



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, 10 DECEMBER 2020 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 His Worship the Mayor.

2. MEMBERS PRESENT AND APOLOGIES

Chairperson	His Worship the Mayor	
Members	Cr Carruthers (Deputy)	
	Cr Davidson	Cr Hart
	Cr Hartshorne (via zoom at 1.07pm)	Cr Kennedy (via zoom)
	Cr Keogan	Cr Martin
	Cr Neale	Kw Madgwick
	Kw Tumahai (via zoom)	

NGĀ WHAKAPAAHA APOLOGIES

Cr Hart

Cr Hartshorne for lateness

Moved Deputy Mayor Carruthers, seconded Cr Keogan and **Resolved** that the apologies from Cr Hart and Cr Hartshorne for lateness 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; 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.

His Worship the Mayor declared a conflict of interest below for today's public excluded section of the meeting:

- A close friendship with Durham Havill, one of the Tender Applicants' considered in the Public Excluded section of the meeting.

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

Moved Deputy Mayor Carruthers, seconded Cr Davidson and **Resolved** that in accordance with Section 46A of the Local Government Official Information and Meetings Act 1987, the following item be added as an urgent item of business not on the Council Agenda due to the following:

Ross Chinese Garden Impacted by Lake Water Levels

- A) The reason why the item is not on the agenda.
 - Urgent infrastructure and community outcomes required to be considered.
- B) The reason why the discussion of the item cannot be delayed until a subsequent meeting.
 - Remediation required to mitigate further damage and to find a long term solution.

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

The Minutes of the previous Meetings were circulated separately via Microsoft Teams.

- **Extraordinary Council Meeting Minutes – 16 November 2020**

Moved Cr Keogan, seconded Cr Neale and **Resolved** that the Minutes of the Extraordinary Council Meeting held on the 16 November 2020 be confirmed as a true and correct record of the meeting.

- **Ordinary Council Meeting Minutes – 26 November 2020**

Moved Cr Martin, seconded Cr Neale and **Resolved** that the Minutes of the Ordinary Council Meeting held on the 26 November 2020 be confirmed as a true and correct record of the meeting.

Cr Hartshorne joined the meeting via zoom at 1.06pm.

The Chair **Approved** that their digital signature be added to the confirmed meeting minutes of the Extraordinary Council Meeting held on the 16 November 2020 and the Ordinary Council Meeting held on the 26 November 2020.

The below Mayors End of year Statement was not included on the Council Agenda.

Mayors End of Year Statement

His Worship the Mayor spoke to the current year that was affected by Covid-19 and the impact to the Westland Community. He congratulated Councillors, Council Staff and the Community on how well they adapted to the situation, acknowledging the support he had received from Council. He then spoke to the challenges that our communities are continuing to work through, specifically in the Franz Josef, Fox Glacier and Haast townships. The Mayor acknowledged the work done by Mark Davies and the Department of Conservation Team.

Iwi Representatives - The Mayor thanked our Iwi representatives for their input to Council discussions, providing important perspectives and connections, helping gain a better understanding of the processes council needs to follow to recognise the Treaty of Waitangi, and the ongoing beneficial partnership with Iwi and Council.

Elected Council Members and Staff - The Mayor thanked the individual Council members for their continued dedication and support to the Westland Region and their contribution to the Council table.

He then thanked the individual Council Staff members for their professionalism and commitment to their roles in working on behalf of the Westland region.

Councils Partners - The Mayor thanked and acknowledged Councils partners for their support, Te Rūnanga o Ngati Waewae, Te Rūnanga o Makaawhio, The Department of Conservation, New Zealand Transportation Authority (NZTA), Development West Coast and The Hokitika Business Community.

The Mayor finished his statement noting that there are currently \$50m worth of projects underway in the Westland region and these will help underpin our economy for the upcoming years. However with the continuing costs coming from government that we could be seeing a rating crisis and extended his support to the West Coast Regional Council.

6. ACTION LIST

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

Kaniere School Crossing – Progress, placement and site visit

Still waiting for the materials to arrive in the Westland District to start the crossing. Have yet to reschedule a new date for a site visit.

Speed Limits

Recommendations to be presented at this meeting 10th December 2020.

Transfer of Pensioner Housing to Destination Westland

Council adopted the strategy at the 26th November Council Meeting. Elderly Housing to be included in the Long Term plan.

Fox Landfill

Provincial Growth Fund (PGF) Funding for supporting the works was successful. Glacier Guides are continuing to work on the river clean up, approx. 80% completed. The consents applications are in progress for the Butlers Cell Construction and the Landfill Excavation works, with physical work to start in January 2021. The Tender for the Fox River Landfill Restoration Project is before Council today.

Iwi Representation around the Table

Item is in progress, discussions to be had on the next steps.

Hokitika Waste Water Treatment Plant

3 Waters Stimulus Funding Delivery Plan is conditionally approved for the Hokitika WWTP feasibility work. More detailed milestones and costs to be submitted for approval. Stantec has been appointed to prepare a cost proposal and commence with the stakeholder engagement process.

Waste Management Workshop

Date has set for the New Year, yet to be confirmed.

Speed Limit Changes

Recommendations to be presented at this meeting 10th December 2020.

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

7. NGĀ TĀPAETANGA PRESENTATIONS

• Westroads Presentation

Peter Cuff, Chair and Graeme Kelly, General Manager at Westroads Limited spoke to this presentation. The topics covered are as stated below:

- Celebrating 25 Years of Westroads.
- The Evolution of Westroads.
- Westroads Growth Timeline.
- Westroads People.
- Current Employee Location by Branch.
- Board or Directors and General Managers through time.
- Plant and Machinery.
- 2020 Replacement Plant Items.
- Current Contracts – Hokitika, Greymouth.
- Contracts – Trenching Dynamix.
- Before Tax Profit Timeline.
- Subvention and Dividends from the beginning of Westroads.
- Westroads Value Growth.
- What has changed at Westroads?
- Westroads Future.
- Current matters.

His Worship the Mayor congratulated the board of Westroads on 25 years of successful performance. He noted that their work in securing contracts has saved the ratepayers hundreds of thousands of dollars.

His Worship the Mayor then presented Westroads with a certificate of appreciation to recognise 25 years of service to the Westland District in the contracting and construction industry, and delivering an excellent service to the Westland ratepayers.

Moved Cr Keogan, seconded Cr Hartshorne and **Resolved** that the presentation from Peter Cuff, Chair and Graeme Kelly, General Manager at Westroads Limited be received.

8. PŪRONGO KAIMAHI STAFF REPORTS

• Gillespies Beach Miners' Cemetery

The Group Manager: District Assets spoke to this report and advised the purpose of the report is to bring to Council's attention an historic cemetery that has not been formally closed under the process outlined in Part 6, Section 41 of the Burial and Cremation Act 1964.

Councillors requested that local residents of the cemetery be advised of the closure and to update them on the maintenance plan moving forward. Councillors also requested direct contact with historical local families in the area.

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

- A) Council receive the report.
- B) Subject to approval from the Department of Conservation, Council approve staff initiating the process for closure of the Gillespies Beach Miners' Cemetery with the Minister of Health, as prescribed in Part 6, Section 41 of the Burials and Cremations Act 1964.

- **2021 Schedule of Meetings**

The Chief Executive (CE) spoke to this report and advised the purpose of the report is to provide a Schedule of Meetings for 2021 for Ordinary Council, Committee and Subcommittee meetings. The CE advised that since the circulation of the report, the below amendment to the report had been made:

- The proposed Council Meeting scheduled for Thursday, 28 January 2021 be cancelled.

A discussion was had by Council around the proposed meeting schedule, Councillors requested a review of the timings set for some of the Committee /Subcommittee Meetings. The CE advised that a review of the Committee/Subcommittee Meetings Structure was to happen at the beginning of the New Year and the recommendations would be brought to Council for consideration.

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

- A) Council receive the report.
- B) The 2021 Schedule of Meetings at **Appendix 1** be adopted.

The next two staff reports were swapped and differ from the scheduled Agenda.

- **2021-31 Transport Programme – Investment Recommendation**

Edward Guy, Managing Director from Rationale spoke to the presentation – West Coast Councils Transport Programme Business Case (PBC). The topics covered in the presentation are as below:

- Purpose of the West Coast Transport Investment Programme.
- How we got here: 2016 Indicative Business Case.
- How we got here: 2017 Combined Transport Activity Management Plan (AMP).
- How we got here: 2019 Establishment Report.
- Transport PBC and AMP Integration.
- Data and Evidence: Stakeholders Workshops.
- Data and Evidence: Community Survey.
- Data and Evidence: Roads and Structures.
- Covid-19 Impact.
- Arataki: Waka Kotahi's Strategic Direction 2021-31.
- Combined Investment Logic Map.
- Identifying and Assessing Capital Investment Options.
- Regional Data Quality Assessments.
- Network and Asset Management Investment.
- Uplift in Network & Asset Management 2021-24.
- Developing the Programme Options.
- Programme Option Assessment.
- Programme Cost Estimate.
- Preferred Option.
- Financial Case.
- PGF Investment in West Coast Transport.
- Continued Improvement.
- PBC Capability and Collaboration.
- Skill Requirements for Successful 2021-24 Delivery.
- Capability and Collaboration Option Assessment.
- Capability and Collaboration Preferred Options.
- What's next.
- Key Messages.

Cr Kennedy left the zoom meeting at 2.24pm and returned to the zoom meeting at 2.26pm.

The Transportation Manager then spoke to this report and advised that the purpose of the report is to introduce the proposed West Coast Councils Transport Programme Business Case (PBC) for inclusion in the draft 2021-31 Long Term Plan. This programme business case will then be submitted to Waka Kotahi-NZ Transport Agency (Waka Kotahi) for inclusion in the 2021-24 National Land Transport Programme (NLTP).

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

- A) Council receive the report.
- B) Council endorses the recommended draft Programme Business Case, attached as **Appendix 1**.
- C) Council approves the submission of the draft Programme Business Case to Waka Kotahi for assessment and if supported by Waka Kotahi for inclusion into the 2021-24 National Land Transport Programme.
- D) If supported by Waka Kotahi, approves the inclusion of the principles of the draft Programme Business Case into the draft 2021-31 Long Term Plan.
- E) Council does not support the transfer of the Special Purpose Road (SPR) from the Haast turn off to Jacksons Bay back to the Westland District Council as part of the above resolution.

Cr Keogan abstained from voting.

- **2020 Review of Westland District Council Speed Limits Register**

The Transportation Manager spoke to this report and advised the purpose of the report is to adopt the amendments to the speed limits register following the decisions made on 16 November 2020 at the submissions hearing.

He noted a couple of changes that were unable to be made after communication with the New Zealand Transport Authority (NZTA).

As per NZTA's decision, 70km speed limits were not permitted. This has affected the recommendations for the following roads:

- The Old Christchurch Road (back up speed limit of 60km was recommended).
- Kaniere Road (no back up recommendation, remain at 80km).

After discussion of the report by Council the following motion was put forward and resolved.

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

- A) Council receive the report.
- B) Council approves the following amended changes:
 - a. Old Christchurch Road, to be set at 50km/hr to 100 metres past the Arahura Marae and then increase to 80km/hr.
 - b. Revisit the speed limits on the Old Christchurch Road in the new review once the new sealing work is completed, to be reviewed as part of the Kokatahi/Kowhitirangi stage.
 - c. Kaniere Road, extend the 50km/hr to Service Engineering, then 80km to Pine Tree Road, then to drop back to 50km/hr past Pine Tree Road. These speed limits will be revisited during the next stage.
 - d. Lake Kaniere Road, the status quo will remain at 100km and will be revisited with Hans Bay, Sunny Bight, and around the back of Lake Kaniere, to be reviewed following this part of the procedure.
- C) The changes/recommendations listed within Appendix 1 as tabled in the Report to Council, along with the amendments above be adopted and incorporated into the Westland District Speed Limits Register with the changes coming into effect on 1 May 2021 and,

- D) Waka Kotahi is forwarded a copy of the revised Westland District Speed Limits Register so that changes made can be officially gazetted and,
- E) That staff be directed to advertise the changes coming and the timeframe for them coming into effect.

● **Ross Chinese Garden Impacted by Lake Water Levels**

The Group Manager: District Assets spoke to this item. The Ross Chinese Garden is been impacted by raising lake water levels. The lake becomes flooded when the rain fall is high and the river swells, the increased water flow in the river has caused the gravel to be washed down the river and raised the water bed level, which is then causing the water to backflow into the lake.

He advised that none of the issues raised were under Council control. West Coast Regional Council are responsible for managing this area. Also noted was that the adjacent road to the Lake is not a Council road and is on private land and the paper road is located incorrectly.

The recommendations are:

- To look at raising/relocating some the structures in the gardens that are effected by the flooding to meet the consented level of the lake (approx. 1.5 metres). Seen to be the most cost effective option.
- Roothing issue to be discussed with the private owners, to have the Roothing in the correct position.
- Councils function is to assess and maintain the culvert under the road, keep it clean and clear.

Action: Report back to Council with an update at the February Council Meeting. The Chief Executive to work with the affected parties directly around potential solutions moving forward.

Cr Martin left the Chambers at 3.36pm and did not return to the Chambers during the open section of the meeting.

**9. 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 3.38pm.

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 – 16 November 2020	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.	Confidential Minutes – 26 November 2020	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.	Tender 2020/21-05 Fox River Landfill Restoration Work	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
1, 2	Protect the privacy of natural persons, including that of deceased natural persons (Section 7 (2)(a)).
1, 2, 3	Protect information where the making available of the information: (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Section 7(2)(b)(ii)).
1, 2, 3	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Section 7(2)(i))
3	Prevent the disclosure or use of official information for improper gain or improper advantage. (Section 7(2)(j)).
2	Maintain legal professional privilege. (Section 7(2)(g)).

Moved Deputy Mayor Carruthers, seconded Cr Davidson 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 4.14pm.

**DATE OF NEXT ORDINARY COUNCIL MEETING – 25 FEBRUARY 2020
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

MEETING CLOSED AT 4.14PM

Confirmed by:

Mayor Bruce Smith
Chair

Date: 25.02.21

Deputy Mayor Carruthers
Acting Chair

Date: 25.02.21