnston Governance Administrator.

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated via Microsoft Teams and available on the Council table. There were no changes to the Interest Register noted.

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

There were no urgent items of business not on the Council Agenda.

**5. NGĀ MENETI O TE HUI KAUNIHERA
MINUTES OF MEETINGS**

The Minutes of the previous Ordinary Council Meeting were circulated separately via Microsoft Teams.

- **Ordinary Council Meeting Minutes – 24th February 2022**

Moved Cr Neale seconded Cr Martin and **Resolved** that the Minutes of the Ordinary Council Meeting held on the 24th February 2022 be confirmed as a true and correct record of the meeting.

The Chair **Approved** that their digital signature be added to the confirmed Council Meeting Minutes of 24th February 2022

6. ACTION LIST

Chief Executive Simon Bastion spoke to the Action List and provided the following updates:

- 1. Kaniere School Student Cycle Way Crossing:**
Progress has been made, however due to the curbing and channelling crew being affected with Covid, the expectation to finish by end of March has unfortunately been pushed out.
- 2. Speed Limit Review:**
This process will be deferred to after Annual plan consultation.
- 3. Ross Chinese Gardens:**
The resource consent has been received and progress has been made. The Community is taking the lead on the project delivery.
- 4. Revell Street Trial:**
There is a report up for discussion to the Council today regarding the Revell Street Trial.
- 5. Investigation re: District Council Head office and Pakiwaitara Building:**
This is ready for discussion with Council, to be held at a Workshop on 29th March 2022 at 4pm.
- 6. Pakiwaitara Building Business Case Timeline:**
As above, this will be discussed at a Council Workshop on the 29th March 2022 at 4pm.
- 7. Roading updates:**
Westroads have started work on Park and Hall Street regarding footpaths has started, and deep cleaning will soon start in Ross. Full update on Transportation activities will be provided in the April Council meeting.

Moved Cr Keogan seconded Cr Hart and **Resolved** that the updated Action List be received.

7. NGĀ TĀPAETANGA PRESENTATIONS

- **Department of Conservation Updated to WDC – Hokitika District**
Owen Kilgour; Operations Manager – DOC

Hokitika District Highlights

- Ross Interpretation
- Otira Weeds
- DWC Destination planning
- Ross Chinese Gardens
- Kapitia scientific reserve and skinks

Arahura Strategic Waterways Restoration

He Ka Kano Native Tree Nursery

Sustainable Wild Whitebait Fishery

Weed Free Te Tai Poutini

CMS Review

Stewardship Land Review

Neil Clifton – Chair of Independent Stewardship Land Panel spoke to this:

- Neil Clifton shared a brief background on how land came into the Department and why classification is important.
- The Panel has been visiting stewardship land for the past few months and is nearing the end of site visits.
- Once visits are completed and site recommendations done, they will be publicly notified and open for submission for 40 working days. This process is expected to be given in early May. Following submission process, the panel will reconsider recommendations and make a final set of recommends to the minister of Conservation in July this year.

Moved Deputy Mayor Carruthers seconded Cr Davidson and **Resolved** that the presentation from Department of Conservation Owen Kilgour and Neil Clifton be received.

- **Observations on how Local Government Risk Management Practices Work**
Rachael Dean and Hugh Jory; Acting Assistant – OAG

Our Process

What Did We Expect to See?

What we found

Top Risks identified by Councils – wide ranging

Recommendations

Observations from Case-studies

What next

Moved Deputy Carruthers seconded Cr Davidson and **Resolved** that the presentation from Observations on how Local Government Risk Management Practices Work from OAG be received.

8. PŪRONGO KAIMAHI STAFF REPORTS

- **CE's Report**

Chief Executive Simon Bastion spoke to this report

1.1 The purpose of this report is to provide and update on the positive aspects that are happening in the Westland District, and update Council on any matters of significance and priority.

Covid Update

As per the changes to legislation on Wednesday 23rd March 2022, Council will continue with reduced public facing hours until midnight 4th April 2022, when the mandate restrictions will be lifted.

Kw Madgwick, Cr Martin, Cr Keogan, Cr Davidson, Cr Hart all expressed concern about the continued conservative position the Council is taking regarding COVID-19 restrictions and asked when they could expect the staff to work back from the office building and Councillors are able to sit around the table again.

The Group Manager Community and Regulatory Services advised that the council's position is to protect staff as we have a very small staff base. By removing restrictions, we will get people coming in who are anti-vax not wearing masks etc. We are comfortable to continue as planned and lift restrictions on midnight 4th April as per government guidelines.

Cr Neale was happy with the continued conservative approach that staff were taking to ensure that services were kept running.

The Chief Executive advised that his priority is to ensure the welfare of staff is prioritised and acknowledged that there is frustration out there to get everyone face to face again and looks forward to having the Councillors around the table at the April meeting. However, due to West Coast numbers of COVID-19 growing, the date of the 4 April 2022 will be adhered to.

3 Waters Reform

Council have aligned with Communities for Local Democracy. An attempt to talk to the Minister last week was unfortunately deferred and has been rescheduled.

Taumata Arowai the new regulator in regard to Draft Water Regulations and gap analysis, which highlights that we have 5 plants in the smaller communities that require chlorination components to be added to our water treatment. The other 4 plants already have those components in place. This is a sensitive matter, but we are however reflecting what the new regulation is saying. We are challenging some of those recommendations along with every other Council in New Zealand.

Deputy Mayor Carruthers, Cr Martin and Scott Baxendale, Group Manager District Assets advised they will be attending the Communities for Local Democracy and potentially meeting with the Minister of Local Government to provide a united voice from the sector on the implications of the reform process. Cr Martin sought feedback from Councillors if they had any items they wished to be raised.

Hokitika Waste-water Treatment Plant:

Stantec have been doing the options assessment work in the background and a one-on-one session with Iwi will be scheduled soon; then wider stake holder review in the near future.

TIF Funding:

Progress is underway on preparing applications for TIF funding, in particularly the Franz Josef Community Revitalization, and a Project Manager has been assigned to prepare the applications.

Kw Madgwick sought clarification on the location of the toilets at Paringa. The Chief Executive advised the location is by the Paringa Salmon Farm.

Carnegie Building:

There have been some delays, however work is still in hand, and it is expected this will be completed in June. There have been some quite difficult engineering complexities come through regarding the parapets, so that work has been deferred, and a resolution has been found to move forward on this.

Kw Madgwick expressed concern regarding the unforeseen engineering design issue regarding the columns at the front of the building.

The Chief Executive advised that the columns were always proposed to be strengthened; it was the TYPE of strengthening that was the issue. There will be no added cost to the Council for the work-around.

Kw Madgwick asked when the Hokitika Museum will be back in the Carnegie Building as it has been closed for 5-6 years.

The Group Manager Regulatory & Community Services advised that there could be components of it that could be opened eventually, e.g.: the Luminaries artifacts could be made available, but it really comes down to the extent of the fit-out requirements.

The Chief Executive advised that there is no exact detail for an opening launch. If there is an opening, it will open room by room.

Cr Martin asked when the fitout of the Carnegie Building will occur.

The Group Manager District Assets advised that Council must wait for the current project to end until we can look at the fit out.

The Chief Executive advised that there is funding in the current LTP to complete the fit-out.

Pakiwaitara Building and Council Headquarters:

Initial concept plans have been drawn up which will be shared with Council on the 29th March 2022 workshop.

Funding re: Energy Centre:

Funding has been received for a concept feasibility study of an Energy Centre. The concept is to look at supporting: the council building, swimming pool, Government Building (Seddon House), potentially the Pounamu Pathway Building and Pakiwaitara building with a 'one stop shop' energy centre. A project lead has been assigned to this, who are working on behalf of Council to come up with a design.

Councillors had expressed concern that they were not aware of the proposed Energy Centre in Hokitika. The Chief Executive advised that this had been raised several times previously.

NOTE: AN ERROR IN REPORT - West Coast Wilderness Trail Enhancements:

In terms of MBIE Contribution - those numbers are what we applied for. What we actually received was \$650k. The Chief Executive advised that he can circulate the required information after the meeting to Councillors.

Updates re: Cass Square Playground and Whataroa Playground:

The Cass Square Playground and concept designs will be discussed at the next Planning meeting on the 29 March 2022. Negotiations with the playground supplier are continuing. A timeline for installation is yet to be confirmed.

Whataroa Playground equipment has been ordered and to be installed in April.

Racecourse Development:

Council submitted a more detailed Request for Proposal in December last year for Infrastructure Acceleration fund. Following the submission Council met with Kainga Ora in February to clarify some final points of the submission. Council will be made aware of the outcome of the bid by end of April 2022. A final decision will be made by the Minister from May to October 2022.

Stewardship land review:

Council has a report regarding this later in the agenda.

Strategy and Communications:

Council has the Bi-Annual Resident Survey in the wider community at the moment to gauge how Westland District is performing.

Planning:

The Te Tai Poutini Plan is out as an Exposure Draft; some feedback has already been received. The Committee will hear submissions. There has been really good engagement across the community with this – particularly regarding zoning.

Mayoral Taskforce for Jobs:

This has been very successful with \$450k spent this fiscal year with 13 appointments been made, with over 160 appointments been made since the program started. Council is still waiting to hear about funding for the next financial year.

Hokitika Museum Board Establishment:

The Hokitika Museum proposes that Council supports the development of a Hokitika Museum Board to be established as an incorporated society that is positioned especially for the Hokitika Museum. CE would like councils' endorsement to come back to Council

with a report in April in terms of what that may look like, including a draft term of reference.

The following other matters were raised by Councillors:

Laevo Software for Project Management:

Kw Madgwick queried the cost of the software.

The Group Manager District Assets advised that there was a total cost of \$4,300 a year for 10 licenses, however the number of licenses had been doubled to 20 at a cost of \$8,600 per annum.

Draft Annual Plan:

Kw Madgwick asked if the draft annual plan will be consulted upon.

The Group Manager Corporate Services advised that Council will be consulting on the draft Annual Plan.

Information technology – HR system:

Kw Madgwick sought clarification about the item in the report regarding the HR system.

The Group Manager Corporate Services advised that Council are now fully utilizing the HR system for recruitment, which is a risk reducing process.

Hokitika Swimming Pool:

Cr Martin sought clarification on when the Hokitika swimming pool will be open and operative.

The Group Manager, District Assists advised that the Hokitika swimming pool will close in June for 3 months & then re-open to the public.

Te Tai o Poutini Plan:

Cr Martin advised that there is a secondary roadshow occurring regarding instable land and flooding from the 11-14th April throughout the West Coast. There are drop-in centre events in: Haast, Mahi Tahī Marae - Bruce Bay, Okarito, Franz Josef and Hokitika.

Councillors and residents are encouraged to read the exposure draft and look at the impacts it has on their areas and properties.

Creative Community Scheme:

Cr Martin advised that applications close on the 4th April, and applications are encouraged for creative projects for their community.

Beach Access Ramps:

Cr Keogan sought clarification about the beach access ramps and what they are going to look like.

The Chief Executive advised that Westlock make an inter-linking block that links together that provides sea wall protection and will forward a link on what they look like.

Old Christchurch Road:

Cr Keogan asked if it was the intention to continue to find external funding to complete the remainder of the Old Christchurch Road.

The Chief Executive advised that at this stage it would be very unlikely to get any further funding as the NZTA budget we get annually goes towards significant works.

Library Recruitment:

Cr Keogan sought more information regarding Library recruitment.

The Chief Executive advised that recruiting has been hard in the current environment and Council have held off advertising while there have been Covid-19 restrictions in place, however, all vacancies have been advertised and open for applications.

Staff Positions:

Cr Keogan asked for a dossier of all the positions that are now in Council with a brief outline of each role in hard copy form and for the website as well.

The Chief Executive advised that it would be more appropriate for people to send their enquiries through Customer Service desk.

Annual Plan and Consultation – Re: Rates Increase:

Cr Keogan queried when this matter will be discussed.

The Chief Executive advised that this will be via a council workshop as rates are being reviewed currently.

Unchlorinated Treatment Plant:

Cr Hart queried estimated costings on the procurement of equipment for the remaining 5 unchlorinated treatment plants.

The Group Manager, District Assets advised that it is approximately \$30,000 per exemption.

Cr Martin left the meeting at 11:58am and will return later.

Moved Cr Neale seconded Cr Keogan and **Resolved** that the Quarterly Report from CE Simon Bastion:

- a) Be received, and that
- b) A paper be prepared for the next council meeting regarding museum trust board endorsement.

- **CDEM Agreement for Adoption**

Chief Executive Simon Bastion spoke to this report.

- 1.1 The purpose of this report is to seek Council endorsement of the revised West Coast Civil Defence & Emergency Management – Partnership Agreement.

August 2021 the Joint Committee requested an independent review to be conducted.

Chris Walker (previous Civil Defence Director in Otago) conducted this and presented back to joint committee with recommendations. One recommendation was to bring the partnership agreement back up to standard and to practice. It aligns the 3 councils under the same umbrella and the same rules. It has been fully critiqued by CE's and the joint committee. It helps to clarify the various components of our Civil Emergency Response and roles of individuals.

Moved Mayor Smith seconded Cr Hart and **Resolved** that the CDEM Agreement for Adoption Report:

- a) Be received, and that

b) Council endorses the West Coast Civil Defence – Partnership Agreement by signing the document

- **Stewardship Land in Aotearoa:**

Chief Executive Simon Bastion spoke to this report.

1.1 The purpose of this report is to provide a copy of the joint submission by the West Coast Regional Council, Buller District Council, Grey District Council and Westland District Council on the Department of Conservation (DOC) proposed options to streamline processes for reclassification and disposal of Stewardship land.

CE engaged with support from other Councils (Buller, Grey & Regional) and have endeavoured to capture every piece of information that has been fed back and put together a really good submission.

Moved Cr Keogan seconded Deputy Mayor Carruthers and **Resolved** that the Stewardship Land Report from the CE Simon Bastion:

- a. Be received, and that
- b. Council endorses the joint submission retrospectively by the West Coast Councils on DOC's proposal to streamlining the stewardship land reclassification process.

Break for Lunch 12:30pm

Recommended meeting at 1.00pm

Kw Francois joined the meeting at 1.00pm

Cr Martin re-joined the meeting at 1:04pm

- **Franz Josef Protection Works ToR Governance Group**

Chief Executive Simon Bastion spoke to this report.

1.1 The purpose of this report is to provide a copy of the Franz Josef/Waiarau Rating District Joint Committee Agreement for adoption by Council

Moved Deputy Mayor Carruthers seconded Cr Neale and **Resolved** that the Franz Josef Protection Works ToR Governance Group Report from the CE Simon Bastion:

- a) Be received
- b) That the Franz Josef/Waiarau Rating District Joint Committee Agreement is adopted and be signed by the Mayor.
- c) That Council appoint the Mayor and two elected South Westland Councillors to the Joint Committee.

- **Financial Report**

Finance Manager; Lynley Truman spoke to this report.

1.1 The purpose of this report is to provide an indication of Councils financial performance for four months to 28 February 2022.

Moved Cr Hart seconded Cr Neale and **Resolved** that the Financial Report for February 2022 from the Finance Manager Lynley Truman be received.

- **Application to Install a Park Bench by Jimmy Gordon to commemorate 100 years in New Zealand**

Group Manager: District Assets - Scott Baxendale spoke to this report.

1.1 The purpose of this report is to seek permission from the Council to install a park bench at Cass Square with a small plaque attached.

Moved Cr Neale seconded Cr Martin and **Resolved** that the Poppy Plaque Seat Application Report from the Group Manager of District Assets Scott Baxendale:

- a) Be received
- b) That Council approve the seat and plaque being installed at Cass Square in the area indicated.
- c) As the seat is not a complex or high maintenance structure, it is recommended that Council will meet the cost, or any repairs or maintenance required.

- **Gambling Policy**

Group Manager; Regulatory and Community Services - Te Aroha Cook spoke to this report.

1.1 The purpose of this report is to update Council on the statutory review of Council's Class 4 Gambling Venue Policy and to seek a decision on whether to adopt the Policy without amendment.

Moved Cr Neale seconded Cr Keogan and **Resolved** that the Gambling Policy Report from the Group Manager of Regulatory and Community Services Te Aroha Cook:

- a) Report be received.
- b) The Class 4 Gambling Policy Venue be adopted without amendment and that Council staff undertake a social impact assessment and bring a report back to Council.

- **Ordering of Candidate Names on Voting Papers 2022**

Group Manager, Corporate Services - Lesley Crichton spoke to this report.

1.1 The purpose of this report is for Council to consider the order of candidate names on the voting papers for the 2022 local elections.

Moved Deputy Mayor Carruthers seconded Cr Keogan and **Resolved** that the Ordering of Candidate Names on Voting Papers 2022 from the Group Manager of Corporate Services Lesley Crichton that:

- a) The report be received, and
- b) That candidates' names be arranged in random order.

- **Beautification of Marks Road, with appendix: Haast - \$10k**

Community Development Advisor - Sarah Brown spoke to this report.

- 1.1 The purpose of this report is to request the release of funds to the Haast Community, from previously approved funding that Council put aside for the Marks Road Beautification project.

To note: The \$10k for Marks Road beautification is coming from the Reserve Development Fund.

Moved Cr Neale seconded Cr Hartshorne and **Resolved** that the Beautification of Marks Road, with appendix: Haast - \$10k from the Community Development Advisor Sarah Brown be received and that Council release the \$10k from the Reserves Development fund

- **Welcoming Communities**

Community Development Advisor - Sarah Brown spoke to this report.

- 1.1 The purpose of this report is to have a commitment from Council to confirm and endorse an Expression of Interest to be part of the Welcoming Communities Programme.

Moved His Worship the Mayor seconded Cr Keogan and **Resolved** that the Welcoming Communities Report from the Community Development Advisor Sarah Brown:

- a) Be received, and
- b) That Council confirm and endorse an Expression of Interest from Westland District Council be submitted to MBIE to join the Welcoming Communities Programme.

- **Three Mile Hall Funds**

Community Development Advisor - Sarah Brown spoke to this report.

- 1.1 The purpose of this report is to request Council to release funds to the Three Mile Hall Committee, from previously approved funding that Council put aside for the annotated pictorial portrayal of the history of the Three Mile Hall.

* Note Cr Keogan declared a conflict of interest and vacated the chair via zoom for this discussion and did not vote on the matter and returned to the meeting after the discussion had concluded.

Moved Cr Martin seconded Cr Neale and **Resolved** that the Three Mile Hall Funds Report from the Community Development Advisor Sarah Brown:

- a) Be received and that,
- b) The Council release the funds to The Three Mile Hall Committee of up to \$3000 for Phase 1 of the Three Mile History Project.

- **Revell Street Trial Outcomes for adoption as a long-term one-way system (Presentation as well as Report)** Planning Manager - Fiona Scadden spoke to this report:

1.1 The purpose of this report is to consider the successes and costs to date of the Revell Street Trial and whether the block of Revell Street between Weld Street and Hamilton Street should remain one way.

Moved Cr Hartshorne seconded Cr Keogan and **Resolved** that the Revell Street Trial Outcomes for adoption as a long-term one-way system report:

- Is received and,
- That staff conduct an engagement process with the businesses impacted on Revell Street regarding feedback on the current format as a one-way system, and
- Report back to Council in April 2022.

Note: Cr Davidson declared a non-financial conflict of interest in this matter and vacated his chair when the item was discussed at the meeting and did not partake in the discussion or vote on this matter.

9. ADMINISTRATIVE RESOLUTION

Moved Cr Martin seconded Cr Hart and **Resolved** that Council confirm its Seal being affixed to the following document:

Warrant of Appointment – Building Control Officer

Horano Hemi Wilson	Warrant of Appointment – Building Control Officer	<p>To act in the Westland District as:</p> <ul style="list-style-type: none"> • An Officer pursuant to Section 174 of the Local Government Act 2022; AND • An Authorised Officer pursuant to Section 222 of the Building Act 2004; AND • An Enforcement Officer pursuant to Section 371b of the Building Act 2004; AND • An Officer under the Westland District Council Bylaws; AND • An Enforcement Officer pursuant to Section 38 of the Resource Management Act 1991.
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10. KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI RESOLUTION TO GO INTO PUBLIC EXCLUDED

(to consider and adopt confidential items)

Moved Deputy Mayor Carruthers, seconded Cr Neale and **Resolved** that Council confirm that the public were excluded from the meeting in accordance with Section 48, Local Government Official Information and Meetings Act 1987 at 3.36 pm.

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 Minutes – 24 th February 2022	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 for withholding exists. Section 48(1)(a)
2.	CE's Confidential Report	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 for 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 are as follows:

Item No.	Interest
1	Protect the privacy of natural persons, including that of deceased natural persons
1, 2	Protect information where the making available of the information: (i) would disclose a trade secret; and (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Schedule 7(2)(b)).
1, 2	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))

Moved Deputy Mayor Carruthers, seconded Cr Neale and **Resolved** that the business conducted in the 'Public Excluded Section' be confirmed and accordingly, the meeting went back to the open part of the meeting at 5.05pm.

**DATE OF NEXT ORDINARY COUNCIL MEETING – THURSDAY 28TH APRIL, 1PM
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

MEETING CLOSED AT 5.05 PM

Confirmed by:

Mayor Bruce Smith
Chair

Date: