



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 24 NOVEMBER 2022 - COMMENCING AT 1 PM

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 Paul Madgwick.

2. MEMBERS PRESENT AND APOLOGIES

Chairperson	Her Worship the Mayor	
Members	Cr Gillett (Deputy)	
	Cr Neale	Cr Burden
	Cr Baird	Cr Davidson
	Cr Cassin	Cr Manera
	Kw Tumahai	Kw Madgwick

NGĀ WHAKAPAAHA APOLOGIES

No apologies

STAFF PRESENT

S.R. Bastion, Chief Executive; T. Cook, Group Manager, Regulatory, Planning and Community Services; L. Crichton, Group Manager: Corporate Services; S. Baxendale, Group Manager, District Assets (Zoom); D. Maitland; Executive Assistant, E. Rae, Strategy and Communications Advisor (Zoom); 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 with one update noted and added from Cr Cassin.

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 – 24 October 2022

Moved Cr Gillett seconded Cr Cassin and **Resolved** that the Minutes of the Ordinary Council Meeting held on the 24 October 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 24 October 2022.

MINUTES TO BE RECEIVED:

- CE's Review Committee Minutes - 23 March 2022
- Extraordinary Capital Projects & Tenders Committee Minutes – 21 April 2022
- Ordinary Council Meeting Minutes – 22 September 2022

Moved Cr Neale seconded Cr Burden and **Resolved** that the CE's Review Committee Minutes of 23 March 2022, the Extraordinary Capital Projects and Tenders Committee Minutes of 21 April 2022 and the Ordinary Council Meeting Minutes of 22 September 2022 be received.

6. ACTION LIST

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

1. Speed Limit Register Review – Stage 2

Summary of feedback has been completed, and Council will be updated on this as part of the Transportation Update at the December Council Meeting.

2. Pakiwaitara Building /Council Building Business Case

Confirm Council have engaged with consultants to evaluate the future strategy – with the opportunity to include/consider the Hokitika Government House in this strategy. NZ Heritage have been invited to meet with council on 8th December 2022 to evaluate this; as well as a walk through of the building on that day.

3. Racecourse Development Submission Bid (RSL)

Confirmation that the bid was successful of \$3.5million to do the infrastructure works.

Next stage will involve detailed planning.
Council will receive an update at the December Council meeting from RSL who will provide a finalised report for this.

Her Worship the Mayor requested background information be made available and circulated to Councillors regarding this matter.

Moved Cr Davidson seconded Cr Baird and **Resolved** that the updated Action List be received.

7. NGĀ TĀPAETANGA PRESENTATIONS

• Westland Holdings Ltd – Year End June 2022

Chair, Joanne Conroy, and Director Chris Rea spoke to this presentation:

- **Westland Holdings Board**
- **Business Updates:**

Destination Westland:

Wildfoods on track (minimum of 5k attendees, not exceeding 10k)

First Pensioner Housing project underway.

Heliport is starting to show some growth with more international visitors.

Service Performance for year ended 30 June 2022.

Westroads:

Profit is up on last year's results

Statement of Service Performance for year ended 30 June 2022.

Revenue down slightly due to the ongoing effects of Covid.

Westland Holdings Limited:

Finalising borrowing from Local Government Funding Agency to reduce overall lending costs for Destination Westland Ltd and Westroads Ltd.

Beginning work on Statement of Intent for 2023.

Survey completed from wider stakeholders with positive results.

Statement of Comprehensive Income – for year ended 30 June 2022.

- **Questions & Thanks**

Three AGMs are being held Friday 25 November at the Fire Station for Councillors who would like to attend:

1. 1.00pm Westroads Ltd
2. 1.45pm Destination Westland Ltd
3. 2.30pm Westland Holdings Ltd

Moved Cr Neale seconded Cr Cassin and **Resolved** that the presentation from Joanne Conroy, Chair, Westland Holdings Ltd be received.

The following items were taken out of order to the Agenda:

8. PŪRONGO KAIMAHI STAFF REPORTS

- **Financial Report**

Finance Manager, Lynley Truman spoke to this item and advised the purpose of this report is to provide an indication of Council's financial performance for the month to 31 October 2022.

Moved Cr Gillett seconded Cr Cassin and **Resolved** that:

1. The Financial Performance Report for 31 October 2022 be received.

- **Terms of Reference for Committees**

Chief Executive, Simon Bastion spoke to this item and advised the purpose of this report is for the Council to adopt the Terms of Reference and appointment of members for the Chief Executive's Review Committee, Risk and Assurance Committee, Cycling and Walking Subcommittee, Hokitika Wastewater Treatment Plant Project Oversight Subcommittee, and the Tenders Subcommittee.

Moved Cr Baird, seconded Cr Neale and **Resolved** that:

1.1. The report be received.

1.2. Council adopts the Terms of Reference for the following Committees and Subcommittees:

- Chief Executive's Review Committee – with the following amendment:
 - *Approving any legal representation on performance-related issues or defamation proceedings – **as directed by the full Council.***

- Risk and Assurance Committee
- Cycling and Walking Subcommittee
- Hokitika Wastewater Treatment Plant Project Oversight Subcommittee
- Tenders Subcommittee (noting the appointment of a Northern Ward Councillor to the Subcommittee) with the following amendment:
 - *That the Tenders Subcommittee is a **subcommittee of the Risk & Assurance Committee**.*

1.3. That the Terms of Reference for the Committees/Subcommittees be updated in the Delegations Manual.

1.4. That the Local Governance Statement be updated.

- **Appointments to Other Organisations**

Chief Executive, Simon Bastion spoke to this item and advised the purpose of this report is to confirm Council appointments to committees, community organisations liaison roles and other appointments for the 2022-2025 Triennium.

Organisation	Councillor Liaison
Franz Josef/Waiiau Rating District Joint Committee	Her Worship the Mayor Cr Cassin Cr Manera
Hokitika Seawall Joint Committee	Her Worship the Mayor Deputy Mayor Gillett Cr Davidson, Cr Neale, Cr Baird Vacancy - TBC
West Coast Road Safety Committee	Cr Davidson, Cr Manera
Otira Community Association	Cr Burden, Cr Neale, Northern Ward Councillor
Kumara Residents Association	Cr Burden, Cr Neale, Northern Ward Councillor
Destination Hokitika	Her Worship the Mayor, Deputy Mayor Gillett
Heritage Hokitika	Her Worship the Mayor, Deputy Mayor Gillett
Heritage West Coast	Her Worship the Mayor, Deputy Mayor Gillett
Safe Community Coalition	Cr Davidson, Cr Manera, Cr Neale
Kokatahi/Kowhitirangi Community Association	Cr Burden, Cr Neale, Northern Ward Councillor
Ross Community Society	Cr Burden, Cr Neale, Northern Ward Councillor
Hari Hari Community Association	Cr Cassin, Cr Manera
Whataroa Community Association	Cr Cassin, Cr Manera
Okarito Community Association	Cr Cassin, Cr Manera
Franz Inc.	Cr Cassin, Cr Manera
Franz Josef/Waiiau Community Forum	Cr Cassin, Cr Manera
Glacier Country Tourism Group	Cr Cassin
Fox Glacier Community Association	Cr Cassin, Cr Manera
Haast Community	Cr Cassin, Cr Manera
Other Appointments	
Creative Communities Local Assessment Committee	Cr Burden Cr Neale
Development West Coast – Appointment Panel	Her Worship the Mayor, Cr Gillett (delegation)

Sport NZ Rural Travel Fund – Allocation Committee	Cr Cassin
West Coast Regional Transport Committee	Cr Davidson, Cr Burden
Membership of Civil Defence Emergency Management Groups	Her Worship the Mayor
Future Franz	Her Worship the Mayor (Chair) Deputy Mayor Gillett Cr Cassin
TTPP (One District Plan)	Her Worship the Mayor Cr Cassin

The Mayor advised of the following additions to the list:

- Cr Baird to be included in the Hokitika Joint Seawall Committee
- Cr Manera to be added to the Fox Glacier Community Association, and the Road Safety Committee.
- Deputy Mayor to be added to Development West Coast Appointment Panel as a delegate.
- Cr Burden to the West Coast Regional Transport Committee.

Moved Cr Gillett seconded Cr Cassin and **Resolved** that:

1.1 The report be received.

1.2 Council confirms the appointments to committees, community organisations and other appointments as above for the 2022-2025 Triennium.

- **Appointment of Resource Management Act (RMA) Commissioner**

Chief Executive, Simon Bastion spoke to this item and advised the purpose of this report is to seek council's endorsement of Edith Bretherton to be nominated as an RMA Commissioner to represent the Westland District Council (WDC) in the Hearing of submissions to the Te Tai o Poutini Plan.

The Chief Executive also clarified that this is a nomination – not an appointment, that it is purely the endorsement of Edith Bretherton to be nominated.

Moved Cr Baird seconded Cr Neale and **Resolved** that

1.1 the Report to Council be received.

1.2 Council nominates Edith Bretherton as Westland District Council's RMA Commissioner for the Te Tai o Poutini Plan.

9. ADMINISTRATIVE RESOLUTIONS

Moved Cr Davidson seconded Cr Cassin and **Resolved** that Council confirm its Seal being affixed to the following documents:

Warrant of Appointment – Contractor

Anna Margaret JOHNSON	Warrant of Appointment as a Contractor for Westland District Council	To act in the Westland District as: <ul style="list-style-type: none"> • An Officer pursuant to s.174 of the Local Government Act; AND • An Officer under the Westland District Council Bylaws; AND Enforcement officer pursuant to s.38 of the Resource Management Act 1991, including the power of entry pursuant to s.332 and s.333 of the Resource Management Act 1991.
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Mark William DIXON	Warrant of Appointment as a Contractor for Westland District Council	<ul style="list-style-type: none"> • Local Authority Inspector pursuant to s.2 Food Act 1981 • Food Act Officer and/or accredited auditor to Ministry of Primary Industries pursuant to Food Act 2014 • Chief Licensing Inspector (or Licensing Inspector) pursuant to s.197 Sale and Supply of Alcohol Act 2012 • Litter Control Officer pursuant to s.5 Litter Act 1979 • Enforcement Officer and District Hazardous Substances Officer pursuant to s.98 and s.100 – Hazardous Substances and New Organisms Act 1996 • Officer under Housing Improvement Regulations 1947 • Enforcement Officer pursuant to s.38 – Resource Management Act 1991 • Authorised Officer pursuant to s.332 and s.333 – Resource Management Act • Authorised Officer pursuant to s.174 – Local Government Act 2002 • Enforcement Officer pursuant to s.177 – Local Government Act 2002 for all offences under this Act, all offences against bylaw made under this Act and all infringement offences provided for by regulations made under s.259 of this Act • Inspector and Authorised Officer to enforce Westland District Council Bylaws. • Dog Control Officer and/or Dog Control Ranger pursuant to s.11 and s.12 of Dog Control Act 1996 • Officer under s.63 of Impounding Act 1955 • Authorised Officer pursuant to s. 222 of the Building Act 2004 • Enforcement Officer pursuant to Section 371b of the Building Act 2004
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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 Cr Burden 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 2.10 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 Meeting Minutes -22 September 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.	Confidential CE's Review Committee Meeting Minutes – 23 March 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)
3.	Confidential Capital Projects & Tenders Committee Meeting Minutes – 21 April 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)
4.	Joint Waste Minimisation & Management Services on the West Coast	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)
5.	Appointment of Director to Destination Westland Ltd	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)
6.	Appointment of Independent Chair to Risk & Assurance Committee	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
1,2,3,5,6	The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons (Schedule 7 (2)(a))
4	The withholding of information is necessary to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or 7(2)(h)
4	The withholding of the information is necessary to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))
4	The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage. 7(2)(j)

Moved Cr Burden, 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 3:12pm.

Council adjourned for an afternoon tea break, enjoyed with the new citizens who were awaiting their Citizenship Ceremony. Council reconvened at 3.30pm for the Ceremony.

• **Citizenship Ceremony – 3.30pm**

The following new Citizens for Westland District attended the meeting to undertake their Form of Oath and Swear Allegiance to His Majesty the King of New Zealand before Her Worship the Mayor and Councillors as follows:

NAME	NATIONALITY	FORM OF OATH
Noelia Pamela Dawoser	Argentinian	Affirmation
Quentin Lecerf	French	Affirmation
Sadhana Devi	Fijian	Affirmation
Binesh Krishan Naidu	Fijian	Affirmation
Natasha Anna Morris	British	Oath
Prabhjot Singh Sekhon	Indian	Oath
Parminder Kaur Sekhon	Indian	Oath
Ikjot Singh Sekhon	Indian	No Oath (Minor)

**DATE OF NEXT ORDINARY COUNCIL MEETING – 8 DECEMBER 2022
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

MEETING CLOSED AT 4:00 PM

Confirmed by:

Mayor Helen Lash
Chair

Date: 08 December 2022