



# ORDINARY COUNCIL MINUTES

## MINUTES OF THE ORDINARY COUNCIL MEETING OF WESTLAND DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM ON THURSDAY, 29 APRIL 2021 COMMENCING AT 1PM.

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 Kw Madgwick.

### 2. MEMBERS PRESENT AND APOLOGIES

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

### NGĀ WHAKAPAAHA APOLOGIES

Kw Tumahai for lateness

Moved Cr Kennedy, seconded Cr Davidson and **Resolved** that the apology for lateness from Kw Tumahai be received and accepted.

### STAFF PRESENT

S.R. Bastion, Chief Executive; T. Cook, Group Manager: Regulatory and Community Services; L. Crichton, Group Manager: Corporate Services; D. Maitland; Executive Assistant, M. Smith, Committee Secretary.

### 3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated via Microsoft Teams and available on the Council table. The advised Interest Register changes are noted below:

#### **His Worship the Mayor - new interest.**

Bruce and Jenny Smith – Ecoforest Management Ltd, Consent Issue, Neighbor – Non-pecuniary – Potential Conflict

#### **Deputy Mayor Carruthers - updated interest.**

The Bill Blackadder Trust – updated to pecuniary – updated to perceived conflict.

**Cr Martin - updated and new interest.**

Lions Club of Hokitika – undated title from Treasurer to incoming President.

Byte, Mawhera Digital Hub, Governance Member – Non pecuniary – Perceived conflict.

**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 meeting were circulated separately via Microsoft Teams.

• **Ordinary Council Meeting Minutes – 25 March 2021**

Moved Cr Kennedy, seconded Cr Martin and **Resolved** that the Minutes of the Ordinary Council Meeting held on the 25 March 2021 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 25 March 2021.

**6. ACTION LIST**

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

**Kaniere Cycle Trail & Crossing**

The materials have been received for the crossing and are ready to be installed. The site for the crossing has been agreed. As part of the works planned at the crossing, additional footpaths are to be created and the road is to be realigned and changed to a T intersection.

**Fox Landfill**

The river clean-up has been completed by Glacier Guides and the remaining rubbish from the Fox landfill has been relocated to the Butlers landfill and signed off by an external independent auditor. The tender for the Butlers landfill will be presented at the May council meeting.

**Iwi representation around the Council table**

A number of Councils have to be on board to move further with this. Unlikely to meet the May remit process deadline. Currently a lot of movement within Local Government around the area of Maori ward development.

**Hokitika Waste Water Treatment Plant**

Report to council today to form an oversight committee with local Iwi stakeholders. \$1.5m from the 3 Waters Reform review funding is being used for the design and stakeholder process. Stantec have been commissioned to lead the project on behalf of Council.

**Committee/Subcommittee Meetings Structure**

Report to be presented before Council today.

### **Gillespies Beach Miners Cemetery Closure**

The 30 day timeframe for reply from the effected members of the community has expired with no response. This action is now considered closed.

### **Speed Limit Register Review – Stage 2**

Stage 2 is on hold due to the national NZTA speed limit reviews, 1<sup>st</sup> May will implement the adopted changes including the 30km central business district zone.

### **Ross Chinese Gardens – Flooding issues**

All stakeholders have agreed on a lake level. The work means realigning Jones Creek WDC to undertake culvert works. Westland District Council is taking the lead to develop this and the consent process.

### **Enviroschools Letter**

Has been sent to the West Coast Regional Council, no reply as yet.

### **Mark Davies, DOC to speak at an upcoming Council Meeting**

Scheduled to speak at the May Council Meeting.

### **Workshop with Westland Holdings Limited Directors and Destination Westland.**

Scheduled to speak at the May Council Meeting.

### **Kumara Gardens**

Discussion is yet to be finalised with the community group. To make contact to progress with this.

### **Jobs for Nature**

Update scheduled for the May Council Meeting.

*Kw Tumahai entered the Council Chambers at 1.07pm.*

Moved Cr Keogan, seconded Cr Hart and **Resolved** that the updated Action List from the Chief Executive be received, with the below amendments/updates:

Kaniere Crossing:

- Send out to elected members a sketch plan for the road change to a T junction.
- To advise elected members when the work is scheduled to start and finish.

Enviroschools Letter:

- Send a copy to elected members.

Jobs for Nature:

- Combine with the invitation to speak from Mark Davies, Department of Conservation.
- Mike Meehan (Chair) to be invited to provide an update to elected members on funding distribution.

## **7. NGĀ TĀPAETANGA PRESENTATIONS**

- **Te Tai o Poutini Plan (TTPP) Fast Track Proposal**

Jo Armstrong, Project Manager spoke to this presentation via zoom. The topics covered were:

- The Catalyst: Resource Management Act (RMA) Reform.
- Why Accelerate the TTPP?
- Risk and Benefits of Accelerating TTPP Development.
- Resourcing Implications for Council and Iwi Staff

Moved Cr Kennedy, seconded Cr Martin and **Resolved** that the Te Tai o Poutini Plan (TTPP) Fast Track Proposal presentation from Jo Armstrong, Project Manager from the Te Tai o Poutini Plan be received.

- **Junk2Funk Concept, Walls Motors Site**

Claire O’Connell, Producer spoke to this presentation. The topics covered were:

- Co Lab and Makerspace.
- Junk to Funk Wearable Arts Awards Space.
- Start Up and Hot Desk Spaces.
- Community Events and Classes.
- Proposed use of Spaces.
- Website Layout.
- Revenue Streams.
- Why consider the proposal.
- Possible Collaborations.
- How to move forward.
- Junk to Funk Concept.

Moved Cr Keogan, seconded Cr Hartshorne and **Resolved** that:

- A) Council supports the concept and offers support that does not extend to financial support.
- B) Council supports His Worship the Mayor writing letters of support for any funding applications undertaken towards this project.

Moved Cr Kennedy, seconded Cr Hart and **Resolved** that the Junk2Funk Concept, Walls Motors Site presentation from Clair O’Connell, Producer at Junk2Funk Wearable Arts be received.

## 8. PŪRONGO KAIMAHI STAFF REPORTS

- **Financial Performance as at March 2021**

The Finance Manager spoke to this item and advised the purpose of this report is to provide an indication of Councils financial performance for nine months to 31 March 2021. He highlighted that the forecasted grant income for the year has been adjusted for clarity as requested by the elected members at the previous meeting.

*Cr Hartshorne left the meeting via zoom at 2.33pm and returned at 2.40pm.*

*Actions:*

- *Members requested an aged analysis of the rates debtors, the quarterly report to be re-circulated.*

- *The Chief Executive to follow up on playground equipment installation progress, to update Cr Hartshorne directly.*
- *To provide a living document of external grant funding received over the last 3 years for Westland District Projects.*

Moved Cr Neale, seconded Cr Davidson and **Resolved** that the Financial Performance as at March 2021 report from the Finance Manager, Westland District Council be received.

- **Road Naming for Unnamed Roads in Kumara and Takutai**

The Transportation Manager spoke to this item and advised the purpose of this report is to assign road names to two unnamed roads within the District.

The elected members discussed the road name options presented and requested further investigation take place allowing for the consideration of Maori names.

Moved His Worship the Mayor, seconded Cr Davidson and **Resolved** that:

- A) Council receive the report.
- B) Council resolves not to accept any of the names recommended in the report pending investigation of alternative options.

- **Proposed Committee Restructure**

The Chief Executive spoke to this item and advised the purpose of this report is to recommend to Council a proposal to restructure the existing Standing Committees and Sub-Committees and that consideration be given to meeting frequency to recognise that elected members and Iwi representatives have commitments to other organisations, boards and committees outside of Council.

The elected members discussed the changes and resolved on the proposed committee restructure below.

Moved Deputy Mayor Carruthers, seconded Cr Hart and **Resolved** that:

- A) Council receives the report.
- B) That Council adopt the amended Committee structure in Appendix 1 as follows:

Standing Committees:

- Audit and Risk Committee
- Capital Projects and Tenders Committee
- Planning Committee
- Community Development Committee
- CE's Review Committee

Subcommittee:

- West Coast Wilderness Trail Subcommittee

Disestablishment and/or transfer of the following delegations

- Economic Development Committee
- Parks, Reserves and Environment Subcommittee
- Regulatory delegations transferred to full Council.

- C) That Council adopt the amended Terms of Reference for the 5 Standing Committees.

- D) That the meeting calendar be updated to reflect the frequency and scheduling of Committee Meetings.
- E) That Council approves that the Terms of Reference for the Committee structure be updated accordingly:

Committee	Representation
Audit and Risk Committee	<ul style="list-style-type: none"> <li>- Add Deputy Mayor Carruthers to the Committee</li> <li>- Quorum changed to the Chair plus 2 members (must include 1 Councillor)</li> <li>- Added to internal controls:               <ul style="list-style-type: none"> <li>Oversee health and safety requirements</li> <li>Review policies (not bylaws)</li> <li>Monitor Insurance policies</li> </ul> </li> </ul>
Capital Projects and Tenders Committee	<ul style="list-style-type: none"> <li>- Added to delegations:               <ul style="list-style-type: none"> <li>Review risk profiles for projects.</li> </ul> </li> <li>- Change frequency of meetings to, the Committee shall meet as and when required.</li> </ul>
Community Development Committee	<ul style="list-style-type: none"> <li>- Remove Deputy Mayor Carruthers from the Committee</li> <li>- Add Cr Kennedy to the Committee</li> <li>- Quorum changed to the Chair plus 2 members</li> <li>- Responsibilities now delegated to the Planning Committee:               <ul style="list-style-type: none"> <li>Sports, recreation and leisure services and facilities</li> <li>Open Spaces in the public realm: Parks, reserves, gardens, cemeteries, memorials, statues and public art.</li> <li>Hokitika CBD Revitalisation</li> </ul> </li> <li>- Responsibilities now to full Council:               <ul style="list-style-type: none"> <li>Civic Awards</li> </ul> </li> <li>- Added to membership:               <ul style="list-style-type: none"> <li>Community Representation</li> </ul> </li> </ul>
Economic Development Committee	<ul style="list-style-type: none"> <li>- Disestablished with responsibilities moved to full Council.</li> <li>- Council Controlled Organisations (CCO's) to report to full Council.</li> </ul>
Planning Committee	<ul style="list-style-type: none"> <li>- Name changed from the Planning and Regulatory Committee</li> <li>- Add Cr Neale to the Committee</li> <li>- Add Cr Keogan to the Committee</li> <li>- Quorum changed to the Chair plus 2 members</li> <li>- Responsibility for oversight of Council's Planning Functions</li> <li>- Responsibilities removed from the committee and moved to full Council:               <ul style="list-style-type: none"> <li>Te Tai o Poutini Plan Update</li> <li>Regulatory Functions</li> </ul> </li> <li>- Add/invite Heritage and cultural representation from the Westland District</li> <li>- Add/invite Community representation from the Southern, Northern and Hokitika Wards.</li> </ul>
Chief Executive's Review Committee	No change
West Coast Wilderness Trail Subcommittee	No change
Parks, Reserves and Environment Subcommittee	<ul style="list-style-type: none"> <li>- Disestablished with responsibilities moved to the Planning Committee.</li> <li>- Subcommittee members be invited to join the new Reserves Management Plan Working Group.</li> </ul>

Hokitika Waste Water Treatment Plant Oversight Subcommittee	Subcommittee to be established and Terms of Reference adopted.
Reserves Management Plan Working Group	New working group be to be formed.
Moved to Full Council	- Responsibilities now moved to full Council: Civic Awards Economic Development Committee Functions Te Tai o Poutini Plan Update, added as a standing item to Council's Agenda Bylaws Regulatory Functions Council Controlled Organisations (CCO) reporting

*Cr Hartshorne left the meeting via zoom at 2.49pm and returned at 3.09pm.*

*Cr Neale tendered an apology for needing to leave early at 3.50pm.*

The following Agenda item was taken out of order.

## 10. CITIZENSHIP CEREMONY

The following new citizens to the Westland District attended the meeting to undertake their Form or Oath and Swear Allegiance to Her Majesty the Queen of New Zealand before His Worship the Mayor and Councillors.

As citizenship ceremonies were cancelled in 2020 due to COVID-19. Council decided to invite those that had received their citizenship through the mail out process to be acknowledged over following two months Council Meetings, the first round of lockdown recipients are also included below.

NAME	FORM OF OATH
<b>2021 Recipients</b>	
- <b>Liala Gianstefani</b>	Affirmation
- <b>Ponarasage Prabath Buddika Jayawardana</b>	Affirmation
<b>2020 COVID – 19 Lockdown Recipients Acknowledged</b>	
- <b>Alexander Oliver Tschampel</b>	
- <b>Peggy Oliver Tschampel</b>	
- <b>Olivia Tschampel</b>	
- <b>Lesley Anne Crichton</b>	

*The meeting then adjourned at 3.44 pm for afternoon tea with the Mayor, Councillors, new citizens, families and supporters.*

*Cr Martin left the meeting during the adjournment.*

*The meeting reconvened at 4.05 pm.*

## 8. PŪRONGO KAIMAHI STAFF REPORTS Cont.

- **Hokitika Waste Water Treatment Plant (WWTP) – Oversight Committee**

The Chief Executive spoke to this item and advised the purpose of this report is to establish a Hokitika WWTP Oversight Committee to oversee the Hokitika Wastewater Treatment Plant Project. This is a significant investment for Council and a Memorandum of Understanding (MoU) has been entered into with our Iwi partners as a collaborative governance project. The Oversight Committee would be required to present to Council for endorsement.

Moved Cr Kennedy, seconded Cr Hartshorne and **Resolved** that:

- A) Council receive the report.
- B) That engagement and consultation will be undertaken with Iwi as part of the establishment of the Hokitika WWTP Oversight Committee.
- C) That the Chief Executive complete a draft Terms of Reference for the committee and report back to Council at the May 2021 Council meeting.

*ACTION: Media release to be completed advising the formation of the committee.*

- **Adoption of Amended Statement of Technical Changes to the Long Term Plan 2018 -2028**

The Strategy and Communication Advisor spoke to this item and advised the purpose of this report is to adopt the amended Summary of Technical Changes to the Long Term Plan 2018 – 2028 (SOT).

Moved Deputy Mayor Carruthers, seconded Cr Hart and **Resolved** that:

- A) Council receive the report.
- B) That Council adopt the amended Summary of Technical Changes to the Long Term Plan 2018 – 2028.

- **Re-Adoption of the Westland District Council Water Supply Bylaw 2016**

The 3 Water Engineer spoke to this item and advised the purpose of this report is to seek the re-adoption of the Westland District Council Water Supply Bylaw 2016 due to minor administrative changes, including references to current legislation.

Moved Cr Davidson, seconded Cr Hartshorne and **Resolved** that:

- A) Council receive the report.
- B) Council support the preferred option to re-adopt the amended Westland District Council Water Supply Bylaw 2016.

## 9. ADMINISTRATIVE RESOLUTION

Moved His Worship the Mayor, seconded Cr Kennedy and **Resolved** that Council confirm its Seal being affixed to the following document as listed on the Agenda:

<p><b>Susan Teresa GOOCH</b></p>	<p>Warrant of Appointment - Building Control Officer</p>	<p>To act in the Westland District as:</p> <ul style="list-style-type: none"> <li>• An Officer pursuant to Section 174 of the Local Government Act 2002; and</li> <li>• An Authorised Officer pursuant to Section 222 of the Building Act 2004; and</li> <li>• An Enforcement Officer pursuant to Section 371b of the Building Act 2004; and</li> </ul>
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- An Officer under the Westland District Council Bylaws; and
- An Enforcement Officer pursuant to Section 38 of the Resource Management Act 1991.

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

(to consider and adopt confidential items)

Moved His Worship the Mayor, seconded Cr Hart 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 4.23pm.

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 – 25 March 2021	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.	Development West Coast 6 Monthly Update.	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.	Appointment of District Licensing Committee Members.	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)
4.	Franz Josef Master Plan.	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)

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
3	<p><b><i>Other reasons for withholding official information</i></b>            Where this section applies, good reason for withholding official information exists, for the purpose of section 5, unless, in the circumstances of the particular case, the withholding of that information is outweighed by other considerations which render it desirable, in the public interest, to make that information available.</p> <p style="text-align: right;">(Section 7)</p>
3	<p>Subject to sections 6, 8, and 17, this section applies if, and only if, the withholding of the information is necessary to—</p> <p style="text-align: right;">(Section 7 (2))</p>
1,3,4	<p>Protect the privacy of natural persons, including that of deceased natural persons.</p> <p style="text-align: right;">(Section 7(2)(a))</p>
1,2,4	<p>Protect information where the making available of the information:</p> <p>(ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p style="text-align: right;">(Section 7(2)(b))</p>
1,2	<p>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> <p style="text-align: right;">(Section 7(2)(i))</p>
3,4	<p>Maintain the effective conduct of public affairs through—</p> <p>(i) the free and frank expression of opinions by or between or to members or officers or employees of any local authority, or any persons to whom section 2(5) applies, in the course of their duty; or</p> <p>(ii) the protection of such members, officers, employees, and persons from improper pressure or harassment.</p> <p style="text-align: right;">(Section 7(2)(f))</p>

Moved Cr Hart, seconded Cr Martin 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 5.33pm.

**DATE OF NEXT ORDINARY COUNCIL MEETING – 27 MAY 2021  
 COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

**MEETING CLOSED AT 5.33PM**

Confirmed by:

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**Mayor Bruce Smith**  
 Chair

**Date: 27.05.21**