

A G E N D A

Ordinary Council Meeting

**Council Chambers,
36 Weld Street
Hokitika**

**Thursday 13 December 2018
Commencing at 11.00 am**

His Worship the Mayor R.B. Smith
Deputy Mayors Cr H.M. Lash and Cr L.J. Martin
Crs D.L. Carruthers, Gray Eatwell, D.M.J. Havill ONZM,
J.A. Neale, G.L. Olson, D.C. Routhan
Kw. Francois Tumahai, Te Rūnanga o Ngāti Waewae
Kw. Tim Rochford, Te Rūnanga o Makaawhio



ORDINARY COUNCIL MEETING

AGENDA FOR AN ORDINARY MEETING OF THE WESTLAND DISTRICT COUNCIL, TO BE HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA ON THURSDAY 13 DECEMBER 2018 COMMENCING AT 11.00 AM

7 December 2018

COUNCIL VISION

We work with the people of Westland to grow and protect our Communities, our Economy and our unique natural environment.

Purpose:

The Council is required to give effect to the purpose of local government as prescribed by section 10 of the Local Government Act 2002. That purpose is:

- (a) To enable democratic local decision-making and action, by and on behalf of, communities; and
- (b) To meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

Health & Safety Snapshot

	Accidents	Incidents	Near Misses
December 2017	0	1	0
January 2018	0	0	0
February 2018	0	1	0
March 2018	0	1	0
April 2018	0	0	0
May 2018	0	0	0
June 2018	0	0	0
August 2018	0	0	0
September 2018	0	0	0
October 2018	0	0	0
November 2018	0	0	0
To 7 December 2018	0	0	0

1. MEMBERS PRESENT, APOLOGIES AND INTEREST REGISTER:

1.1 Apologies & Leave of Absence

Kw. Francois Tumahai, Te Rūnanga o Ngāti Waewae

1.2 Interest Register

2. CONFIRMATION OF MINUTES:

2.1 Ordinary Council Meeting – 22 November 2018 (Pages 7-14)

2.2 Extraordinary Council Meeting – 29 November 2018 (Pages 15-20)

3. PRESENTATIONS:

3.1 Enviroschools

Zoe Watson will be in attendance at the meeting at 12 noon.

Lunch from 12.30 pm to 1.00 pm.

4. ACTION LIST:

The Action List is attached. (Page 21)

5. REPORTS FOR INFORMATION:

Nil.

6. REPORTS FOR DECISION:

6.1 2019 Council Meeting Schedule (Pages 22-25)

6.2 Fraud Framework and Draft Fraud Policy (Pages 26-31)

7. ADMINISTRATIVE RESOLUTION

The Council is required to confirm its Seal being affixed to the following documents:

Name	Requirement	Details
Name to be confirmed at the meeting	Warrant of Appointment - Enforcement Officer	<ul style="list-style-type: none"> • To act in the Westland District as: • District Environmental Health Officer pursuant to s.28 Health Act 1956 • 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. • Enforcement officer pursuant to s.32 of the Freedom Camping Act.

Name	Requirement	Details
Mark William Dixon	Warrant of Appointment - Amendment	<p>Additional clause:</p> <ul style="list-style-type: none"> • Enforcement officer pursuant to s.32 of the Freedom Camping Act.
Name to be confirmed	Warrant of Appointment – Enforcement Officer	<ul style="list-style-type: none"> • To act in the Westland District as: • District Environmental Health Officer pursuant to s.28 Health Act 1956 • 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. • Enforcement officer pursuant to s.32 of the Freedom Camping Act.

8. MATTERS TO BE CONSIDERED IN THE 'PUBLIC EXCLUDED SECTION':

Resolutions to exclude the public: Section 48, Local Government Official Information and Meetings Act 1987.

Council is required to move that the public be excluded from the following parts of the proceedings of this meeting, namely:

8.1 Confidential Minutes – 22 November 2018

8.2 WHS New Outdoor Shelter RFP Recommendation

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.	Minutes/ Report of	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
8.1	Confidential Minutes -22 November 2018	Confidential Minutes	Good reasons to withhold exist under Section 7	Section 48(1(a) & (d)
8.2	Confidential Report – WHS New Outdoor Shelter RFP Recommendation	Confidential Report	Good reasons to withhold exist under Section 7	Section 48(1(a) & (d)

Date of next Ordinary Council Meeting – 24 January 2019
Council Chambers, 36 Weld Street, Hokitika

MINUTES OF AN ORDINARY MEETING OF THE WESTLAND DISTRICT COUNCIL, HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA ON THURSDAY 22 NOVEMBER 2018 COMMENCING AT 11.00 AM

1 MEMBERS PRESENT, APOLOGIES AND INTEREST REGISTER

1.1 Members Present

His Worship the Mayor R.B. Smith (Chair)
Deputy Mayor H.M. Lash, Deputy Mayor Cr L.J. Martin
Crs D.M.J. Havill (ONZM), J.A. Neale, G.L Olson, D.C Routhan, Cr Gray Eatwell,
Cr D.L Carruthers
Kw. Francois Tumahai, Te Rūnanga o Ngāti Waewae

Apologies and Leave of Absence

Extraordinary Council Meeting – 29 November 2018

Cr G.L. Olson

Moved Cr Havill, seconded Cr Routhan and **Resolved** that the apology from Cr Olson for the Extraordinary Council Meeting to be held on the 29 November 2018 be received and accepted.

Absent:

Kw. Tim Rochford Te Rūnanga o Makaawhio

Staff in Attendance:

S.R. Bastion, Chief Executive; L.A. Crichton, Group Manager: Corporate Services;
F. Scadden, Planning Manager and Acting Regulatory Manager; D. Inwood, Group
Manager: District Assets; D.M. Maitland, Executive Assistant.

1.2 Interest Register

Deputy Mayor Lash sought clarification with regard to Cr Olson's declaration of interest with regard to Hokitika Airport Limited and Destination Westland. Cr Carruthers advised that it is up to each Councillor to declare if they have an interest.

His Worship the Mayor circulated the Interest Register and amendments were noted accordingly.

2. CONFIRMATION OF MINUTES:

2.1 Extraordinary Council Meeting – 11 October 2018

Moved Deputy Mayor Lash, seconded Cr Carruthers and **Resolved** that the Minutes of the Extraordinary Council Meeting, held on the 11 October 2018 be confirmed as a true and correct record of the meeting.

2.2 Ordinary Council Meeting – 25 October 2018

Moved Deputy Mayor Martin, seconded Cr Havill and **Resolved** that the Minutes of the Ordinary Meeting of Council, held on the 25 October 2018 be confirmed as a true and correct record of the meeting.

2.3 Tenders Committee Meeting – 1 November 2018

Moved Deputy Mayor Martin, seconded His Worship the Mayor and **Resolved** that the Minutes of the Tenders Committee Meeting, held on the 1 November 2018 be received.

3. PRESENTATIONS:

Nil.

4. ACTION LIST:

The Chief Executive went through the Action List in the Agenda and provided updates.

Moved Deputy Mayor Lash, seconded Cr Neale and **Resolved** that the items identified as being completed be removed from the list and the updated Action List be received.

5. REPORTS FOR INFORMATION:

Item 5.1 had been listed under “Reports for Information”. His Worship the Mayor advised that this item was required to be moved to “Reports for Decision”. Subsequently Item 5.1 became Item 6.6 and is listed below.

5.1 Partnership Agreement - Te Rūnanga O Ngāti Waewae and Te Rūnanga O Makaawhio

This item was moved to Item 6 – Reports for Decision, Item 6.6

6. REPORTS FOR DECISION:

The following items were taken out of order to the Agenda papers.

6.6 Partnership Agreement - Te Rūnanga O Ngāti Waewae and Te Rūnanga O Makaawhio

Deputy Mayor Martin introduced the report to Council.

Kw. Tumahai advised that his Runanga had queried why there was not full membership at the Council meeting level. He further advised that his Runanga would cover any travel costs involved in meetings to avoid any costs to the ratepayers.

Moved Cr Carruthers, seconded Cr Neale and **Resolved** that Council approve the Partnership Agreement for Te Rūnanga O Ngāti Waewae and Te Rūnanga O Makaawhio.

Cr Routhan recorded his vote against the motion.

6.1 Adoption of Annual Report 2017-2018

The Group Manager: Corporate Services introduced the amended Annual Report for 2017-2018 as tabled and advised the purpose of the report is to present the Annual Report for adoption.

Moved Deputy Mayor Martin, seconded Cr Routhan and **Resolved** that the amended Annual Report for 2017-2018 as presented to the Mayor, be adopted.

His Worship the Mayor took the opportunity to pass on the congratulations of Council to the Chief Executive and team for what has been a brilliant year for Westland District Council.

The Mayor then presented Lesley Crichton, Group Manager: Corporate Services; Lavinia Hamilton, Finance Manager; and Emma Rae, Strategy and Communications Advisor with flowers on behalf of the Council to show their collective appreciation of their amazing effort in producing the Annual Report.

The Councillors gave thanks also to the Chief Executive and team for undertaking the work in preparing the 2017-2018 Annual Report.

6.2 Class 4 Gambling Venue Policy

The Community Development Advisor spoke to this item and advised the purpose of the report is to summarise the submissions received during the period of the Special Consultative Procedure conducted between 1 October 2018 and 1 November 2018.

Moved Deputy Mayor Lash, seconded Cr Havill and **Resolved** that the amended Class 4 Gambling Venue Policy be adopted.

His Worship the Mayor thanked Derek Blight, Community Development Advisor for his contribution to Council and wished him all the very best for his impending retirement.

Mrs Sarah Brown, the new Community Development Advisor was then introduced to the Council.

6.3 Road Naming for Unnamed Road off Duffers Creek Road and Unnamed Road off State Highway 73 at opposite Kumara Racecourse

The Transportation Manager spoke to this item and advised the purpose of the report is to officially allocate road names to two as yet unnamed roads within the Westland District. Both of the roads appeared to have been previously unformed and unnamed legal roads that developers have opened and formed within recent years.

Moved Deputy Mayor Lash, seconded Cr Havill and **Resolved** that in accordance with Options 3 & 4, the unnamed road at Kawhaka be named "McClintock Road" and the Unnamed Road at Kumara be named "Kohimara Place".

6.4 District Speed Limits for Local Roads

The Transportation Manager spoke to this item and advised that speed limits within the district were last ratified earlier in 2018 as part of the traffic and parking bylaw. There is however still some areas that could be altered or improved upon. In 2013

Council engaged Opus Greymouth to carry out speed reviews on the following roads:

- Golf Links Road
- Takutai Road
- Back Creek Road
- Kaniere Tramway
- Pine Tree Road
- Lake Kaniere Road (Kennedy's Creek to Kaniere Kowhitirangi Road)
- Milltown Road
- Kaniere Road – Hau Hau Road to Woodstock Rimu Road

The results of those surveys had now been received as follows:

- Kaniere Tramway Calculated Speed Limit 70km/h however the report suggests 50km/h to be safe but this could even be reduced further to 30km/h given the dimensions of the road.
- Kaniere Rd Calculated speed limit 100km/h but already has 80 and 70km/h zones.
- Back Creek Rd Calculated at 100km/h but the report suggests 50km/h would be more appropriate because of the formation.
- Milltown Road Calculated speed limit 100km/h. The report suggests 50km/h to be more appropriate.

The Chief Executive advised that he is currently discussing speed limits for Bruce Bay, the turn-off to Okarito, the Glowworm Dell and also the South Side of the Hokitika Bridge.

Moved Cr Neale, seconded Deputy Mayor Lash and **Resolved** that:

- A) Hau Hau Road – The existing urban 50km/h speed limit be temporarily extended onto Hau Hau Road out to a point immediately West of Racecourse Terrace. Also, the unsealed section from Lake Kaniere Road to Blue Spur Road is temporarily reduced to 60km/h.
- B) Kaniere Road from East Town Belt to Kaniere Kowhitirangi Road – The existing 70km/h and 80km/h zones be temporarily reduced to a single 60km/h zone.
- C) Seddon Terrace Road – Set a temporary limit of 40km/h.
- D) Lake Kaniere Road – Temporarily reduce the 70km/h zone to 60km/h and reduce the 100km/h zone out to the lake to 80km/h.

- E) Hans Bay Road Arahutika – Temporarily reduce the existing 50km/h speed limit to 30km/h. This also includes the side roads within Hans Bay Settlement.
- F) Dorothy Falls Road – Temporarily reduce the speed from 100km/h to 60km/h from Hans Bay Road out to the Styx Bridge.
- G) Milltown Road – Temporarily reduce the speed from 100km/h to 60km/h over the full length.
- H) Old Christchurch Road – Temporarily reduce the speed on the sealed section to 80km/h and the unsealed section (as well as side roads) to 60km/h.
- I) Kaniere Tram and Pine Tree Roads – Temporarily reduce the speed limit to 40km/h.
- J) Hokitika CBD – Temporarily reduce the speed limit in the area encompassed by Stafford Street to the North and Fitzherbert Street to the East to 30km/h.
- K) Gillespies Beach Road – Temporarily reduce the speed limit from 100km/h to 60km/h.
- L) Beach Road (Kakapotahi) – Temporarily reduce the speed limit from 100km/h to 60km/h.
- M) These temporary speed limits remain in place until 31 May 2019 unless formally adopted by Council at an earlier time.

6.5 Adoption of the West Coast Regional Waste Minimisation and Management Plan

The Operations Manager spoke to this item and advised the purpose of the report is to provide an overview of the feedback after public consultation of the Draft Regional Waste Minimisation and Management Plan.

Moved Cr Olson, seconded Cr Havill and **Resolved** that the West Coast Regional Waste Minimisation and Management Plan be adopted.

7. MATTERS TO BE CONSIDERED IN THE 'PUBLIC EXCLUDED SECTION':

Moved Deputy Mayor Lash, seconded Deputy Mayor Martin and **Resolved** that Council exclude the public in accordance with Section 48, Local Government Official Information and Meetings Act 1987 at 12.25 pm.

Resolutions to exclude the public: Section 48, Local Government Official Information and Meetings Act 1987.

Council is required to move that the public be excluded from the following parts of the proceedings of this meeting, namely:

7.1 Confidential Minutes – 25 October 2018

7.2 Tenders Committee Minutes – 1 November 2018.

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.	Minutes/ Report of	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
7.1	Confidential Minutes – 25 October 2018	Confidential Minutes	Good reasons to withhold exist under Section 7	Section 48(1)(a) & (d)
7.2	Confidential Minutes – 1 November 2018	Confidential Minutes	Good reasons to withhold exist under Section 7	Section 48(1)(a) & (d)

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 interest or interests protected by Section 6 or 7 of that Act, which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

No.	Item	Section
7.1, 7.2	Protect the privacy of natural persons, including that of deceased natural persons.	Section 7(2)(a)
	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 Lash, seconded Deputy Mayor 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 12.27 pm.

Date of next Ordinary Council Meeting – 13 December 2018
Council Chambers, 36 Weld Street, Hokitika

MEETING CLOSED AT 12.27 PM

Confirmed by:

Mayor Bruce Smith
Chair

Date

MINUTES OF AN EXTRAORDINARY MEETING OF THE WESTLAND DISTRICT COUNCIL, HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA ON THURSDAY 29 NOVEMBER 2018 COMMENCING AT 5.30 PM

1 MEMBERS PRESENT, APOLOGIES AND INTEREST REGISTER

1.1 Members Present

His Worship the Mayor R.B. Smith (Chair)
Deputy Mayors Cr H.M. Lash and Cr L.J. Martin
Crs D.L. Carruthers, D.M.J. Havill ONZM, J.A. Neale, D.C. Routhan
Kw. Francois Tumahai, Te Rūnanga o Ngāti Waewae

Apologies

Kw. Tim Rochford, Te Rūnanga o Makaawhio
Crs Gray Eatwell and G.L. Olson.

Moved Deputy Mayor Lash, seconded Deputy Mayor Martin and **Resolved** that the apologies from Kw. Tim Rochford, Cr Gray Eatwell and Cr G.L. Olson be received and accepted.

Also in Attendance:

L.A. Crichton, Acting Chief Executive; D.M. Maitland, Executive Assistant; F. Scadden, Planning Manager and Acting Regulatory Manager; D. Inwood, Group Manager: District Assets; V.N. Morris, Engineering Assistant and M. Dixon, Compliance Team Leader.

1.2 Interest Register

The Interest Register was circulated and no amendments were noted.

2. CONFIRMATION OF APPOINTMENT OF COUNCILLOR TO TRANSITION BOARD OF ONE DISTRICT PLAN

His Worship the Mayor spoke to this item and advised under Section 41A – Role and Powers of Mayor, Local Government Act 2002, he had appointed Deputy Mayor Martin to the Transition Board of One District Plan and sought a resolution from Council in that regard.

Moved His Worship the Mayor, seconded Cr Havill and **Resolved** that Deputy Mayor Martin be appointed to the Transition Board of One District Plan to the end of the current Triennium (October 2019).

3. WESTLAND DISTRICT COUNCIL FREEDOM CAMPING BYLAW 2018 – HEAR AND CONSIDER SUBMISSIONS

His Worship the Mayor welcomed the submitters to the meeting and outlined the process for Councillors.

The Council then heard from the following submitters:

1. Trevor Lister

Mr Lister spoke in support of his submission.

- Human Rights Legislation
- Freedom Camping Act 2011
- The Bill of Rights Act 1990
- The Human Rights Act 1993
- The Freedom Camping Act 2011
- 2011 Departmental Advice to the Select Committee considering the Freedom Camping Bill
- Reserves and Responsible Camping Sites
- Ancillary areas
- Concessionary proposal
- Self containment
- Access Roads
- Camping on Reserves

2. Terry and Sandra Beatson

- Did not present.

3. Nicola Johnson

- Did not present.

4. Jim Barnes, Concerned Ratepayer and NZMCA Member

- Did not present.

5. Craig Rankin, Franz Inc. and Chairman, Franz Josef Community Council

Mr Rankin spoke in support of his submission and advised he was representing both Franz Inc. and also the Franz Josef Community Council.

- Noted that freedom camping has long been a problem for Franz Josef.
- Opposed to the proposed Council site at Dochertys Creek
- Public Health matters
- Enforcement and Education
- Volunteer work

6. Charlie McBeath

Mr McBeath spoke in support of his submission.

- Monitoring on any freedom camping areas.
- Asked that the Ross Recreation Reserve be considered as a freedom camping area. Noted the area was used for freedom camping in the Ross Borough Council days to Westland County Council days as the east end of the recreation reserve was a freedom camping area.
- Asked for a 6 months trial basis, with toilets, rubbish bins and monitoring of the area for 6 months.

7. Logan Skinner

Mr Skinner spoke in support of his submission.

- Opposed to Council opening freedom camping sites which do not meet the Camping Ground Act regulations.
- Advised that Council has significantly underestimated how much use Dochertys Creek will get.
- Advised that Franz Josef is at capacity in the summer.

8. James Imlach, National Policy and Planning Manager

- Did not present.

9. **Bruce Watson**

Mr Watson spoke in support of his submission and also on behalf of Claudia Landis.

- Seeking proposed amendments to the wording of Schedule 1: Prohibited Areas for Freedom Camping.
- Clarification of prohibited area of South Spit Road.

10. **Jason Thompson**

- Did not present.

His Worship the Mayor then thanked the submitters for attending the meeting and presenting to Council.

The Mayor then invited the Planning Manager and Acting Regulatory Manager and Compliance Team Leader to speak to the report to Council.

The Planning Manager and Acting Regulatory Manager then tabled an amended Westland District Council Freedom Camping Bylaw 2018 for consideration by Council.

His Worship the Mayor then asked Councillors if they wished to advocate for any changes to the bylaw on the basis of the submissions that had been received.

The Planning Manager and Acting Regulatory Manager tabled an amended Bylaw for Council.

The following were then identified as actions:

Haast

Haast area needs to be in one restriction (i.e. all the separate areas identified to be incorporated into one map)

Fox Glacier

Status quo

Dochertys Creek

Agreed to temporarily remove Dochertys Creek from the Schedule while staff and the community discuss an alternative location.

Franz Josef

Agreed that there be no freedom camping in Franz Josef.

Camping prohibited from McDonalds Creek to the bottom of the Fox Hills. Staff discuss with the Franz community where there is somewhere within that area that the community would agree to for camping.

Ross

The submission from Charlie McBeath be accepted and there be a trial period of 6 months at the Ross Recreation Reserve for freedom camping.

Noted that the Schedule to be reviewed in 6 months time.

South Spit at Hokitika

Agreed that Freedom Camping be prohibited at South Spit, Hokitika.

Lake Kaniere from Kaniere Forks, including Sunny Bight and Hans Bay to Dorothy Falls Including Geologists Creek

Needs to be protected there are Department of Conservation facilities that campers should be encouraged to use and run the trial period of 6 months.

Hokitika Central Business District – Sunset Point

Trial a similar of extending the zone to the defined Hokitika CBD to align with the speed limits and creating a prohibited area.

Cr Carruthers pointed out a conflict with the Council's Motorhome Friendly Town Status of not allowing some freedom camping in Hokitika.

The Planning Manager and Acting Regulatory Manager to look at the prohibited areas and also the areas for self-contained vehicles.

The Deputy Mayor indicated that in six months' time, Council would know the exact location of the toilets, carparks and construction underway at Sunset Point.

The decision was to nominate part of Sunset Point for freedom camping.

Moved Cr Routhan, seconded Deputy Mayor Lash and **Resolved that:**

- A) Council receive and consider the submissions to the Westland District Council Freedom Camping Bylaw 2018.

- B) After deliberations Council instruct staff to amend the Freedom Camping Bylaw as determined.
- C) The amended Freedom Camping Bylaw be adopted.
- D) The decision of Council be made publicly available.

Cr Neale abstained from voting.

Moved Deputy Mayor Martin, seconded Deputy Mayor Lash and **Resolved** that Council review the Schedule attached to the Westland District Council Freedom Camping Bylaw 2018 as at the 1 April 2019.

MEETING CLOSED AT 7.09 PM

Confirmed by:

Mayor Bruce Smith
Chair

Date

Council Meetings - Action List

Date of Meeting	Item	Action	Officer	Status
22.02.18	New Westland Sports Hub Covered Complex	Ownership of the covered courts being developed at WHS on the condition that a MOU be entered into on terms and conditions satisfactory to the Council	CE	Lotteries application has been approved. The tender award document is in the agenda pack for Council approval.
28.06.18	Kaniere School Students – Cycletrail	Council staff to get back to the Kaniere School Students regarding the proposal	GMDA	Options are being considered.
28.06.18	Fish on Drains	Council allowed additional blue fish to be installed on the drains in the Hokitika CBD. Council staff to get back to the Kaniere School Students and let them know.	GMDA	Under review with District Assets. District Assets working with Kaniere School.
26.07.18	Responsible Campers Bylaw	Draft for the 23 August Council Meeting	CE	The bylaw has been adopted and infrastructure is being developed.
27.09.18	Draft Accessible Te Tai Poutini West Coast Strategic Plan	Council endorsed and supported the Draft Accessible Te Tai Poutini West Coast Strategic Plan 2018-2021 with Mayor Bruce Smith adding his signature to it at the next Mayors and Chairs meeting.	CE	Agenda items Mayors and Chairs Meeting.

Report



DATE: 13 December 2018
TO: Mayor and Councillors
FROM: Chief Executive

2019 COUNCIL MEETING SCHEDULE

1 SUMMARY

- 1.1 The purpose of this report is to provide a listing of Council Meetings for 2019 for confirmation by Council.
- 1.2 This issue arises from the requirement to adopt a schedule of Council Meetings for 2019.
- 1.3 Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by Council as part of the Long Term Plan 2018-28. These are stated on Page 2 of this agenda.
- 1.4 This report concludes by recommending that Council adopt the meeting schedule attached as **Appendix 1**.

1 BACKGROUND

- 2.1 The Council has historically adopted meeting schedules for the following year at their December Council meeting. This is to ensure that elected members, staff and the community are provided with the dates in advance and can plan their diaries accordingly.

3 CURRENT SITUATION

- 3.1 Council meetings are currently held on the fourth Thursday of every month, with the exception of the April meeting (Anzac Day – 25 April) and also the December meeting which is held on the second Thursday of the month to enable staff to complete tasks prior to Christmas. Staff are not proposing to change this.

3.2 The Audit, Risk and Finance Committee, has adopted a work plan with scheduled regular committee meetings, however Council has indicated its preference is that these Committees meet the same day as the Council.

3.3 A proposed timetable of meetings is attached as **Appendix 1**.

4 OPTIONS

4.1 **Option 1** - Adopt the meeting schedule.

4.2 **Option 2** – Amend the meeting schedule and adopt it.

4.3 **Option 3** - Do not adopt the meeting schedule.

5 SIGNIFICANCE AND CONSULTATION

5.1 Council meetings are legislatively required and part of the decision-making process of local government provided for in the Local Government Act 2002. When assessed against Council’s Policy on Significance and Engagement however, this decision is administrative in nature and therefore of a low level of significance.

5.2 Council has agreed that all Council meetings be held in the Council Chambers, 36 Weld Street, Hokitika.

6 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)

6.1 The advantages of holding meetings in the Council Chambers is that technology and staff are available and the cost to Council is negligible as there is no meeting room hire and most elected members live close to the Council building. There are still catering costs and travel costs for those elected members who meet the travel criteria.

6.2 The disadvantages of holding meetings in the Council Chambers is that people in remote communities are disadvantaged due to travelling distances, however Council has a portfolio system in place and this should alleviate any perceived disconnect with the communities.

7 PREFERRED OPTION AND REASONS

7.1 The preferred option is that Council adopt the meeting schedule attached as **Appendix 1**. This will mean that all meetings for 2019 will be held in Hokitika.

8 RECOMMENDATION

- A) **THAT** the schedule of Council Meetings for 2019 attached as Appendix 1 be adopted.

Simon Bastion
Chief Executive

Appendix 1: Council Meetings 2019.

APPENDIX 1

COUNCIL MEETINGS 2019

Month	Meeting Date	Venue
January	24	Chambers
February	28	Chambers
March	28	Chambers
April	18	Chambers (Anzac Day 25 April)
May	23	Chambers
June	27	Chambers
July	25	Chambers
August	22	Chambers
September	26	Chambers
October	24	Chambers
November	28	Chambers
December	12	Chambers

Public Holidays 2019

- New Year's Day – Tuesday 1 January
- Day after New Year's Day – Wednesday 2 January
- Waitangi Day – Wednesday 6 February
- Good Friday – Friday 19 April
- Easter Monday – Monday 22 April
- ANZAC Day – Thursday 25 April
- Queen's Birthday – Monday 3 June
- Labour Day – Monday 28 October
- Christmas Day – Wednesday 25 December
- Boxing Day – Thursday 26 December

Source: New Zealand Government Website

Westland Anniversary Day 2019

- Westland Anniversary Day - Monday 2 December

Report



DATE: 13 December 2018

TO: Mayor and Councillors

FROM: Group Manager: Corporate Services

FRAUD CONTROL FRAMEWORK AND FRAUD POLICY

1 SUMMARY

- 1.1 The purpose of this report is for the Council to resolve on the preferred recommendation by the Finance, Audit and Risk Committee on the Fraud Control Framework (FCF) and updated Fraud Policy as part of Council's Internal Control Framework.
- 1.2 Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in May 2018, which are set out in the Long Term Plan 2018-28. These are stated on Page 2 of this agenda.
- 1.4 This report concludes that the Council resolve on the preferred recommendation by the Finance, Audit and Risk Committee to adopt or not the FCF and updated Fraud Policy.

2 BACKGROUND

- 2.1 The Finance, Audit and Risk committee are responsible for review of Council's Internal Control under the terms of reference s (a) and providing recommendations to Council under s 2 (ii).
- 2.2 Council contracted PwC to carry out a Fraud Control Framework review, which includes management comments. This review has identified inefficiencies and a lack of an overarching framework.
- 2.3 The review also identified a lack of detective mechanisms and although there are preventative mechanisms, this will only reduce fraud risk and not eradicate the risk of fraud.

3 CURRENT SITUATION

- 3.1 The Finance, Audit and Risk Committee under the terms of reference, have reviewed the Confidential PwC Fraud Control Framework report, the FCF and the updated Draft Fraud Policy.
- 3.2 The FCF and Draft Fraud Policy are the first steps required in an on-going programme to produce enhanced Fraud Control.
- 3.3 As policies are updated, these will first be reviewed at the Finance, Audit and Risk Committee, and then brought to Council for action as per the recommendation from the Committee.

4 OPTIONS

- 4.1 Option 1: Resolve on the preferred recommendation by the Finance, Audit and Risk Committee to adopt or not the Fraud Control Framework and Draft Fraud Policy.

5 SIGNIFICANCE AND ENGAGEMENT

- 5.1 Adoption of the FCF and Draft Fraud policy are administrative in nature and therefore assessed as having low level of significance.
- 5.2 Wider community engagement is not necessary.

6 ASSESSMENT OF OPTIONS

- 6.1 Option 1: The terms of reference (ToR) for the Finance, Audit and Risk Committee delegate authority from Council for the committee to review Internal Control Programmes and recommend the appropriate action to Council.
The Committee have reviewed and made a recommendation under those ToR.
Council could resolve to make changes, however as all Council members are participants of the Finance, Audit and Risk Committee meeting, it is

expected that any changes to the FCF and Draft Fraud Policy would be part of the preferred recommendation.

7 RECOMMENDATION

- A) **THAT** Council resolve on the preferred recommendation by the Finance, Audit and Risk Committee to adopt or not the Fraud Control Framework and Draft Fraud Policy.

Lesley Crichton
Group Manager: Corporate Services

Appendix 1: Fraud Control Framework
Appendix 2: Draft Fraud Policy

Westland District Council Fraud Control Framework		
Who: <i>Accountabilities, Roles and Responsibilities</i>	Finance, Audit and Risk Committee	
	Chief Executive	
	Group Managers	
	All Council staff and contractors	
What: <i>Fraud strategy and policies</i>	Fraud Strategy and mitigation of Fraud Policy	
	Fraud Risk Register	Fraud Investigation Procedures
	Wider Council Policy Framework including Code of Conducts	
How: <i>Fraud management processes and practices</i>	Internal Controls built into Core Business Processes (1st line of defence)	
	Fraud Awareness Training	Whistleblower Protected Disclosure mechanism
	New staff induction	Regular staff compliance confirmation and monitoring
	Employment screening and vetting	Fraud detection programme e.g. Unusual Transaction Analysis
	Customer and Supplier vetting	
Review: <i>Ongoing fraud monitoring</i>	Management self-checking/Compliance monitoring (2nd line of defence)	
	Internal Audit (3rd line of defence)	
	External Audit (4th line of defence)	



Fraud Policy

Purpose

This policy defines the responsibilities of management and staff of the organisation for the establishment and maintenance of an effective system of internal controls, and defines responsibilities when impropriety, including fraud is suspected or detected.

Policy

This policy applies to any irregularity, or suspected irregularity, involving Councillors and employees as well as shareholders, consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with WDC.

Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to the Company.

Fraud awareness, prevention and detection are the responsibilities of Council and its management.

Definitions

Fraud means an intentional and dishonest act involving deception or misrepresentation by a person, to obtain or potentially obtain an advantage for themselves or any other person.

Theft means to dishonestly, and without claim or right, take or deal with any property with intent to deprive any owner permanently of the property or interest in it; and

Corruption is the abuse of entrusted power for private gain (such as soliciting or receiving gifts or other gratuities to perform an official duty or omit to perform an official duty).

Implementation and Procedures

Anyone who discovers or suspects a fraudulent activity whether or not through a fraud risk assessment, should make notification immediately through the escalation process.

All participants in a fraud investigation shall keep the details and results of the investigation confidential.

Fraud Policy

Any staff or elected official contacted by the media (with respect to an investigation) shall refer the media to the Chief Executive.

If staff are concerned about anonymity or independence of any investigation, or where the concern is over activities of the CE and is significant, they should consider using the external Whistle-blower service.

Related Policies and law

- Fraud Control Framework
- Elected Members and Staff Code of Conduct
- Sensitive Expenditure Policy
- Procurement Policy
- Protected Disclosures Policy
- Staff Conflict of Interest Policy
- Staff Gifts and Hospitality Policy
- Credit Card Policy
- Asset Disposal Policy
- Local Authorities (Members' Interests) Act 1968
- The Secret Commissions Act 1910
- Sections 99,105, 105A of the Crimes Act 1961
- Protected Disclosures Act 2000
- Delegation Manual
- Escalation process
- Fraud Risk Register