

# **A G E N D A**

## **Ordinary Council Meeting**

**Council Chambers,  
36 Weld Street  
Hokitika**

**Thursday 14 December 2017  
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, R.W. (G) Eatwell, D.M.J. Havill ONZM,  
J.A. Neale, G.L. Olson, D.C. Routhan.



# 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 14 DECEMBER 2017 COMMENCING AT 11.00 AM**

*8 December 2017*

## **COUNCIL VISION**

Westland District Council will facilitate the development of communities within its district through delivery of sound infrastructure, policy and regulation.

This will be achieved by:

- Involving the community and stakeholders.
- Delivering core services that meet community expectations and demonstrate value and quality.
- Proudly promoting, protecting and leveraging our historic, environmental, cultural and natural resource base to enhance lifestyle and opportunity for future generations.

### **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 2016	0	0	0
January 2017	0	0	0
February 2017	0	0	1
March 2017	0	0	0
April 2017	0	0	0
May	0	0	0
June 2017	0	0	0
July 2017	0	1	0
August 2017	0	2	0
September 2017	0	2	0
October 2017	1	1	0
November 2017	0	0	0
December 2017	0	1	0

### **1. MEMBERS PRESENT, APOLOGIES AND INTEREST REGISTER:**

#### **1.1 Apologies & Leave of Absence**

#### **1.2 Interest Register**

### **2. CONFIRMATION OF MINUTES:**

#### **2.1 Ordinary Council Meeting – 23 November 2017**

(Pages 6-11)

### **3. PRESENTATIONS:**

#### **3.1 Community Volunteers:**

12 noon – Community Volunteers will be in attendance to receive a certificate from His Worship the Mayor.

*Lunch from 12.30 pm to 1.00 pm.*

### **4. ACTION LIST:**

*The Action List is attached.*

(Pages 12-15)

## 5. REPORTS FOR DECISION:

- 5.1 **2018 Council Meeting Schedule** (Pages 16-19)
- 5.2 **New Zealand Ute Muster Event in Hokitika** (Pages 20-26)
- 5.3 **Major District Imitative (MDI) Funding For The Kumara Chinese Miners' Memorial Reserve** (Pages 27-59)
- 5.4 **Westland Industrial Heritage Park Building Construction** (Pages 60-73)
- 5.5 **Heating for the Harihari Community Swimming Pool** (Pages 74-78)

## 6. REPORTS FOR INFORMATION:

- 6.1 **Planning Update Through November 2017** (Pages 79-84)

## 7. ITEMS FOR DISCUSSION:

- 7.1 **Motorhome Friendly Town**  
*- Group Manager: Planning, Community & Environment*
- 7.2 **Licences to Occupy on Unformed Legal Road**  
*- Cr Eatwell*
- 7.3 **Ross Water Supply**  
*- Deputy Mayor Lash*
- 7.4 **Franz Josef Wastewater Treatment Plant**  
*- Deputy Mayor Lash*
- 7.5 **Remuneration Authority – Submissions due 15 December**  
*- Chief Executive*
- 7.6 **Carry Forwards**  
*- Chief Executive and Group Manager: District Assets*  
*A list of Priority 1 Projects will be tabled at the meeting.*

## 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 – 23 November 2017

### 8.2 Proposal to sell part of Marks Road Recreation Reserve

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 – 23 November 2017	Confidential Minutes	Good reasons to withhold exist under Section 7	Section 48(1)(a) & (d)
8.2	Report to Council	Proposal to sell part of Marks Road Recreation Reserve	Good reasons to withhold exist under Section 7	Section 48(1)(a) & (d)

**Date of next Ordinary Council Meeting – 25 January 2018  
to be held in the 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 23 NOVEMBER 2017 COMMENCING AT 11.00 AM

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## 1 MEMBERS PRESENT, APOLOGIES AND INTEREST REGISTER

### 1.1 Members Present

His Worship the Mayor R.B. Smith (Chair)  
Deputy Mayors Crs H.M. Lash and L.J. Martin  
Crs R.W. (G) Eatwell, D.M.J. Havill (ONZM), J.A. Neale, G.L. Olson,  
Cr D.C. Routhan.

### Apologies

Cr D.L. Carruthers.

Moved Deputy Mayor Martin, seconded Cr Olson and **Resolved** that the apology from Cr Carruthers be received and accepted.

### Also in Attendance:

S.R. Bastion, Chief Executive; D. Inwood, Group Manager: District Assets; L.A. Crichton, Group Manager: Corporate Services; J.D. Ebenhoh, Group Manager: Planning, Community and Environment; D.M. Maitland, Executive Assistant.

### 1.2 Interest Register

The Interest Register was circulated and no amendments were noted.

## 2. CONFIRMATION OF MINUTES

### 2.1 Ordinary Council Meeting – 26 October 2017

Deputy Mayor Martin declared a conflict of interest and left the meeting....

Moved Cr Neale, seconded Deputy Mayor Martin and **Resolved** that the Minutes of the Ordinary Council Meeting, held on the 26 October 2017 be confirmed as a true and correct record of the meeting subject to the following amendment:

#### Page 10 – MDI Funding Decisions and Westland High School Project Update

Deputy Mayor Martin declared a conflict of interest in this matter as Chair of Westland High School and accordingly left the meeting while this item was discussed.

### 2.2 Extraordinary Council Meeting – 31 October 2017

Moved Deputy Mayor Martin, seconded Cr Neale and **Resolved** that the Minutes of the Extraordinary Council Meeting held on the 31 October 2017 be confirmed as a true and correct record of the meeting subject to the following amendment:

#### Page 17

“...and Resolved that the apologies be received **and accepted**”.

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

## 4. **ACTION LIST:**

His Worship the Mayor went through the Action List in the Agenda and various amendments and updates to the list were provided.

Moved Cr Routhan, seconded Cr Neale and **Resolved** that the Action List as amended be received.

## 3. **PRESENTATION TO COUNCIL:**

### 3.1 Civil Defence and Emergency Management:

The following were in attendance at the meeting and provided a Powerpoint Presentation:

- John Lovell, Senior Regional Emergency Management Advisor

- Mark Crowe, Regional Director, Emergency Management and Natural Hazards
- Claire Brown, Emergency Management Officer and Group Welfare Manager

The group provided an understanding of how Civil Defence and Emergency Management works on the West Coast and the regions' risk profile and its potential impact on the communities.

## 5. REPORTS FOR DECISION:

### 5.1 CCO Amalgamation – Statement of Proposal

Deputy Mayor Martin declared a Conflict of Interest for Hokitika Airport and Westland District Property Limited and did not take part in the discussion.

*The Group Manager: Corporate Services spoke to this report and outlined the Statement of Proposal to amalgamate Hokitika Airport Limited (HAL) and Westland District Property Limited (WDPL) for adoption and public consultation. It was noted that the proposal is open for submissions from 27 November to the 28 December 2017.*

Moved Cr Havill, seconded Cr Routhan and **Resolved** that Council adopt the Statement of Proposal on the Proposal to Amalgamate Hokitika Airport Limited and Westland District Property Limited.

### 5.2 Projects and Carry Forwards 2017-2018

*The Group Manager: Corporate Services spoke to this report and advised the purpose of the report is to:*

- A) *Seek Council approval for the carry forward of funding for projects that were scheduled for 2016-17, but were not completed by 30 June 2017,*
- B) *Seek Council approval for the future allocation of funds that were generated for specific purposes as at 30 June 2017, and*
- C) *Provide Council with a forecast for proposed project activity during the year ended 30 June 2018.*

The Chief Executive advised that there is a considerable backlog of projects and these need to be reviewed with the Group Manager: District Assets to find out if the project is still relevant and also prioritise them. He further advised that Priority 1 projects will be reported on at each Council Meeting going forward, with a report provided for the 14 December Council Meeting on progress.

Moved Cr Routhan, seconded Cr Olson and **Resolved** that:

- A) Council approves the carry forward to 2017-18 of funds totalling \$3,295,960 for the projects itemised attached in Appendix 1 to the Agenda.



- B) Council approves the future allocation of funds amounting to \$41,241 for specific purposes as detailed in Appendix 2 of the Agenda.
- C) The Chief Executive be requested to bring back a listing of Priority 1 projects to the 14 December 2017 Council Meeting.

### 5.3 Transfer of Land for Management Purposes

Deputy Mayor Martin declared a conflict of interest as a Director of WDPL.

*The Chief Executive spoke to this item and advised that Westland District Property Limited (WDPL) had been asked by a resident at Haast to convert an area of land into pasture. The Chief Executive advised that WDPL have been requested to undertake a full review of what Council assets there are that are in a similar state that could be converted into pasture.*

Moved Cr Havill, seconded Deputy Mayor Lash and **Resolved** that Council transfers Section 1 SO 364887 to Westland District Property Limited for management purposes with the intention of leasing it for development for grazing.

## 7. ITEMS FOR DISCUSSION:

### 7.1 Inspiring Stories – Backing New Zealanders

*Deputy Mayor Martin spoke to this item and advised that there is an opportunity for future leaders for those aged between 17-26 years. The Future Leaders Programme works in partnership with the Mayor's Taskforce for Jobs and local Councils. Future Leaders back young people from rural and provincial New Zealand to develop their social entrepreneurship and leadership capability and make a difference in their backyard. The project would work alongside 50 young people and engage them in projects that have a social and enterprise benefit. There was a discussion in partnering with Grey District Council and/or the South Westland community.*

Moved His Worship the Mayor, seconded Cr Neale and **Resolved** that Council support the concept in principle and allocate staff resources in working with service groups where the concept could be funded from.

*The meeting adjourned at 12.34 pm for lunch and reconvened at 1.00 pm.*

### 7.2 Legal Road

The following item had been added initially to the agenda for discussion, however it was noted that this item had been discussed at the Finance, Audit and Risk Committee Meeting.

## 6. REPORTS FOR INFORMATION:

### 6.1 Planning Update Through October 2017

*The Planning Manager spoke to this report and provided an update for Council on the planning activities under the Resource Management Act 1991, including resource consent processing, monitoring and enforcement, and policy development including the review of the Westland District Plan.*

Moved Deputy Mayor Lash, seconded Cr Neale and **Resolved** that the report from the Planning Manager for October 2017 be received.

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

Moved Deputy Mayor Martin, seconded Cr Olson and **Resolved** that Council exclude the public in accordance with Section 48, Local Government Official Information and Meetings Act 1987 at 1.10 pm.

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 – 26 October 2017

### 8.2 Contract 2017-18-06 Resealing of Carriageways (Chip Seal) Approval

### 8.3 Community Nominations to the Creative Communities Assessment Committee

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 – 26 October 2017	Confidential Minutes	Good reasons to withhold exist under Section 7	Section 48(1(a) & (d)
8.2	Contract 2017-18-06 – Resealing of Carriageways (Chip Seal) Approval	Confidential Report	Good reasons to withhold exist under Section 7	Section 48(1(a) & (d)

8.3	Community Nominations to the Creative Communities Assessment Committee	Confidential Report	Good reasons to withhold exist under Section 7	Section 48(1(a) & (d)
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This resolution is made in reliance on Section 48(1)(a) and 48(2)(a)(i) and (ii) 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
8.1	Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; and  Protect the privacy of natural persons, including that of deceased natural persons.	Section 7(2)(ii)  Section 7(2)(a)
8.2	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)(ii)
8.3	Protect the privacy of natural persons, including that of deceased natural persons.	Section 7(2)(a)

Moved Cr Olson, seconded Cr Eatwell 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 1.22 pm.

**Date of next Ordinary Council Meeting – 14 December 2017  
to be held in the Council Chambers, 36 Weld Street, Hokitika**

**MEETING CLOSED AT 1.22 PM**

Confirmed by:

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**Mayor Bruce Smith**  
**Chair**

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**Date**

# Council Meetings - Action List

Date of Meeting	Item	Action	Who Responsible	Timeframe	Status
26.01.17	74 Revell Street	Carparking for commercial premises to be revisited.	GMDA		<p>His Worship the Mayor has visited 12 businesses in the CBD. There is a real disagreement if there actually is a parking issue in Hokitika.</p> <p>Cr Routhan advised he had spoken to Evan Jones about making an area in Revell Street available for carparking. There is a possibility that the area could be a public paying carpark..</p>
27.04.17	Household Street Access	Change in policy from sealing driveways to concreting driveways when a street is upgraded or a new house is built. Staff to provide a revised policy on a way forward, including costings.	GMDA		<p>Two driveways in Rolleston Street were approved to be concreted.</p> <p>The policy requires an addendum to NZ 4404</p> <p>Staff are working on the policy to come back to Council in early 2018.</p>
29.05.17	Freedom Camping	CE to work with Buller and Grey District Councils and Tasman District Council to develop a freedom camping policy for the West Coast.	CE		<p>Referred to the Long Term Plan.</p> <p>Discussion regarding Hokitika becoming a motorhome friendly town.</p> <p>The Property and Projects Supervisor has been identifying areas at Sunset Point where a number of campervans could be accommodated.</p> <p>Cr Carruthers suggested that other township areas could be motorhome friendly towns.</p> <p>Potable water supply has been installed and signposted at Three Mile (oxidation ponds).</p> <p>Feedback awaited from NZMCA on motorhome friendly town eligibility. Formal report to Council in</p>

Date of Meeting	Item	Action	Who Responsible	Timeframe	Status
					<p>January 2018 will allow Council to resolve to seek MHF status for Hokitika and other Westland towns with support from the relevant community associations.</p> <p>Council already has a Freedom Camping Policy (on website) but no Bylaw, and no Bylaw is intended at this time.</p>
22.06.17	Airbnb's	Staff to come back with the existing internal policy on Commercial Rating to the July meeting, including feedback from other Councils.	GMCS, GMPCE		Referred to the Long Term Plan Workshop.
24.08.17	Living Wage	Policy to be developed on paying of living wage to employees.	GMCS		A Living Wage Policy to be developed and come back to Council in 2018.
28.09.17	Delegations Manual	Update to delegations to Standing Committees to reflect the Terms of Reference for the Dog Control Hearing Committee	CE		Delegations updated. Fee proposal to come back to the January/February Council Meeting.
28.09.17	Youth Development	To be enhanced as part of the Long Term Plan process.	CE		Referred to the Long Term Plan
28.09.17	West Coast Wilderness Trail	Funding shortfall of \$350,000	GMDA		<p>Work is underway on the Kaniere Tram section bridges.</p> <p>Cr Routhan to be provided with a copy of the West Coast Wilderness Trail Report.</p>

Date of Meeting	Item	Action	Who Responsible	Timeframe	Status
28.09.17	Planning Update	Special Consultative Procedure for setting of fees in relation to boundary activities.	GMPCE		Complete as per 14 December monthly planning report to Council.
28.09.17	Mint Creek Livestock Water Scheme	Meeting of the Working Group	HWM/CE		A meeting of the group was held.  This item is currently back with Council for further action.
26.10.17	Livestreaming Council Meetings	Add project to the Long Term Plan	GMCS		Referred to the Long Term Process.
26.10.17	Hokitika Lions Club	Send letter advising of decision of Council regarding Colin Adams Memorial	GMDA		A letter has been sent to the Hokitika Lions Club.  The Hokitika Reserves and Environs Group would like to be the conduit for items such as this, and they would then provide a recommendation to Council.  A new location is being considered in Kaniere
26.10.17	Annual Report on Dog Control Policy and Practices	Add to Council Website, forward copy to the Secretary for Local Government	GMPCE		This item was completed.
26.10.17	MDI Funding Decisions	Letter to Community Groups advising of Council's decision and contact Development West Coast	GMPCE		This item was completed. The Kumara Community Group asked that Council undertake consultation around their item before being formally approved by Council. This is addressed in a report to 14 December Council meeting.
26.10.17	Legal Road – Wanganui River/La Fontaine, Harihari	Report to November Council Meeting.	GMDA		Future Council Agenda Item.
23.11.17	Projects and Carry Forwards 2017-2018	Review of Projects and Carry Forwards and prioritise	CE, GMDA		Report back to the 14 December Council Meeting on progress.

Date of Meeting	Item	Action	Who Responsible	Timeframe	Status
23.11.17	Transfer of land at Haast for management purposes	Transfer Section 1 SO 364887 to Westland District Property Limited for management purposes with the intention of leasing it for development for grazing.	GMDA		Advise WDPL of the decision of Council.
23.11.17	Inspiring Stories – Backing New Zealanders	Council supported the concept in principle and allocated staff resources in working with service groups on where the concept could be funded from.	GMPCE		Update on funding sources required.  Work in progress by Community Development Advisor

# Report



**DATE:** 14 December 2017  
**TO:** Mayor and Councillors  
**FROM:** Chief Executive

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## 2018 COUNCIL MEETING SCHEDULE

### 1 SUMMARY

- 1.1 The purpose of this report is to provide a listing of Council Meetings for 2018 for confirmation by Council.
- 1.2 This issue arises from the requirement to adopt a schedule of Council Meetings for 2018.
- 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 2015-25. 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**.

### 2 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 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 not yet 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 2018 will be held in Hokitika.

**8 RECOMMENDATION**

- A) **THAT** the schedule of Council Meetings for 2018 attached as Appendix 1 be adopted.

**Simon Bastion**  
**Chief Executive**

**Appendix 1:** Council Meetings 2018.

# APPENDIX 1

## COUNCIL MEETINGS 2018

Month	Meeting Date	
January	25	Chambers
February	22	Chambers
March	22	Chambers
April	26	Chambers
May	24	Chambers
June	28	Chambers
July	26	Chambers
August	23	Chambers
September	27	Chambers
October	25	Chambers
November	22	Chambers
December	13	Chambers

### Public Holidays 2018

- Monday 1 January – New Year’s Day
- Tuesday 2 January – Day after New Year’s Day
- Tuesday 6 February – Waitangi Day
- Friday 30 March – Good Friday
- Monday 2 April – Easter Monday
- Wednesday 25 April – ANZAC Day
- Monday 4 June – Queen’s Birthday
- Monday 22 October – Labour Day
- Tuesday 25 December – Christmas Day
- Wednesday 26 December – Boxing Day

### Anniversary Day 2018

- Westland Anniversary Day - Monday 3 December

# Report



**DATE:** 14 December 2017

**TO:** Mayor and Councillors

**FROM:** Strategy and Communications Advisor

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## NEW ZEALAND UTE MUSTER EVENT IN HOKITIKA

### **1 SUMMARY**

- 1.1 The purpose of this report is to outline a proposal for what could be the West Coast's newest and biggest annual event.
- 1.2 This issue arises from an initial idea proposed by The Events Incubator of which Mayor Smith is a member.
- 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 2015-25.
- 1.4 This report concludes by identifying the issues of scope/considerations needed in order to bring this event to life and some suggested recommendations for Council to consider relating to each of the identified considerations.

### **2 PURPOSE**

- 2.1 The purpose of this event is to further develop the event offerings for the region. This new event that has the potential to be comparable to or outgrow the success and scale of the Hokitika Wildfoods Festival and AgFest and bring in valuable tourism dollars for the entire Coast.
- 2.2 A secondary aim is to boost the profile of Hokitika, Westland as an up-and-coming events capital of New Zealand.
- 2.3 The third aspect is to continue to fill the events calendar to optimise opportunities outside of the main tourism window to enhance the Westland economy.

### 3 CONCEPT

- 3.1 The New Zealand Ute Muster would be a four-day event that celebrates things unique to the West Coast culture including utes, camping in the outdoors, West Coast food (including whitebait), rivalry and competition among mates, and good old Kiwi yarns and music.
- 3.2 Sponsorship for minor prizes could be obtained from local businesses and there would be significant cash prizes on offer for New Zealand's best Ute as decided by an independent panel of judges.

Multiple prize categories could be considered including:

- Ute of the Year Overall Winner
- Best Ford
- Best Holden
- Best Toyota
- Best Suzuki
- Best Mazda
- Best Other Ute
- The best sound system in a Ute
- The best modified Ute
- The loudest Ute
- The best dressed driver

Sponsorship could be obtained from a car dealership/manufacture, a fuel company, The Coasters Club, a tyre manufacturer and one vehicles accessories supplier/retailer along with other interested parties.

- 3.3 It is proposed to have entertainment in the form of local bands and potentially a headline act with the target of having a Saturday night programme.

Festivalgoers could camp in Hokitika overnight or book into hotels, motels and Bed and Breakfasts and there are various venues that could be offered.

On Saturday afternoon it is proposed to hold a time trial at Hokitika Airport for Utes by entry only with rules for dress and code of conduct to be created and adhered to.

A market day could also be held in Hokitika on the Saturday also with family-friendly entertainment, arts and crafts and food stalls and a Wildfoods cook-off competition with guest judges.

On Sunday morning it is proposed to hold a parade of Utes in Hokitika's main street after which the Utes could go off and explore the Coast for the afternoon. Other towns on the coast may also put their hand up for a parade – this is open for discussion. This could help promote regional cooperation.

Television media could be invited and aerial drone footage taken. The event could be promoted in association in Tourism West Coast.

Refer to **Appendix 1** for photos of what such an event could look like.

#### **4 SCOPE/CONSIDERATIONS**

- 4.1 Obtaining a suitable camping venue for the event.
- 4.2 Personnel resourcing to be identified for organising the festival in terms of sponsorship, logistics, marketing etc.
- 4.3 Ensure all financial implications are identified including on-going costs.
- 4.4 This event would need to be held on a three day weekend to enable time for people to drive to/from Hokitika safely.
- 4.5 Undertake consultation with the community on this matter in accordance with Council's Significance and Engagement Policy (2016).
- 4.6 Identify an ownership/accountability structure for this event.

#### **5 RECOMMENDATIONS**

- A) **THAT** Cass Square and Sunset Point be the event venues.
- B) **THAT** a new permanent full-time position for an Events Manager at Council to oversee all Council's event offerings be created.
- C) **THAT** a financial budget be prepared and presented to Council of forecast costs.
- D) **THAT** the event be held each year at Easter Weekend with the inaugural event to be held in 2018.

- E) **THAT** this be consulted on through the following platforms: Council's Facebook page, a notice on Council's Website, a Statement of Proposal being advertised in the Hokitika Guardian and conversations with local business owners and relevant stakeholders to assess support for the event and financial support (i.e. sponsorship).
  
- F) **THAT** this event sits under the Westland District Property Limited umbrella (with a view to this being transferred to the new proposed amalgamated CCO known as "Destination Westland" subject to this CCO decision being adopted and confirmed.)

**Michelle Bunt**  
**Strategy and Communications Advisor**

**Appendix 1: Photos of what The Great New Zealand Ute Muster could look like.**

# Appendix 1

Photos of what The Great New Zealand Ute Muster could look like









# Report



**DATE:** 14 December 2017

**TO:** Mayor and Councillors

**FROM:** Community Development Advisor

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## MAJOR DISTRICT INITIATIVE (MDI) FUNDING FOR THE KUMARA CHINESE MINERS' MEMORIAL RESERVE

### 1 SUMMARY

- 1.1 The purpose of this report is to update Council on Major District Initiative (MDI) funding for the Kumara Chinese Miners' Memorial Reserve (KCMMR) and to recommend that Council confirm MDI funding for the project.
- 1.2 This issue arises from a resolution at the 26 October 2017 Council meeting where Council provisionally allocated MDI funding of \$68,709 to the Kumara Residents Trust (KRT) for the KCMMR.
- 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 2015-25. These are stated on Page 2 of this agenda.
- 1.4 This report concludes by recommending that Council confirm MDI funding for the project because KRT has already met its 35% criteria of funding from other sources, as itemised in the Council meeting agenda 26 October 2017, and the majority of public submissions received are in favour of this decision.

### 2 BACKGROUND

- 2.1 Development West Coast (DWC) was set up as a Charitable Trust in 2001 to manage, invest and distribute income from a fund of \$92 million received from the Government. This fund was an adjustment package for the loss of indigenous forestry and the privatisation of much infrastructure on the West Coast in the late 1990s. DWC is governed by a Deed of Trust which specifies DWC's objectives – to promote sustainable employment opportunities and generate sustainable economic benefits for the West Coast, both now and into

the future. \$6,700,000 has been committed to each of the Buller, Grey and Westland Councils for the MDI Programme.

2.2 In regard to DWC criteria, the following capital projects are eligible for inclusion as MDI projects:

- sport and recreation facilities and buildings
- community halls
- theatres
- museums
- art galleries.

2.3 DWC will fund up to a maximum of 65% of the total project costs. The remainder of the costs has to come from other sources and must be able to be drawn down at the same time as the MDI funds.

2.4 To date, the following projects in Westland have received or been allocated MDI funding:

Project	Location	MDI funds approved	Status
<b>Westland i-Site</b>	Hokitika	\$296,952	Completed
<b>Regent Theatre</b>	Hokitika	\$340,000 (Stage 1)	Completed
<b>Library Relocation</b>	Hokitika	\$489,392	Completed
<b>Donovan's Store</b>	Okarito	\$60,586	Completed
<b>Gorge Toilets</b>	Hokitika	\$82,014	Completed
<b>Boy's Brigade Hall</b>	Hokitika	\$247,349	Completed
<b>Regent Theatre</b>	Hokitika	\$570,000 (Stage 2)	Completed
<b>Health Centre</b>	Franz Josef	\$100,000	Completed
<b>Community Centre</b>	Harihari	\$455,000	Completed
<b>Community Centre</b>	Fox Glacier	\$1,000,000	Completed
<b>Ross Centennial Hall</b>	Ross	\$90,000	Completed
<b>RSA Rebuild</b>	Hokitika	\$400,000	In progress
<b>Hokitika Museum</b>	Hokitika	\$500,000	Committed
<b>Whataroa Hall</b>	Whataroa	\$200,000	Committed
<b>Riding for Disabled</b>	Hokitika	\$200,000	Committed
<b>Industrial Heritage Park</b>	Hokitika	\$50,000	Committed
<b>Dennis Road Track</b>	Haast	\$50,000	Committed
<b>Westland High Sch.</b>	Hokitika	\$1,500,000	Committed
<i>Uncommitted</i>		\$68,709	
<b>Grand Total</b>		<b>\$6,700,000</b>	

2.5 The "Committed" projects above are those that Council agreed on 26 October 2017 to commit MDI funding towards, based on public consultation that occurred earlier this year, but which have not yet submitted formal

applications to DWC. The “Uncommitted” amount of \$68,709 is the amount that was allocated to KRT for the KCMMR at its meeting on 26 October 2017. It is shown as “Uncommitted” because the public consultation required by DWC for MDI funding had not yet occurred when this allocation was made; the KRT request was in response to the public consultation on the other “Committed” projects. The public consultation on the KRT allocation has now been completed and is described in the next section.

- 2.6 Not all of the \$2.5 million for “Committed” projects is available yet, as DWC provides MDI funding at a rate of \$100,000 per quarter. As of 31 December 2017, \$768,710 is available in MDI funds from DWC for Council to draw down, and a further \$100,000 is available every quarter until 31 March 2022. (This does not include the \$2,593.68 still remaining of the RSA’s \$400,000 draw down.)

### 3 CURRENT SITUATION

- 3.1 On 13 November 2017, public submissions were called for on the provisional allocation of MDI funding to KRT for the KCMMR, with an advertised closing date of 5 December 2017. The public were notified of this through Council’s website, advertisements in the Hokitika Guardian and the Grey Star, and in Council’s Westland Matters newsletter. A total of 175 submissions have been received. Of these, 171 are in favour of the MDI funding allocation. These are listed in Appendix 1 along with any comments (other than the pro forma submission text in Appendix 4). Four submissions have been received against the proposal, two of which are longer submissions and are included as Appendix 2 and Appendix 3. Appendix 4 is an example of the pro forma submission which many of the 171 in favour used as a template. Appendix 5 is a submission from Christine Fahey.

### 4 OPTIONS

- 4.1 **Option One:** Confirm the allocation of \$68,709 of MDI funding to the Kumara Residents Trust for the KCMMR, following the provisional allocation of this funding at the 26 October 2017 Council meeting.
- 4.2 **Option Two:** Allocate no MDI funding to the Kumara Residents Trust for the KCMMR.

### 5 SIGNIFICANCE AND ENGAGEMENT

- 5.1 Under the Council’s Significant and Engagement Policy, this decision has low significance. MDI funds are provided from DWC, and KRT have already raised their 35% of the funds needed to apply for MDI funding.

5.2 Council had a period of public consultation from 13 November to 5 December 2017.

## **6 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)**

6.1 The advantage of confirming the MDI allocation is that KRT can then make formal application to DWC for MDI funds, and this will also assist KRT in being able to leverage other funding for the project. The disadvantage of confirming the MDI allocation is that it means that all MDI funding is now committed and no other projects can be considered for MDI funding.

6.2 The advantage of allocating no MDI funding to the project is that the MDI funding could be used for other purposes that Council chooses. The disadvantage of not allocating funding is that there will be further delays in commencement of the KCMMR project, when KRT are ready to start the project.

## **7 PREFERRED OPTION AND REASONS**

7.1 The preferred option is that Council confirms the MDI allocation of \$68,709 to the KRT, so that KRT is able to leverage other funding for the project and the project can be commenced.

## **8 RECOMMENDATION(S)**

A) **THAT** Council confirms the Major District Initiative (MDI) allocation of \$68,709 to the Kumara Residents Trust for the Kumara Chinese Miners' Memorial Reserve.

**Derek Blight**  
**Community Development Advisor**

**Appendix 1: Submissions Received and Comments**  
**Appendix 2: Submission from Anthea Keenan**  
**Appendix 3: Submission from Des McGrath**  
**Appendix 4: Submission from Fiona Pollard**  
**Appendix 5: Submission from Christine Fahey**

## Submissions Received

Submitter	Position	Comment
Merryn Bayliss	for	I know Fiona Pollard personally and she has put and continues to put a huge amount of (unpaid) time and effort in to this project. She and others she is working with are extremely committed to the project and the area and I Have every confidence that the money would be well spent.
Anthea Keenan	against	See Appendix 2 for longer comment
Zac Robinson	for	My wife and I own land in the Kumara District and would love to see this project go ahead.
Robyn Edwards	for	
Diao Shiyu	for	The more funding we are able to collect, the more attention and public support we will get, so please help us.
Sandra Tam	for	The garden will bring more tourism which in turn means more employment opportunities for the wider West Coast.
Wayne	for	
316353003	for	
Izzie Guo	for	
Karen Jury	for	
Vaughan Bradley	for	
Kay Lyes	for	
William Verrall	for	This is a very worthy project that will enhance the history and heritage of Kumara, enhancing the visitor's experience of one of the last great gold rushes in the South Island
Jane Seddon	for	I fully support this project. It will be a wonderful attraction for Kumara.
Sue Asplin	for	
Alan Sweeny	for	
Mike Osborne	for	
Karen Prendergast	for	
Julie Ponsonby	for	I fully support the creation of a Chinese Garden in Kumara.
Murray Lobb	for	
Julie Rowe	for	
Fiona Pollard	for	See Appendix 4 for longer comment.
Terry Duthie	for	
Kate Hawkins	for	Money sourced from many places is a great way to keep Kumara moving forward without rate increases.
Whatu Murphy	for	I agree with the funds all or part of \$68,709 for the use of Kumara Chinese Gardens
Andrea Newburgh	for	I am in favour of the Chinese Garden. It can only improve Kumara.
Hamish Newburgh	for	The Chinese garden will be an asset to Kumara and add to the interest of the town. I am in favour of it going ahead.
Robert Sanders	for	
Margaret Sanders	for	
Linda Sullivan	for	
John Acker	for	
Ursula Acker	for	
Gary Lehmer	for	I signed because you are going to do it anyway
Marie Pollard	for	
Mary Stuart	for	
R Watson	for	

Submitter	Position	Comment
Jean Sinclair	for	
Pauline Burling	for	
Patrick Fitzgerald	for	
Joyce McGill	for	
David Young	for	I think this project is a fitting project to the Chinese miners and an asset to Kumara and the West Coast
Michelle Young	for	
Adam Robinson	for	
Craig Mathieson	for	
Russell Knipe	for	
Mike Coll	for	
Neville Murdoch	for	
Dave Hanson	for	
Kris Rowe	for	
Gerard Bullimore	for	
Donald Bills	for	
Catherine Bills	for	
Elaine McAuliffe	for	
Peter Chapman	for	
N. Davies	for	
John MacLennan	for	
Sue Stanton	for	
Lewis Acker	for	
Jackie Newton	for	
Murray Stuart	for	
Phyllis Stuart	for	
Gloria Lee	for	I am glad, being a Chinese, to have this chance to express my support for the project receiving funding
Frances Keating	for	I hereby support the KRT in applying for funding form the MDI fund for the KCMMR
Florenz F	for	I support the KCMMR project receiving MDI funding
Kun Zheng	for	I support the KCMMR project receiving MDI funding
Wen Ying Chen	for	I support the KCMMR project receiving MDI funding
David Dai	for	I support the KCMMR project receiving MDI funding
Lin Wang	for	I support the KCMMR project receiving MDI funding
Shan Yan	for	I support the KCMMR project receiving MDI funding
Simo Tam	for	
Aleisha Edens	for	
Maria Petrovics-Edens	for	
Hamish Edens	for	
Pavel Bares	for	I strongly support this project and look forward to its completion for the greater benefit of Westlanders. Our visitors to Kumara will love it.
Des McGrath	against	See Appendix 3 for longer comment
Doreen McGrath	against	I object to the WDC granting any funds from the MDI to the KRT because the KRT has failed to be open and transparent with all Kumara residents. It has used money (Endowment Funds and Township Development Funds) which belongs to every Kumara resident for the Chinese Garden. It should not get any more money from the Council.
Sahrae De Gold	for	
Mylah Neilson	for	
Troy Neilson	for	



Submitter	Position	Comment
Linda De Gold	for	
Graeme De Gold	for	
Haley Pugh	for	
Amy	for	I support the KCMMR project receiving MDI funding
Kangmei Zheng	for	I support the KCMMR project receiving MDI funding
Rob Lawrence	against	I would like the WDC to withhold the MDI funds to the Chinese Reserve Memorial through the KRT in full or at least in part. That some of these MDI should be held for future projects and the WDC should review its provisional decision. I believe that a memorial to only one ethnic group strange, it ignores all other ethnicities, all of whom were (including the Chinese) seeking their fortunes then moving on. The note given to me by another resident (the first and only information form the KRT on the proposed development, and only two days in which to reply, which I find unusual to the point of manipulation by KRT on the request of the MDI funds. The note suggests that the KRT meets the criteria for the funding of having already raised 35%. I assume that the 35% (\$36,997) plus the \$68,709 that the total cost of the project is \$105,706. This is at odds with recent newspaper article which suggested the project has to date cost many hundreds of thousands of dollars. Given the conflicting information, I think Council would be best to review its provisional decision and revisit the project cost.
Mike Keenan	for	Kumara is the gateway to Westland and will have a beautiful Chinese Garden. When finished, it will be a key asset to Westland. I personally believe that all towns in Westland should get a slice of the MDI funds. Kumara – the little town that dreamt big!
Carmen Chung	for	
Heather Sinton-White	for	I strongly support this project and kindly ask for your support - the memorial reserve will be such an incredible asset for kumara and the West Coast as a whole.
Andrew Ginton-White	for	
Marie Wilson	for	I fully support this project
Aubyn Wilson-Russ	for	
Jacob Ross	for	
Jerry Hill	for	
Dave Adamson	for	
Barmatd Theueillat	for	
Nicola Calcott	for	
Steve Cornall	for	
Danielle McCord	for	As a Montessori teacher with a large Chinese community, I believe this would be a fabulous addition to Kumara and will bring a great cultural awareness and tourist destination not to mention the economic value this tourism will bring to the Coast. Brilliant idea!
Joane Woods	for	It would make a fabulous addition
Sandra McCord	for	Being a regular visitor to the Coast, kumara is a must stop at the New Theatre Royal. I have loved to see Kumara come alive. This garden shows respect to the very hardworking Chinese men. The Coast will truly benefit from the Garden. Just one more beautiful stop off for travellers and a great promo for the Coast.
Donna Hughes	for	I fully support this initiative in the town of Kumara. Honouring the Chinese miners shows respect for these pioneers and how hard they worked in the region and can only generate goodwill and harmony. It will

Submitter	Position	Comment
		be a beautiful, tranquil place for everyone to visit and enjoy and well done to Kumara for doing this.
Jan Patterson	for	As a visitor to the West Coast from Auckland, I am excited about this project which will enhance the knowledge of both locals and tourists about our history. We don't hear enough about the Chinese contribution to our country and a garden to acknowledge this is a wonderful idea. It deserves Council and community support. A great initiative Kumara.
Marilyn Hughes	for	Having recently visited the Chinese Gardens in Dunedin and experienced the tranquillity and peace of this beautiful sport in the middle of a city, I am thrilled at the idea of a Chinese garden in Kumara. Another opportunity for tourists and Kiwis to visit Kumara. This little place has grown from strength to strength over the years and we are finding more and more reason to stop and visit. Looking forward to seeing this wonderful idea progress.
Mylie Henry	for	For me everybody it's about show casing Kumara, Westland. Inspiring pride/mana for people to awaken themselves and take with them their experiences. Aroha nui
Graham Belk	for	
Chris Kelly	for	
Russell Smithers	for	
Cardina Barron	for	
Blair Baron	for	
Doreen Pugh	for	This is an exciting new stage in the ongoing improvements to the main road through the village. KRT has worked consistently over the last few years to get this project up and running and it will be a lovely change to the gorse paddock I was greeted in the past.
Eigill Wahlberg	for	
Antje Wahlberg	for	
Heather Fletcher	for	A Chinese Miners memorial Reserve would in my opinion be an asset, not only for Kumara but for the West Coast. It is important to honour the region's history in all its diversity.
Jenny Fitzgerald	for	
Jolene Fitzgerald	for	
Craig Cardus	for	
Bronwyn Wafer	for	
Alan Wafer	for	
Trudy Palmer-Wal	for	
A.J. White	for	
Karen Wafer	for	These gardens would be a huge asset to the West Coast in general. All West Coast gold miners are being acknowledged which is great with no rateable charge to ratepayers!
Kim Blanchfield	for	
LJ Guenole	for	
Douglas McCallum	for	
KD Wafer	for	Great to see positive things happening
Michael Lee	for	
Nick Wafer	for	
Tim Wafer	for	
Joshua Wafer	for	
Roena Wafer	for	
Alan White	for	

Submitter	Position	Comment
Sam Gillard	for	
Phil Payne	for	
Evan Hunt	for	
Rachelle Hunt	for	KRT has had sustained energy and enthusiasm following what I believe to be the process in progressing the Memorial Gardens thus far and I applaud this. There has been multiple opportunities to engage in discussions in an open manner over the time we have been resident here (approx. 2 years) I am in support of this application and the project outlined.
Emily Hunt	for	
Kerri-Anne Wilson	for	I fully support this for our community! It will be amazing!
David Russ	for	A worthwhile project being developed by good honest people.
Adam Fitzgerald	for	
Tracey Fitzgerald	for	
K Joy Abbott	for	
Alan Murphy	for	
Sharon Mathias	for	
Beverley Loader	for	
Jacqui Rigarlsford	for	
Mark Fizgibbon	for	
Kerrie Fitzgibbon	for	
Selwyn Leitch	for	
Sarah McGill	for	
Frances Darwen	for	
Paul Maunder	for	
Susan Langer	for	
Paul Meek	for	
Shona Preston	for	
Sonia Smith	for	
Paul Hibbs	for	
Frank Wells	for	
Elizabeth Bachmanu-Wells	For	
Tony Winter	for	
Ralph Glasson	for	
Ryan Winter	for	
Anne Lee	for	Money spent on this project will be money well spent. Won't only be great for Kumara but also great for the West Coast.
Alistair Lee	for	
Joanne Lee		This would be a great asset for Kumara township which is finally coming alive. It would attract tourists, not just for the benefit of Kumara but the whole of the West Coast.
Jachie Hill	for	Go for it. Great project for Kumara.
Garry Cooper	for	
Lynette Wilson	for	
Hannah Fitzgibbon	for	
Matthew Fitzgibbon	for	
Jade De Goldi	for	
Lara Pollard	for	
Victoria Hygate	for	
Maureen Pugh	for	

Submitter	Position	Comment
Patricia Barry	for	I am writing to support the Council's resolution to allocate the remaining funds of \$68,709 to the KRT for the KCMMR project. Although I live in Christchurch, I love the West Coast and travel there as much as I am able. I have visited the Chinese Gardens in both Dunedin and Nelson and found them to be beautiful, restful, but most importantly significant signs of respect for the early Chinese Pioneers in NZ. I am certain that this is what the KRT has in mind for their area and really hope that this funding does go through to finish or advance the project.
Lynlee Langridge	for	Let's get this done and as soon as possible. Then perhaps certain people can let go of their continual tirade and enjoy what this development will bring to Kumara. Have these same people even brought any new business or tourism to the town? Thought not!
Christine Fahey	against	Objection to any MDI Funding being granted to the KRT (refer Appendix 5 to this report).

Appendix 2

**Derek Blight**

**From:** Council  
**Sent:** Thursday, 23 November 2017 8:10 AM  
**To:** Derek Blight  
**Subject:** FW: Submission Against Funding Chinese Memorial Garden Kumara

Kind regards

**Yolanda Knoetze**  
 Customer Services Consultant  
 Westland District Council



Acknowledged  
 23/11/17

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 P +64 3 756 9010 | F +64 3 756 9045 | [Yolanda.Knoetze@westlanddc.govt.nz](mailto:Yolanda.Knoetze@westlanddc.govt.nz)  
 "Westland – The Last Best Place"

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Be green - read on the screen

**From:** R & A Keenan [mailto:[keenanr@kinect.co.nz](mailto:keenanr@kinect.co.nz)]  
**Sent:** Thursday, 23 November 2017 2:18 AM  
**To:** Council <[council@westlanddc.govt.nz](mailto:council@westlanddc.govt.nz)>  
**Subject:** Submission Against Funding Chinese Memorial Garden Kumara

A project which sounded fine in the first instance...but since then anomalies to be discovered, with KRT members continually pledging for public monies since 2014.

Notes:

1. Endowment monies held in Council reserves – what is the criteria for withdrawal....? Council failed to stipulate. Usually it would be "consensus of the community" as it was for Ross (Hall project)....or as in any other Community Fund.
2. Council have so called "preferred community groups" - which is not all of Community...this is some cause for unfairness and has created friction in at least three of Westland Communities.
3. Council are required to carry out consultation under section 82 of the Local Govt. Act. to gather all factual information and then to make an informed decision – that is required for good decision making process. It is not for a certain community group to carry out that consultation – it is the job of Council in proper regard.
4. Kumara Residents Trust Chinese Garden project has changed – from a \$250k project, to a \$1.5 mil project and then back to \$500k – from the time of first expression of interest (which was to gain MDI funding), which was not approved initially 2014.
5. There are many questions which extended Kumara people and community are asking. They deserve a fair consultation process with full details of project/answers to questions and fair consideration.
6. The initial resolution from Council minutes is that "providing MDI funding approved" then Endowment money would be released.  
The resolution also had a "consultation requirement"
7. Council staff drew up a consultation plan – which was proper under LGA..however this was voted not required..(an unusual decision to make by Council elected members).
8. KRT continued to pledge for Endowment money using a case that there were no other "Reserves" available. There are questions as to "is a reserve required for Endowment monies to be released to" if there were other projects the community may see as greater need.

9. The land involved was made into a "Reserve" so that monies could be extracted from the Council Restricted Reserve Fund – right or wrong!. There are legal letters on this....Council failed to stipulate what funds were to be used for. Other projects could be more worthy of funds.

10. Sadly the Kumara Community has become divided – as have other communities because of Council failures = mainly as I see it being poor consultation means (Mike Havill's response was – "why do we have to consult to death") which is required under the Local Government Act – which elected members sign to by oath.

In submission:

I do appreciate that Don & Anne Bill have donated land (a generous offer) – however I am unsure who suggested for the purpose of a "Chinese Garden" in this place.

My opinion now, as time has gone on is with this issue is "why would anyone want to segregate nationalities" and form a garden of one nationality....when it could be a Pioneer Garden as such. If a person wants to give land for a purpose then pay for the costs of own project – unless the whole community wishes to contribute = especially from Reserve Funds and or Major District Initiative Funds (which this project may not be compliant for these funds?).

There are a lot of people making comments – some afraid to enter a debate. That is what Council should and must do fairly – gain all factual information by carrying out fair consultation (fair consultation involving all nationalities and or cultures) bring that information back to Council reports and for a fair debate. Council have failed to do this. There are still contradictory resolutions on Council records. The matter is not solved...will remain controversial until there is proper fairness in leadership for Westland and the West Coast.

There is also the aspect of "commercial groups" led projects - which KRT does appear in this instance i.e. Hotel owner, cycle trail etc., for tourism but which is a liability and will include future maintenance (even to extent of using PD workers to carry out that work, when there are other jobs around to be done!) - KRT are not the whole of the Community – they must respect other people and surrounding communities, respect our heritage.

Great to have historical knowledge, nice to be a descendant of early settler West Coasters – most people wouldn't want to change that. Kumara has a great opportunity to draw on other strengths of historic value and including Richard John Seddon and family living right there. This could be leveraged from.

KRT have recently put together a brochure on Kumara – that is great..keep up good works and keep whole of community/surrounds involved. Unfortunately Kumara has become much divided through a project which was muddled from the start. Council which did not carry out proper due diligence and consultation. Mayor Mike Havill response in media "why do we have to consult to death over everything" is a perfect example of how poor this Council involves itself in the Local Government Act – Section 82 Consultation. Good decisions take time and being well informed...gather all details.

I have debated the Chinese Miners Memorial Gardens project due to it being processed through Council as it has been, costing ratepayers and those concerned (and even the project itself) immensely. This project should have been stalled in the first instance until all due diligence carried out.

Really, Restricted Reserve Monies should be returned to that fund. If it is likely this project doesn't meet objectives for MDI funding (compensation monies) – which Development West Coast should monitor stringently – then a decline made also for MDI monies.

Council must take greater responsibility in future – so that Communities are well advised and considered with all respect, so that such frustration and division does not occur.

Anthea Keenan

**Derek Blight**

**From:** R & A Keenan <keenanr@kinect.co.nz>  
**Sent:** Thursday, 30 November 2017 10:10 AM  
**To:** 'Des McGrath'  
**Cc:** ce@westlanddc.co.nz; editor@greystar.co.nz; Derek Blight  
**Subject:** RE: MDI funding round  
**Attachments:** CCF30112017\_00004.jpg; CCF30112017\_00005.jpg



Ack  
1/12/17

Copy to Des McGrath, CE Westland District Council, Editor Grey Star, D. Blight

WESTLAND DISTRICT COUNCIL PLEASE ADD THIS INFORMATION TO MY SUBMISSION.....already sent and copy hereunder

Hi Des McGrath and other Westland Ratepayers concerned about the Kumara Resident Trust project (Chinese Miners Memorial Gardens)...

Council staff and Councillors need to go back to what/why happened with the project proposal 2014 – the costing / planning changes. Of course the wider communities should be involved as this is part of our heritage...being undermined, not being heard!. It should be a Long Term Plan project as it does affect all ratepayers.

Please find below initial resolution...(moved by Cr. Martin and seconded by Cr. Dawson)... note subject to MDI funding approval Council resolves further..... at that time this project was NOT successful for MDI funding.

Council staff drew up consultation plan as attached.... Then at meeting 24 Sept. 2015 ( one year later than the initial resolution) Cr. Martin and Cr. Butzbach move/second that Council does not approve the consultation plan!!!...so all loose since then.... Cr. Martin moved to oppose his own resolution.

The initial resolution does not appear to have been revoked.. but as the matter has gone on monies have been paid out for this “controversial project”... Township Development funds, Endowment monies (which should not have been released according to this resolution) and now an offer for MDI monies....

It is Council anomalies - Joan is right they left a string of poor decision making – while also reviewing CCOs and Rating, extra water supply for Dairy Co. etc.etc. Ratepayers & Residents got lost with reviews, didn't understand Capital rating etc. All too much going on..... but consultation is key to good decision making, otherwise problems occur afterwards as we know.

A.

The Report from the Group Manager: District Assets to the 25 September 2014 Council Meeting recommended as follows:

“8.0 RECOMMENDATIONS

- A) That subject to MDI approval funding Council resolves further:
- B) THAT Council supports the proposal from Kumara Residents Trust to establish Chinese Gardens in Kumara with no financial implication to Westland ratepayers other than Kumara residents,
- C) THAT Council staff undertake a consultation process with the Kumara community to establish a mechanism to fund the future maintenance of the Chinese Gardens at the cost of Kumara residents,
- D) THAT subject to recommendation 8.2, Council undertakes to negotiate with WDPL for securing the ownership of the proposed site with purchase costs to be funded by Kumara Residents Trust,

E) THAT Council approves the proposal for the sites CT WS8A/766 (Lot 4 DP 2008) and Part Section 312 Town of Kumara CT WS 3A/328 to become a reserve under the Reserves Act 1977 and the process to establish a reserve commences,

F) THAT subject to recommendation 8.2, Council approves and releases \$398,000 from Kumara endowment funds for the construction of Kumara Chinese Gardens project.”

The Council Resolution of the 25 September 2014 in relation to the Kumara Chinese Gardens was as follows:

“4.4 Kumara Chinese Gardens – Proposed Community Project By Kumara Residents Trust

The Group Manager: District Assets spoke to this report and sought clarification from Mrs Kerrie Fitzgibbon regarding the survey that was undertaken with Kumara residents.

Moved Cr Martin, seconded Cr Dawson and Resolved that:

- a) Council supports the proposal from Kumara Residents Trust to establish Chinese Gardens in Kumara with no financial implication to Westland ratepayers other than Kumara residents,
- b) Council staff undertake a consultation process with the Kumara community to establish a mechanism to fund the future maintenance of the Chinese Gardens at the cost of Kumara residents,
- c) Subject to recommendation a), Council undertakes to negotiate with WDPL for securing the ownership of the proposed site with purchase costs to be funded by the Kumara Residents Trust,
- d) Council approves the proposal for the sites CT WS8A/766 (Lot 4 DP 2008) and Part Section 312 Town of Kumara CT WS 3A/328 to become a reserve under the Reserves Act 1977 and the process to establish a reserve commences,
- e) Subject to recommendation a), Council approves and releases \$398,000 from the Kumara Endowment Funds for the construction of the Kumara Chinese Gardens project.”

My submission as already sent....which this correspondence can be added and or appended:

**SUBMISSION RE: OPPOSED TO CHINESE MINERS MEMORIAL GARDEN PROJECT – costing Westland Ratepayers and Residents:**

A project which sounded fine in the first instance...but since then anomalies to be discovered, with KRT members continually pledging for public monies since 2014.

Notes:

1. Endowment monies held in Council reserves – what is the criteria for withdrawal....? Council failed to stipulate. Usually it would be “consensus of the community” as it was for Ross (Hall project)....or as in any other Community Fund.
2. Council have so called “preferred community groups” - which is not all of Community...this is some cause for unfairness and has created friction in at least three of Westland Communities.
3. Council are required to carry out consultation under section 82 of the Local Govt. Act. to gather all factual information and then to make an informed decision – that is required for good decision making process.  
It is not for a certain community group to carry out that consultation – it is the job of Council in proper regard.



4. Kumara Residents Trust Chinese Garden project has changed – from a \$250k project, to a \$1.5 mil project and then back to \$500k – from the time of first expression of interest (which was to gain MDI funding), which was not approved initially 2014.
5. There are many questions which extended Kumara people and community are asking. They deserve a fair consultation process with full details of project/answers to questions and fair consideration.
6. The initial resolution from Council minutes is that “providing MDI funding approved” then Endowment money would be released.  
The resolution also had a “consultation requirement”
7. Council staff drew up a consultation plan – which was proper under LGA..however this was voted not required..(an unusual decision to make by Council elected members).
8. KRT continued to pledge for Endowment money using a case that there were no other “Reserves” available. There are questions as to “is a reserve required for Endowment monies to be released to” if there were other projects the community may see as greater need.
9. The land involved was made into a “Reserve” so that monies could be extracted from the Council Restricted Reserve Fund – right or wrong!. There are legal letters on this....Council failed to stipulate what funds were to be used for. Other projects could be more worthy of funds.
10. Sadly the Kumara Community has become divided – as have other communities because of Council failures = mainly as I see it being poor consultation means (Mike Havill’s response was – “why do we have to consult to death”) which is required under the Local Government Act – which elected members sign to by oath.

In submission:

I do appreciate that Don & Anne Bill have donated land (a generous offer) – however I am unsure who suggested for the purpose of a “Chinese Garden” in this place.

My opinion now, as time has gone on is with this issue is “why would anyone want to segregate nationalities” and form a garden of one nationality....when it could be a Pioneer Garden as such. If a person wants to give land for a purpose then pay for the costs of own project – unless the whole community wishes to contribute = especially from Reserve Funds and or Major District Initiative Funds (which this project may not be compliant for these funds?).

There are a lot of people making comments – some afraid to enter a debate. That is what Council should and must do fairly – gain all factual information by carrying out fair consultation (fair consultation involving all nationalities and or cultures) bring that information back to Council reports and for a fair debate. Council have failed to do this. There are still contradictory resolutions on Council records. The matter is not solved...will remain controversial until there is proper fairness in leadership for Westland and the West Coast.

There is also the aspect of “commercial groups” led projects - which KRT does appear in this instance i.e. Hotel owner, cycle trail etc., for tourism but which is a liability and will include future maintenance (even to extent of using PD workers to carry out that work, when there are other jobs around to be done!) - KRT are not the whole of the Community – they must respect other people and surrounding communities, respect our heritage.

Great to have historical knowledge, nice to be a descendant of early settler West Coasters – most people wouldn’t want to change that. Kumara has a great opportunity to draw on other strengths of historic value and including Richard John Seddon and family living right there. This could be leveraged from.

KRT have recently put together a brochure on Kumara – that is great..keep up good works and keep whole of community/surrounds involved. Unfortunately Kumara has become much divided through a project which was muddled from the start. Council which did not carry out proper due diligence and consultation. Mayor Mike Havill response in media “why do we have to consult to death over everything” is a perfect example of how poor this Council involves itself in the Local Government Act – Section 82 Consultation. Good decisions take time and being well informed...gather all details.

I have debated the Chinese Miners Memorial Gardens project due to it being processed through Council as it has been, costing ratepayers and those concerned (and even the project itself) immensely. This project should have been stalled in the first instance until all due diligence carried out.

Really, Restricted Reserve Monies should be returned to that fund. If it is likely this project doesn't meet objectives for MDI funding (compensation monies) – which Development West Coast should monitor stringently – then a decline made also for MDI monies.

Council must take greater responsibility in future – so that Communities are well advised and considered with all respect, so that such frustration and division does not occur.

Anthea Keenan

## KUMARA ENDOWMENT FUNDS

Consultation plan for release of \$398,000 from the Kumara Endowment Funds for the construction of the Kumara Chinese Gardens project

### Consultation Plan / Tasks

Date	Task
27 August 2015	Council Approval for consultation / survey form
28 August 2015	All letters / mail out survey form(s) to ratepayers in Kumara area
30 September 2015	Deadline for survey form to be returned
22 October 2015	Report to Council on outcome / results of the survey
22 October 2015	Council resolves to either release or not release funds from Kumara Endowment Reserves

### Survey / Consultation:

Dear [resident / recipient of the survey]

Council at its monthly meeting of 25 September 2014, based on the evidence and information presented by the Kumara Residents Trust, resolved THAT

- a) *Council supports the proposal from Kumara Residents Trust to establish Chinese Gardens in Kumara with no financial implication to Westland ratepayers other than Kumara residents,*
- b) *Council staff undertake a consultation process with the Kumara community to establish a mechanism to fund the future maintenance of the Chinese Gardens at the cost of Kumara residents,*
- c) *Subject to recommendation a), Council undertakes to negotiate with WDPL for securing the ownership of the proposed site with purchase costs to be funded by the Kumara Residents Trust,*
- d) *Council approves the proposal for the sites CT WS8A/766 (Lot 4 DP 2008) and Part Section 312 Town of Kumara CT WS 3A/328 to become a reserve under the Reserves Act 1977 and the process to establish a reserve commences,*

- e) *Subject to recommendation a), Council approves and releases \$398,000 from the Kumara Endowment Funds for the construction of the Kumara Chinese Gardens project.*

However, as part of the special consultative process on the Long Term Plan 2015-2025, Council received a number of submissions in opposition to the use of \$398,000 of Kumara Endowment Funds for the construction of the Kumara Chinese Gardens project.

Council has therefore now undertaken to consult with the local community of Kumara to establish the support for the release of these funds. The current balance as on 30 June 2015 in the Kumara Endowment Reserve account is \$498,000.

You are kindly requested to select one of the following options on the attached survey form and post it back in the return envelope provided. Forms can also be returned/hand-delivered at the Council offices, 36 Weld Street, Hokitika.

The deadline to return the form is **30<sup>th</sup> September 2015.**

Name and Address:

---

Survey / Question:

1. I / We support the release of \$398,000 from the Kumara Endowment Funds for the construction of the Kumara Chinese Gardens project

**YES**

**NO**

2. If No to question 1 above, do you support any amount from the Kumara Endowment Funds for the construction of the Kumara Chinese Gardens project?

**YES**

**NO**

3. If, yes to the question above, what amount would you like to see released for this purpose? Please state amount: \$ .....

Appendix 3

Des McGrath 909 Otira Highway email:[desmcgrath@hotmail.com](mailto:desmcgrath@hotmail.com)

2 December 2017

Submission to the Westland District Council (WDC) regarding the proposal to grant the Kumara Residents Trust (KRT) \$68,709.00 from the MDI fund.

**I object to KRT receiving MDI funding:**

The Kumara Chinese Garden does not fit the criteria for MDI funding - It is a commercial tourist attraction. KRT advertised is as such when they first began the project - they cannot have it both ways.

The following quotes are taken from minutes of the meeting held by the KRT in Kumara on 18 June 2014.

- It will have far-reaching economic benefits for Kumara and the greater West Coast area.
- It will attract visitors from near or far.
- It will add to Kumara as a destination.
- It will certainly bring employment.
- It will bring business opportunities.
- It will be able to host weddings and other gatherings.
- It will also be a money-maker for the community as events and photographers would have to pay for the rights to use/photograph the sites.

**Conflict of Interest:**

Mayor Bruce Smith should declare a "conflict of interest" during the discussion and voting on MDI funding to the KRT because he has:

- Promoted KRT on his facebook page
- Travelled and supported them at fund raising events throughout NZ.

**I object to the overall Kumara Chinese garden project for the following reasons:**

- the questionable process and information KRT provided to take money from the Kumara Endowment Fund and their "silence" around the disbursement of the Kumara Township Development Fund (TDF).
- The use of TDF money (approx \$37,000.00) to the Chinese Garden project without advising Kumara ratepayers they were (a) in receipt of TDF funding, and (b) that they were spending it on garden project.
- The site for the Chinese Garden in Kumara would be one of the more dangerous locations on the West Coast to build a tourist attraction.

  
Des McGrath

## Written Submission - Westland District Council – MDI 2017

### Kumara Chinese Miners' Memorial Reserve application

Appendix 4

Name: Fiona Pollard.

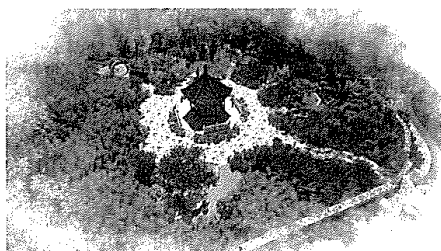
Signature: *Fiona Pollard*

Address: 2 Tui St KUMARA

Date: 20/11/17

Contact (email/phone): 0276412740

*Ack  
29/11/17  
on*



The Kumara Residents' Trust (KRT) has an opportunity to obtain funding from the Major District Initiative Fund (MDI), for the Kumara Chinese Miners Memorial Reserve Project. The MDI Fund is provided to the three Coast Councils from Development West Coast i.e. it is not sourced from district rates.

Westland District Council previously allocated its share of the Fund across projects in Westland, and it now has the remainder of the fund to distribute. The Council has already indicated its support for some of the remaining fund going towards the Kumara Chinese Miners Memorial Reserve Project. It resolved at a Council meeting 26th October 2017:

A) *"THAT Council provisionally allocates the remaining unallocated Major Development Initiative funds of \$68,709 to the Kumara Residents Trust for the Kumara Chinese Miners Memorial Reserve project."*

Council now seeks public feedback on this provisional decision. I submit to the Westland District Council's MDI submission process and I support Council resolution to allocate the remaining unallocated Major District Initiative funds of \$68,709 to the Kumara Residents Trust for the Kumara Chinese Miners Memorial Reserve project.

**The Kumara community has not yet received any funding from the MDI funds. There are currently no other Kumara projects applying for this funding source.** The Kumara Residents' Trust forwarded an initial Expression of Interest for MDI funding in February 2015. KRT has met the funding criteria/threshold of raising 35% of the funding required to construct the reserve and the resource consent has been granted.

***This is not only a Kumara Residents' Trust project to honour our pioneers, but also a project of regional significance. It is a worthy district initiative that will become a gateway feature for Kumara, Westland District and the wider West Coast region.***

It is noted that WDC has already supported this project by vesting the land as a Council Reserve for the purpose of a Chinese Miners' Memorial Reserve, and resolved that KRT could utilise some of the Kumara Endowment Fund for the reserve. Supporting this application DOES NOT mean I support the use of rates to either build or maintain the reserve. KRT remains clear that they do not want to use rates to either build or maintain the reserve.

My further comment:

It is nice to get support from the Kumara community, Westland district and further afield.

**The closing date for your feedback is 5<sup>th</sup> December 2017**

How to submit your submission:

Send or deliver a written submission to:  
Community Development Advisor  
Westland District Council  
Private Bag 704  
HOKITIKA 7842

36 Weld Street  
Email to:  
derek.blight@westlanddc.govt.nz

Alternatively:

Drop your submission under Masala shop door or in Kumara Hall letterbox or email to [kumarachinesereserve@gmail.com](mailto:kumarachinesereserve@gmail.com) These submissions will be collected and forwarded to Council on your behalf.

Christine Fahey, 66 Seddon Street, Kumara email: [ncfahey@gmail.com](mailto:ncfahey@gmail.com)

3 December 2017

Subject: Submission to the Westland District Council (WDC) regarding the proposed MDI grant of \$68,709.00 to the Kumara Residents Trust (KRT)

- **I object to any MDI funding being granted to the KRT.**

The reasons for my objection follows.

The previous Mayor Mike Havill, Chief Executive Tanya Winter, Community Development Advisor Derek Blight and some Councillor allowed a "highly suspect" application from the KRT to take money from the Kumara Endowment fund to proceed, despite being given "concrete" evidence about "misinformation" in and around that application.

At the meeting on 29 September 2016, Council revisited their previous decision where they granted KRT \$398,000.00 from the Endowment fund, and reduced the amount to \$150,000.00. At the September meeting, some Councillors who originally voted to grant KRT \$398,000.00 changed their minds, and voted against them getting any money.

One Councillor stated that in his belief the application from KRT was deceitful, and another told KRT members present they shouldn't get any money, and to go back and consult with the Kumara community. He then suggested they wouldn't do that as "they might not like what the community had to say" - The motion to grant KRT \$150,000.00 was only passed on the casting vote of the outgoing mayor, Mike Havill.

Council had already made a resolution that KRT would only receive Endowment money if they received MDI funding. KRT didn't receive MDI funding, but still received Endowment funding, contrary to the previous resolution. CE Winter was advised of this anomaly on many occasions but stated there was no anomaly. However at the September meeting, after a long period of consultation with those around her, admitted she had made an error, but let the vote carry on regardless. Another huge mistake from CE Winter but it appears "no one really cares how the Westland District Council is run"

We had hoped for some common sense to prevail after the last local body election when the Mayor and Councillors (except for one councillor) were all replaced. However Mayor Smith and Councillor Havill have already indicated their personal support for KRT and the Theatre Royal hotel co-owner via public statements. The Mayor via his "facebook" page and his travelling with KRT, and his support at their fundraising events throughout New Zealand, and Councillor Havill via his RSA speech at the ANZAC service in Kumara this year.

The attached is the "story" of the misinformation from KRT from the beginning. It is a lot of reading but if this Council wants to be "open and transparent" the information needs to be read and the appropriate action taken before any more money is given to KRT.

Thank You

Christine Fahey





## **The Chinese Garden story in Kumara**

The following is the story of the Chinese Garden saga in Kumara. Myself and others believe the residents of Kumara have been well and truly been “duped” by both the Kumara Residents Trust (KRT) and the Westland District Council (WDC) - **You make up your own mind!**

The Kumara Endowment fund was supposed to benefit all Kumara residents, but this fiasco means it only benefits a “self appointed” few. Luckily, some of the fund still remains, but only because of the objections from myself and others. Kumara residents are being disadvantaged further, as Council made a resolution that the future upkeep of the garden will be funded by a **special rate increase on Kumara residents only**. (that resolution still stands)

I don't care if KRT construct a Chinese Garden. It is about the questionable process and information they provided to take money from the Kumara Endowment fund and their “silence” around the disbursement of the “township development fund” (TDF).

### **Further insult to the Kumara Community:**

Whilst questions were being asked about the Kumara Endowment fund, unbeknown to everyone in Kumara (except KRT members themselves), KRT was already getting ratepayer money through the “Township Development fund” to spend on the Chinese garden project, and they have already spent close to \$37,000.00 of ratepayer “rates” money on the garden. It appears ratepayer money has also paid for KRT member's trips to Christchurch, Auckland and Wellington to get more money from the Chinese community.

No one from the KRT (or WDC), will explain to the Kumara community (that includes all ratepayers from Wainihinihi to Kumara Junction), why money from their “general and targeted rates” in 2013/14, 2014/15 and 2015/16 has been used this way without their knowledge.

### **Was this the reason for a Chinese Garden?:**

September 2013

The West Coast Tourist Board had its meeting at the Theatre Royal Hotel in Kumara. At that meeting it was stated there was a huge growth in tourist numbers from China and increased flights from China into Christchurch were being proposed.

Many nationalities were gold mining around Kumara during the 1840 – 1930 era.

- Did the Tourism Board information spark the idea to create a “grandiose” memorial garden in Kumara in memory of only the small number of Chinese Miners, who actually worked in the Greenstone area?

### **Promoting the Chinese Garden Idea:**

About that time, the KRT Chairperson, Kerri Fitzgibbon started to promote the Chinese Garden venture. There is evidence in numerous newspaper articles and photos showing this happening. She identified a land parcel at the eastern entrance to Kumara and approached the owners who donated their section, and WDC agreed to sell the other section to the KRT for a discounted amount.

- This would have to be the most dangerous position of any site in Kumara to establish a Chinese Garden tourism venture due its location and traffic flow.

### **The Kumara Residents Trust:**

The Kumara Residents Trust (KRT) was originally set up by a group in Kumara, and for whatever reason, the new trustees took over. Some of the original trustees spoken too, never resigned.

Here are the “new trustees” at the time of the Endowment Fund application – all have a direct link to the Theatre Royal hotel complex in Kumara.

One trustee (chairperson)	- co-owner of the complex
One trustee	director of the complex
One trustee	now daughter in law of the owners of the complex
One trustee	rents a shop from the complex owners
One trustee	partner of the above trustee
One trustee	worked in the ship with an above trustee and her husband was the manager of the hotel complex
Remaining trustees	all with either family either working for the hotel complex or had worked for the complex.

### **Email to Derek Blight, WDC:**

13 June 2014.

The KRT Chairperson, Kerrie Fitzgibbon, emailed Mr Blight, stating she was about to print a flier to all Kumara Residents regarding agreement to use Endowment Funds, that the issue was a “hot potato”, asking him to attend, and asking for other information. (Copy of the email is attached)

### **Notice of Meeting:**

16 June 2014.

On Monday, 2 days before the proposed meeting, a flier was put into residents letter boxes asking them to attend a meeting on Wednesday at 6pm in the middle of winter. No detailed information was given for such an important meeting regarding:

- the amount of money being considered,
- that a vote would be taken,
- or that proxy votes could be made.

### **Public meeting of KRT:**

18 June 2014.

47 people attended the meeting and others made an apology. The majority at the meeting were KRT members and their families, employees from the Theatre Royal hotel, and persons from outside Kumara who had an interest in the KRT/garden, but who could not vote. It appears that only 16 or 17 independent residents attended.

- Of the 16/17 independent residents, 8 changed their votes in the survey completed during 2015, 3 to lesser amounts, and 5 withdraw their vote entirely.

### **The meeting and the voting slips:**

18 June 2014

The meeting organisers asked those present if **“you allow us to use money that you have personally never owned yourself and to give it away”**

- Throughout the meeting the instructions were to “take” from the fund, but the voting slips started off with “take” then changed to retain. Residents later stated they thought they were voting to take \$50,000 but in fact voted to take \$398,000.
- The votes were taken from the meeting by a co-owner of the Theatre Royal hotel

- complex, counted in private and not “minuted”
- The confusing voting slips and prior instructions at the meeting puts the entire result in doubt – but WDC management and KRT refused to listen.

#### **Proxy Votes:**

14 proxy votes are also shown by KRT. These votes were not declared at the meeting and not “minuted”. We now know that 7 of the 14 proxy votes were not made by those named on the voting slips, and include 4 proxy votes in the names of respected elderly residents, aged in their 80's and 90's who state they didn't make a proxy vote.

- How could people make a proxy vote when there was no prior advertising that a vote would be taken at the meeting?
- 14 proxy votes collected in five (5) days, when and how were they added?
- KRT were asked for a copy of the proxy votes but they refused, and refuse to answer questions about the proxy voting. Did they think no-one would ever check!

#### **“Unanimous” Application letter:**

20 June 2014

There were 47 people at the meeting on 18 June when it was moved that “the community vote for using some of the money”. The vote was put to the meeting for a show of hands to see who agreed, 30 people put their hands up, not the 47 at the meeting so that was not “unanimous”, then 30 people voted for different amounts (add the confusion with the voting slips), so that was not “unanimous”, but the subsequent letter to Council stated an “unanimous” vote was obtained to take \$398,000 from the Endowment Fund.

(This letter/application is attached)

- WDC Councillor Kees van Beek stated he attended the meeting in Kumara and voted to take money from the Endowment fund and said he knew the vote, as stated in the application letter, was “not unanimous” as he voted for a lesser amount.
- He stated he wrote to Kerri Fitzgibbon about this issue but she did not reply, and he also stated he informed the rest of the Council, but nothing was done about it.
- Why didn't it raise concerns at Council, that everyone at the meeting, plus the “proxy” voters, **all appear to have voted for the same amount!**

#### **Consultation required by Council:**

On 2<sup>nd</sup> June 2015 the KRT chairperson Fiona Pollard wrote to Council in response to a request for evidence of Kumara community support for the Kumara Chinese Memorial Garden project. She stated that a full public consultation process occurred and it was ongoing. (A copy of her letter is attached)

- It is obvious from our own survey later, that no “consultation” had occurred, but again, no one from Council appears to have questioned anything she said.

#### **Further Consultation required by Council:**

The KRT advised Council it would have a public meeting so residents could have their concerns heard. Myself and others, who had complained to Council about the KRT process were directed to that meeting. The meeting was advertised by the KRT for the 29 September 2015, however when everyone arrived at the hall, we were advised by a “facilitator” that it was not a meeting but a presentation and no questions could be asked, however anyone could write a question on a “sticky note” and put it onto a white board and those questions would be answered half way through the meeting.

A question was written asking what consultation KRT had carried out in response to Council requests. From the brief response, it appears the original meeting was their consultation, plus further notices in the "Goldtrails" newsletter was the ongoing consultation. They would not allow further questions from the floor to clarify that statement.

- KRT members clapped when a group of approx 23 residents walked out of the meeting in protest.
- Cr's van Beek and Butzbach and Derek Blight from WDC were present at that meeting, witnessed the fiasco but did nothing, nor did they question KRT.

**NOTE:** Attached is a letter from Community Development Officer Derek Blight where he writes to Crown Law, in support of KRT. His description of the events at the Kumara Memorial hall that night does not resemble, in any shape or form, what actually happened. Has Mr Blight lied in that letter to Crown Law, and if he did, why did he?

#### **Concerned Residents Own Survey:**

This survey was carried out during September 2015. The majority of residents visited stated we were the first group to approach them about the Chinese garden venture, and every resident approached who lived beside the proposed Chinese garden location (other than the Bills who donated the section) had not been approached by the KRT to discuss the garden idea. 116 of the residents surveyed do not want Endowment funds used. 109 did not want a garden. 15 supported taking between \$20,000 and \$50,000. There was certainly no consensus to take \$398,000.00. All but 4 people, do not want the KRT acting on their behalf, and the majority only want the interest from the fund used in the interim.

- Yet KRT state they have full support from the community!
- When Christine Fahey presented the results of the 141 resident's survey to a full Council meeting, Mayor Havill looked at her and stated that he would only deal with the KRT, and **has ignored the survey and the wishes of the majority of Kumara residents.**

**NOTE:** Council have copies of the full survey and a cover sheet showing how residents voted.

#### **Westland District Council:**

Kumara residents have well and truly been let down by Council who has lost all credibility. We have sent numerous letters and made other contacts with Chief Executive Winter, Mayor Havill and all Councillors and outlined the issues we have found with the KRT application, however they have ignored each and every approach. They have listened to and read the propaganda dished out by KRT, and did nothing. Some spoke with us and agreed over many issues, however in the end, some did listen.

#### **Just Five (5) days:**

For a group who state they have the best interest of Kumara residents in mind and are just a small voluntary group, and considering the issue was a "hot potato", why did the time frame from the public notification to the application letter happen in just 5 days, and why do they refuse to answer any questions? How were 14 proxy votes obtained in this tight time-frame when no notice was ever given that a vote would take place?

**Crown Law:**

In response to a complaint made to Crown Law regarding KRT actions, Fiona Pollard, KRT chairperson advised Crown Law that the meeting they held on the 18 June 2014 **was not an official meeting of the Trust and they decided not to investigate further.**

However in her response to Crown Law, she stated that since the criticisms and negative feedback about management of the process, KRT has done a review of the process and sought advice from the WDC (Community Support Officer) and Department of the Internal Affairs – Community Operations (Community Advisor). “Both are satisfied KRT ran a robust public meeting and voting process”.

- When we questioned both WDC and Internal Affairs via OIA requests, they both replied and stated they have no record of any advice being given. This is consistent with other statements Chairperson Pollard made to Crown Law in her reply that are factually incorrect.
- So, why did Council via the OIA question state that they have no record of any advice being given, yet Derek Blight in his letter (attached) to Crown Law states he makes himself available to give advice to Fiona and the KRT concerning the proposed Chinese Miners Memorial Reserve and that Council is satisfied with the processes KRT has gone through to access funding for its projects?

**Conclusion:**

Take off Cr van Beek's vote (ineligible), 1 proxy vote KRT state was in error, the 7 proxy votes we know are “in error”, and the 8 changed votes from the June meeting, makes a total of 17 votes from the original tally that have been withdrawn or changed. This makes the whole vote unreliable, yet Council refused to listen.

KRT has been written to and asked questions around the “misinformation” in their application and supporting evidence. Those letters have never been answered. If they had made a genuine mistake, surely they would have apologised, corrected the mistake(s) and actually consulted with the community, but they have not.

For KRT to state the Endowment fund could only be used on “reserves” and “that is why they had to create this reserve”, is in our opinion just arrogant, as there are a number of reserves in Kumara that could have been used, and, as Council have just proved, it can change the status of any land parcel to a “reserve” whenever they like.

For KRT and Mayor Smith to state that we have been to every organisation and nothing has been found wrong is incorrect. Crown Law suggested we take our concerns about the proxy votes to the NZ Police. However we did not want to do that due to the age of the four elderly residents whose names were used on the proxy votes without their knowledge.

Those organisations also suggested we take our concerns to the funding agency, the Westland District Council. We obviously did, but no one's listening.

No wonder organisations such as Crown Law have kept their distance, when letters such as the one written by Westland District Council Derek Blight, are received by them.

**I can provide evidence and examples of all of the above.**

Christine Fahey



Here is the copy of the application letter to take \$398,000 from the Kumara Endowment Fund. At that time, there was **no actual design** (just a concept), **no business plan**, **no cash flow forecast**, just this application letter and a "slick" (not my words) presentation to Council at Fox Glacier.

Does this letter meet the professionalism, and quality of information needed to secure \$398,000 from a community fund administered by the Westland District Council, when that money belongs to the residents of Kumara, and where the fund is supposed to be for the benefit of the whole community?

**You be the judge.**

---

## The Kumara Residents' Trust

Chairperson: Kerrie Fitzgibbon [kfitzgibbon@xtra.co.nz](mailto:kfitzgibbon@xtra.co.nz)

Secretary: Julie Rowe  
Phone 03 736 9939

Treasurer: Tracey O'Malley  
[traceyom@hotmail.com](mailto:traceyom@hotmail.com)

Notification to Westland District Council

20 June 2014

Attention: Tanya Winter, Derek Blight

As Chairperson of the Kumara Residents' Trust I wish to request that \$398,000 of the Kumara Endowment funds, which were set aside for the Kumara community, be released to the Kumara Residents' Trust. A meeting was held in the Kumara Community Hall on Wednesday the 18<sup>th</sup> of June, 2014, to which all residence were invited, via letter drop and group email. There was a unanimous vote to release the above funds. In a written vote, including residents unable to attend the meeting, it was decided to retain \$50,000 of the \$448,000 available for use in future projects. The release of the \$398,000 is to be used specifically to aid in creating a Chinese Memorial Garden on the corner of Seddon Street and Inchbonnie Road.

The Kumara Residents' Trust is currently applying for this round of MDI Funding. By Council releasing the \$398,000, the Kumara Residents' Trust will be able to show it as funds towards the Chinese Memorial Garden, giving us the possibility of raising significant funding.

Kind Regards,

Kerrie Fitzgibbon

Chairperson

Julie Rowe

Trustees

**The "Hot Potato" email.**

The email below was sent by Kerrie Fitzgibbon to Derek Blight at the Westland District Council on Friday the 13 June 2014 asking for his support.

The time-frame.    Friday 13<sup>th</sup>    -    email  
                          Monday 16<sup>th</sup>    -    flier to residents  
                          Wednesday 18<sup>th</sup> - 6pm meeting  
                          Friday 20<sup>th</sup>     - "Unanimous" application letter written.

- What was the hurry for this important decision. Did KRT actually want Kumara residents at the June 18<sup>th</sup> meeting as it was such a "hot potato"?

---

*please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. You may not use, review, distribute or copy this message*  
Be green - read on the screen

**From:** Kerrie Fitzgibbon [mailto:kfitzgibbon@]  
**Sent:** Friday, 13 June 2014 11:40 a.m.  
**To:** Derek Blight  
**Subject:** deed

Hi Derek,

I am about to print out a flier to all Kumara Residents regarding agreement to use Endowment Funds. I am calling a meeting at the Kumara hall next wed night 7 o'clock. It would be fantastic for me if you were able to attend to answer any ? re the legality of usage etc. This is not a meeting I look forward to as in the past it has been a bit of a hot potatoe but it does need to be addressed. It is no use sitting in a fund when it can be put to such great usage. In the past residents were totally unaware there was a limit to its usage. If you are not able to attend could you kindly email me the deed stating its ability to use and the amount etc. I also will need to have all information regarding MDI funding. When we must have our application in, how often we are able to apply etc.

Sorry to put this on you.

Kind regards,

Kerrie

This email has been scrubbed for your protection by SMX. For more information visit [smxemail.com](http://smxemail.com)

**The "Consultation" letter:**

The letter below (and on the next page) was sent to verify that KRT had consulted with the Kumara Community and had the mandate and support of the community. We don't think KRT know the meaning of the word "consultation". **Were you consulted?**

---

**The Kumara Residents' Trust**

Chairperson: Fiona Pollard [fionapollard300@gmail.com](mailto:fionapollard300@gmail.com)

Secretary: Julie Rowe  
[julesmtns@yahoo.com](mailto:julesmtns@yahoo.com)

Treasurer: Hannah Wilson  
[hwilson\\_221@hotmail.com](mailto:hwilson_221@hotmail.com)

2 June 2015

Mike Havill  
Major  
Westland District Council  
Hokitika

Dear Mike and Councillors

Re: request for evidence of Kumara community support for the Kumara Chinese Memorial Garden Project

Further to the meeting held with Vivek on the 19<sup>th</sup> May 2015, regarding the land transfer of the WDPL section for the Chinese Memorial Garden project, as requested by Council attached is the evidence of Kumara community support for this project.

We understand that before Council will agree to release the \$9k from the Kumara Endowment Land Fund (as recommended by both you and Vivek), Council would like to be re-assured that the Kumara community support this project.

We believe the evidence provided confirms that Kumara Residents Trust has the mandate and support of the community.

Firstly, we have received a generous anonymous donation of \$9k to purchase the WDPL section. KRT has accepted this donation, and enclosed please find a cheque for \$9k. Please now ensure Council staff undertake the land transfers (WDPL & KRT sections) and reserve status change process without any further delay.

In addition KRT has compiled a comprehensive summary and evidence for Council, to reassure the Council Kumara Community does support the Chinese Memorial Garden project.

A full public consultation process occurred for the community's decision to use the Kumara Endowment Fund for this project and ongoing consultation occurs.



There is a minority of naysayers who have made a few informal negative comments about the project. They can be categorised into the following main areas of concerns:

1. of a cultural nature
2. Due to misinformed information in media – ie Council may levy a targeted rate on Kumara community to cover maintenance costs.
3. Due to misinformation on criteria to access Endowment Funds ie Funds should be spent on a sewage scheme (which isn't possible)
4. Frustration – due to the lack of progress on the project
5. the initial \$1.5m budget – some think it's too extravagant for Kumara
6. Some residents are daunted by the scale of the project.

This informal negativity is to be expected through-out the life of the creation of the Garden. However, the majority of the community either support (or are indifferent) to the project. It is expected that once there is significant progress and the Garden is established, the Kumara community as a whole will fully embrace this feature in our town. In the recent weeks, KRT has worked on the placement of the information panels and Lions at the site, this has created interest and discussion amongst the community.

It is important, that Council considers this information, and reach the decision that they are satisfied with the evidence provided. Our Trust will like to continue with the process to use the Kumara Endowment Land Fund (~~\$398k tagged for this project~~).

We also would like re-assurance that:

1. The funds in the Kumara Endowment Land Fund is actually available to access for this project. Is there other restraints to accessing the funds that KRT have to be aware of?
2. Once the reserve is established, that there is an agreed process for the Trust to access the funding for this project without the need to continuously requiring to seek Council's confirmation & support to access to this funding.

On behalf of the Kumara community, we look forward to the Council's response to the evidence provided. In the meantime, please ensure the land transfers occur immediately, and the reserve status process commences as soon as the two sections (WDPL & KRT sections) are transferred to Council. If you have any questions please don't hesitate to contact me.

Yours sincerely

Fiona Pollard  
Chairperson  
Kumara Residents Trust



FILE REF: COG 1.10

Westland District Council  
38 Weld Street  
Private Bag 704  
Hokitika 7842

Phone 03 756 8010  
Fax 03 756 8045  
Email council@westlanddc.govt.nz

18 January 2016

Vicki McCall  
Crown Law  
PO Box 2858  
Wellington 6140

Dear Vicki

**COMPLAINT REGARDING KUMARA RESIDENTS TRUST**

Fiona Pollard, Chairperson, Kumara Residents Trust, has asked me to write a letter to you concerning the complaint made by Des McGrath about the operations of the Kumara Residents Trust (KRT).

Westland District Council Minutes of 29 October 2015 Page 3 state "His Worship the Mayor advised that Council recognises KRT as the representative community organisation in Kumara." Council is satisfied with the processes KRT has gone through to access funding for it projects.

In my capacity as Community Development Advisor, I have made myself available to give advice to Fiona and the KRT concerning the proposed Chinese Miners Memorial Reserve and to attend both public and KRT meetings. I have attended two KRT meetings in the past and been very impressed by the efficiency of the office bearers.

The Kumara Endowment Fund money is proceeds from the past sale of Council land in Kumara. The proceeds of these historical sales are for "a purpose relating to Council reserves in the Kumara area." To date, this money has not been paid out but Council has made the decision to allocate the Kumara Endowment Funds to KRT for distribution on reserves in Kumara.

The construction of the Chinese Miners Memorial Reserve will no doubt bring indirect economic benefits to the Kumara community and I can confirm that no trustee or trustee-controlled company will directly benefit from the construction of this reserve.

The KRT also applied for Major District Initiative Funding through Council for the project but was declined because of other Council priorities. However, I hope they will apply again for this project because in principle, Council endorses the project and the

the last best place  
**Westland**

Page | 1

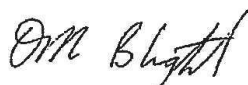
KRT are to be commended, not only for this initiative but for their desire to see the Kumara village revitalised. Kumara is seen as one of the gateways to Westland.

I attended the public meeting in the Kumara Memorial Hall Tuesday 29 September 2015 and noted that half way through that meeting, there was opportunity for the public to ask questions. Fiona made it very clear at that meeting that if she didn't know the answers to peoples' questions, that she would find out the answers. I also noted that two Westland District Councillors attended this public meeting to hear people's ideas.

I know that all KRT meetings are open to the public and so anyone is welcome to attend and have their say on any topic concerning the local community.

Please feel free to contact me directly if I can assist you in any way concerning this complaint.

Sincerely



**Derek Blight**  
**Community Development Advisor**

Copy to: Jim Ebenhoh, Group Manager Planning, Community & Environment

DB/RR

# Report



**DATE:** 14 December 2017

**TO:** Mayor and Councillors

**FROM:** Group Manager: Corporate Services

---

## WESTLAND INDUSTRIAL HERITAGE PARK BUILDING CONSTRUCTION

### 1 SUMMARY

- 1.1 The purpose of this report is to seek approval from Council as per the Memorandum of Understanding (MoU), attached as **Appendix 1**, for the construction of a new building by Westland Industrial Heritage Park (WIHP) on council owned land.
- 1.2 This issue arises from a request from the WIHP Committee to construct a new building to house a collection of historic fire engines on council owned land at the current site at Hokitika Airport. Once constructed, the building will be owned by Westland District Council and form part of the assets of such.
- 1.3 WIHP has a lease agreement with Hokitika Airport Ltd (HAL) for their occupancy of the airport land, HAL are responsible for the sub-lease agreement with WIHP for occupancy of the site.
- 1.4 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 2015-25. These are stated on Page 2 of this agenda.
- 1.5 This report concludes by recommending that Council approve the construction of the building to house a collection of historic fire engines by the Westland Industrial Heritage Park on council owned land, attached as **Appendix 2**.

## 2 BACKGROUND

- 2.1 The Westland Industrial Heritage Park is a registered charitable organisation which represents the combination of the Westland Vintage Machinery Club and the Westland Vintage Car Club, the two entities combining in 1989.
- 2.2 In September 2016, Council approved a Memorandum of Understanding between the WIHP and Council for a formal record of the relationship between Council and the WIHP.
- 2.3 The MoU sets out Council's ongoing support for rates, rent, electricity, insurance, depreciation, and a small sum for minor repairs and maintenance.

## 3 CURRENT SITUATION

- 3.1 WIHP have proposed to construct an 8 bay shed for the purpose of housing the historic fire engine collection at the location shown on the plan attached as **Appendix 2**.
  - 3.1.1 The proposed building is a simple lean-to-pole shed, clad in colorsteel to airport colour scheme, with eight roller doors on the north face.
  - 3.1.2 WIHP have obtained a quote for the plant and labour of approximately \$70,000 GST inclusive. WIHP have raised funds for the cost of the construction.
  - 3.1.3 Heritage Park volunteers will be erecting the shed under the WIHP Health and Safety policy.
  - 3.1.4 Rates contribution – the amount of \$22,400 identified in clause 2.3 reflects the contribution as it is now (2017/18). This covers the costs of rates, insurance, repairs and maintenance, depreciation, land rental, and electricity.
  - 3.1.5 Buildings – Council owns the buildings at the WIHP. A minor amount of \$5,000 per annum is provided by Council to the WIHP for repairs and maintenance of the buildings included in the rates contribution above. More significant R&M on the buildings that WIHP might need support with will be brought through an Annual Plan process.
  - 3.1.6 Insurance – WIHP is included under Council's insurance policy.

3.1.7 The Collection – it is acknowledged that the collection is made up of items that are owned by Westland District Council and local authorities before the 1989 amalgamation. These items cannot be disposed of without written permission from Council.

3.2 WIHP have obtained the full support of HAL and Westland District Property Ltd (WDPL) for the construction of the shed. Attached as **Appendix 3**.

3.3 Building Consents have been obtained.

#### 4 **OPTIONS**

4.1 There are two options:

1. Approve the construction of a building to house a collection of historic fire engines by WIHP on council owned land, **Appendix 2**.
2. Do not approve the construction of the building.

#### 5 **SIGNIFICANCE AND ENGAGEMENT**

5.1 In accordance with Council's policy on Significance and Engagement this matter is assessed as being of low significance and consultation is not required.

#### 6 **ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)**

6.1 WIHP have raised funds to construct the building and will be using volunteers to carry out the work. The purpose of construction of the shed is to maintain a collection of industrial heritage items of importance to Westland District.

6.2 Council may decide to not approve and the construction of the building would not go ahead.

#### 7 **PREFERRED OPTIONS AND REASONS**

7.1 The preferred option is Option 1. WIHP purpose is to preserve the industrial heritage of the Westland District and the West Coast in general.

## 8 RECOMMENDATION

- A) **THAT** Council approve the construction of the building to house a collection of historic fire engines by WIHP on Council owned land, attached as **Appendix 2.**

**Lesley Crichton**  
**Group Manager, Corporate Services**

- Appendix 1:** Memorandum of Understanding between Westland District Council and Westland Industrial Heritage Park  
**Appendix 2:** Location of 8 bay shed  
**Appendix 3:** Letter of support from Hokitika Airport Ltd and Westland District Property Ltd.

## **Westland District Council**

### **Westland Industrial Heritage Park**

# **MEMORANDUM OF UNDERSTANDING**

SEPTEMBER 2016



---

**DATED** ..... September 2016

**PARTIES**     **Westland District Council ("the Council")**  
                  **Westland Industrial Heritage Park ("WIHP")**

**BACKGROUND**

- A.     Westland District Council is the Territorial Authority for the area of Westland.
  
- B.     Westland Industrial Heritage Park is an Incorporated Society registered as a charity with the purpose of preserving the industrial heritage of the Westland district and West Coast in general.
  
- C.     The Council wishes to formalise the relationship between itself and the WIHP over the use and occupancy of land located at Airport Drive, Hokitika for the purposes of maintaining a collection of industrial heritage items of importance to the Westland district, including items belonging to the Council.
  
- D.     Together, the parties wish to develop a relationship based on trust, mutual recognition and ongoing consultation about any matters that relate to the WIHP.

**1.     PRINCIPLES GUIDING THE RELATIONSHIP BETWEEN THE PARTIES**

- 1.1    WIHP acknowledges the Council as the owner of the land situated on Airport Drive used for the purposes of the existing Heritage Park. WIHP also recognises that the Council are possessed of items forming part of a museum collection representing the industrial heritage of the Westland District and wider West Coast.
  
- 1.2    The Council acknowledges that WIHP is an incorporated charitable body, recognised as a museum by the National Services Te Paerangi, which is responsible for the maintenance and preservation of an industrial heritage collection located at the Airport Drive site.
  
- 1.3    The Parties acknowledge that they wish to establish a relationship between themselves that supports the continuity of the WIHP aims and the desire on the part of the Council to conserve the industrial heritage of the community.

- 1.4 The Parties intend to develop a management relationship through a partnering process to secure the existing and future industrial heritage collection.
- 1.5 The Parties acknowledge that there is a ratepayer contribution to the WIHP of \$20,072 per annum (2016-17 Annual Plan), this being for operating costs such as: rates, land rental, electricity, insurance premiums, depreciation, and repairs and maintenance. This amount will be reviewed annually.
- 1.6 The Parties further acknowledge that in-kind support is provided by Council, mainly by the Hokitika Museum. For example, training for volunteers, and use of collection management software (Past Perfect).

## **2. EXISTING INTERACTIONS BETWEEN THE PARTIES**

- 2.1 The Parties acknowledge the following interactions that already exist between them as a consequence of the purpose, functions, responsibilities, assets and interests of each of them:

### LAND and LEASES

- 2.2 The WIHP occupies land located at Airport Drive, Hokitika (the site), as shown on the accompanying plan. The WIHP has a lease agreement with Hokitika Airport Ltd (HAL) for their occupancy of the airport land. HAL are responsible for the sub-lease agreement with WIHP for occupancy of the site.

### BUILDINGS and MAINTENANCE

- 2.3 All permanent buildings and fixed assets located at Airport Drive are the property of the Council who will meet the fair minor maintenance costs associated with the buildings. An annual budget of \$3,000 will be provided by Council to the WIHP towards such repairs and maintenance. This sum will be reviewed annually.
- 2.4 Any items not deemed to be minor maintenance that WIHP require Council funding for will be presented through an Annual Plan process. The Chief Executive will advise WIHP of the timetable for that process.
- 2.5 WHIP will be responsible for carrying out the maintenance of the site and buildings and will keep the site in a safe and secure state, free of noxious weeds and rubbish.

- 2.6 No new permanent building may be constructed without prior approval by the Council (for the purposes of clarification, specific approval must be sought in addition to the granting of any necessary building permits). New buildings will be added to Council's fixed asset register.

#### UTILITY COSTS

- 2.7 The Council will meet all utility costs associated with the site at Airport Drive including:
- Westland District Council rates
  - West Coast Regional Council rates
  - Electricity costs

#### INSURANCE

- 2.8 WDC will arrange the following insurances on behalf of WIHP:
- Public liability insurance
  - Material damage insurance, including:
    - o Buildings
    - o Machinery and equipment, eg. tools used for maintaining and repairing the collection
    - o Collection– this is a lump sum, not itemised
    - o Third party owned items on loan – subject to any restrictions on liability

WIHP will be liable for payment of any excess.

#### THE COLLECTION

- 2.9 WIHP will be responsible for the creation and maintenance of a full catalogue of items forming the industrial heritage collection located at the Airport Drive site. Copies of this catalogue will be held by WIHP, and Hokitika Museum and will be updated at least annually.
- 2.10 WIHP are responsible for the maintenance of the industrial heritage collection located at the site. Where possible WDC will support the maintenance the collection, where this is not possible WIHP will, where possible fund raise to meet this commitment.
- 2.11 WIHP will ensure public access is available to the industrial heritage collection and will conduct open days at times to be advertised in the local press. At a minimum, the

collection will be open to the general public, at least on a monthly basis, during daylight hours.

- 2.12 WIHP will provide for safe storage of Hokitika Museum collection items (as distinct from the balance of the industrial heritage collection) placed in the care of the WIHP at the Airport Drive site. Any work required for the maintenance of these assets will at the discretion of the Hokitika Museum who will be responsible for funding such work.
- 2.13 WIHP will have the right to accept, on behalf of the Council, any items deemed of significance to the industrial heritage of Westland and the West Coast. WIHP will also have the right to dispose of any items placed in their care however any such transactions will be recorded and the catalogue amended accordingly.
- 2.14 WIHP must obtain written permission from Council to dispose of any collection items belonging to Council.
- 2.15 WIHP, may from time to time, liaise with other industrial heritage collections for the purposes of sharing information, temporary loans of collections items and the enhancement of the collection in general.

#### PRIVATELY OWNED ASSETS

- 2.16 Both parties acknowledge that, at the discretion of the WIHP and on terms to be negotiated by WIHP, privately owned industrial heritage items may be stored at the Park to augment the Council owned collection. At no time does ownership or control of these assets pass to the Council or to WIHP but remain in private ownership unless an asset transfer agreement is signed by the owner and WIHP at which time an amendment to the catalogue will be made.

### **3. REVIEW PROCESS**

- 3.1 The relationship outlined in this agreement shall be formally reviewed by WIHP and the Council every three years. Meetings will be held annually or as required in order to raise any issues that may arise out of this agreement. Any amendments to this Memorandum shall occur with the consent of both parties and be recorded in writing. Such consent shall not be unreasonably withheld.

#### **4. KEY CONTACTS**

- 4.1 The contacts within each Party who will be responsible for managing the relationship between each of them to achieve the planned outcomes are listed below. Any changes shall be advised by each Party to the other from time to time.

##### **Westland District Council**

Chief Executive

Group Manager – District Assets

##### **Westland Industrial Heritage Park**

President

Treasurer

Secretary

#### **5. ENFORCEABILITY**

- 5.1 The Parties acknowledge and agree that:
- (a) the purpose of this Memorandum is to record the relationship between the Parties and the principles that each intends to follow in its dealings with the other;
  - (b) each will act towards the other in good faith and with regard to the matters set out in this Memorandum; and
  - (c) this Memorandum shall not be enforceable in any court or other forum and any dispute between them as to any matter provided for in this Memorandum shall be resolved by mutual consultation between the Chief Executive/President of each of the Parties in good faith.
  - (d) In the event of any dispute or difference arising out of or in connection with this MoU not able to be resolved by the process outlined in (c) above, the parties shall refer such dispute to mediation by the New Zealand Dispute Resolution Centre (NZDRC) in accordance with NZDRC's Agreement to

Mediate and Standard Terms of Engagement which procedures and rules are deemed to be incorporated by reference into this clause.

- (e) If the parties are unable to agree upon the identity of a mediator within 5 working days from the date upon which notice of the dispute is given, then the mediator shall be appointed by the New Zealand Dispute Resolution Centre upon the application of any party.

**EXECUTION**

SIGNED for and on behalf of  
**Westland Industrial Heritage Park** by: \_\_\_\_\_ President

\_\_\_\_\_ Secretary

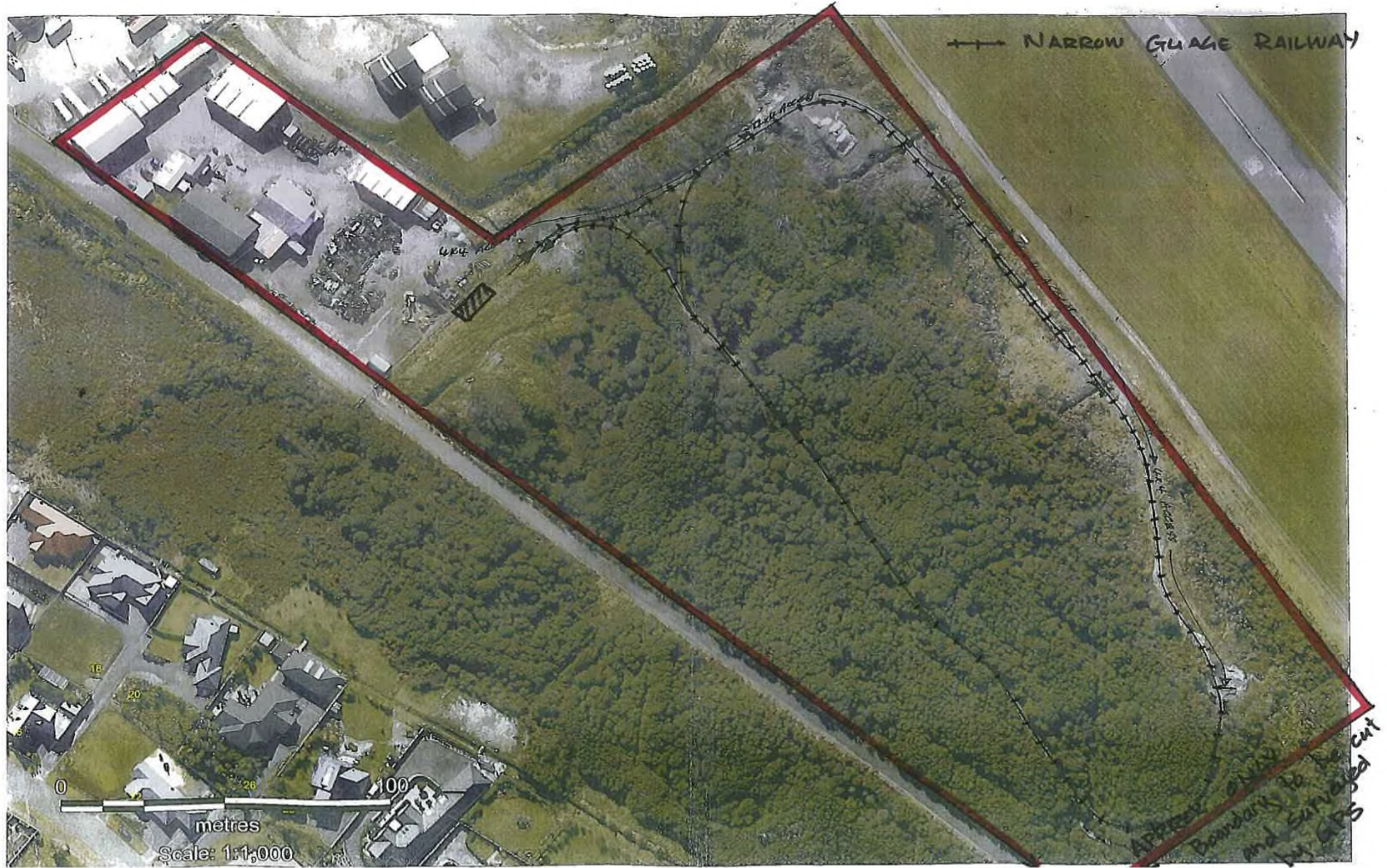
\_\_\_\_\_  
Witness to Signature

\_\_\_\_\_  
Name of Witness

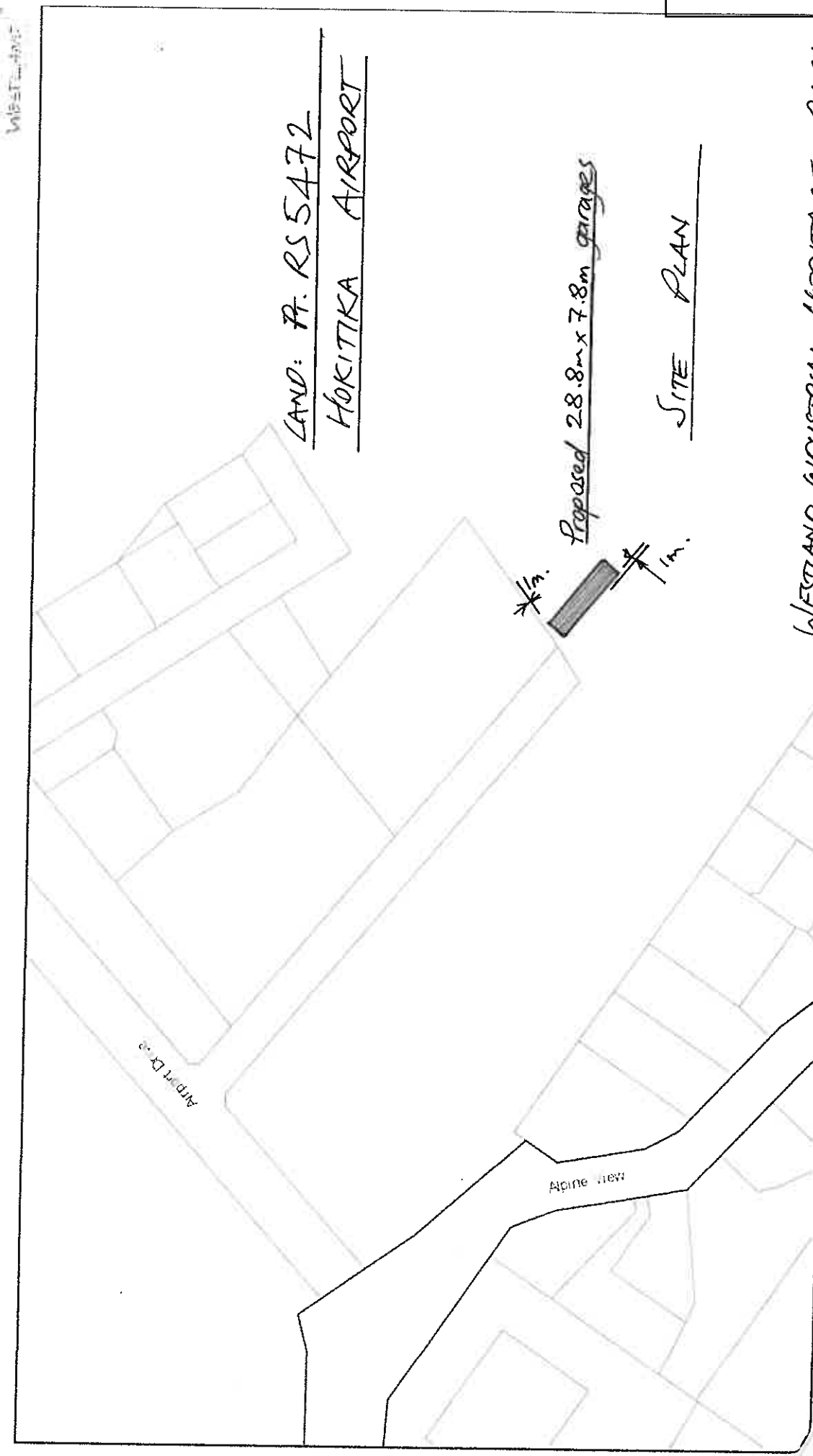
**Westland District Council** by: \_\_\_\_\_ Chief Executive

\_\_\_\_\_  
Witness to Signature

\_\_\_\_\_  
Name of Witness



Created By: anonymous  
Print Date: 24/09/2017  
Print Time: 2:01 PM



LAND: Pt. RS 5472

HOKITIKA AIRPORT

SITE PLAN

WESTLAND INDUSTRIAL HERITAGE PARK

Sourced from LINZ data. Crown Copyright reserved. Not to be reproduced without permission of Westland DC.  
The information shown on this plan may not be accurate and is indicative only.  
The Westland District Council accepts no responsibility for incomplete or inaccurate information.

DRAWN: ROB DANIEL

22 SEPTEMBER 2017

NZGD2000 / New Zealand Transverse  
Mercator 2000  
1434730,97515558,5268607,23351553  
1435260,76965422,5268889,44507267

Projection:  
Bounds:

Scale: 1:2000  
Sheet Size A4





26 September 2017

Rob Daniel  
Treasurer  
Westland Industrial Heritage Park Inc.  
c/- 100 Pine Tree Road  
HOKITIKA 7881

Hi Rob

**Proposal to erect Fire Engine garage building on Airport land PT RS 5472**

This letter is to confirm that Hokitika Airport Ltd and Westland District Property Ltd are in full support of your proposal to erect an 8-bay building on airport land PT RS 5472 leased to Westland Industrial Heritage Park, per plans provided with your letter of 24 September 2017.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Marion Smith', is written over a light blue horizontal line.

Marion Smith  
CHIEF EXECUTIVE

# Report



**DATE:** 14 December 2017

**TO:** Mayor and Councillors

**FROM:** Community Development Advisor

---

## HEATING FOR THE HARIHARI COMMUNITY SWIMMING POOL

### 1 SUMMARY

- 1.1 The purpose of this report is to advise Council that there is funding available to heat the Harihari Community Swimming Pool with a boiler heating system.
- 1.2 This issue arises from a letter written to the Mayor on the 17 November 2017, requesting that Council release funding from Harihari community funds for the project. The letter and quote for the project is attached in Appendix 1.
- 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 2015-25. These are stated on Page 2 of this agenda.
- 1.4 This report concludes by recommending that Council approves the funding from the carryover of funding from the 2016-2017 Harihari Township Development Fund and from the Harihari Complex Reserve Fund.

### 2 BACKGROUND

- 2.1 The promotion of swimming is beneficial to the whole of the wider Harihari community. The intention has always been to let families or single swimmers purchase keys for an extended swimming season annually. At present the community is unable to use the community pool as it is only getting up to 16 degrees. Last season, due to low temperatures, the community pool was not used as often as it should have been.

### **3 CURRENT SITUATION**

- 3.1 A Harihari Community Association meeting Wednesday 15 November 2017 agreed unanimously to ask Council for a boiler heating system that will be able to hook into the existing South Westland Area School boiler system. A full quote has been obtained from Anchor Engineering and is valid until 12 December 2017. See Appendix 1.

### **4 OPTIONS**

- 4.1 Release funding to pay for a boiler heating system for the Harihari community swimming pool.
- 4.2 Not release funding to pay for a boiler heating system for the Harihari community swimming pool.

### **5 SIGNIFICANCE AND ENGAGEMENT**

- 5.1 This has a low level of significance in Council's policy on Significance and Engagement because the Harihari community were unanimous in agreeing to the project 15 November 2017.

### **6 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)**

- 6.1 The advantage of releasing funding to pay for a boiler heating system for the Harihari community swimming pool is that more swimmers will be able to enjoy using the pool. The disadvantage of releasing funding to pay for a boiler heating system for the Harihari community swimming pool is that the funds will not be able to be used for other community projects.
- 6.2 The advantage of not releasing funding to pay for a boiler heating system for the Harihari community swimming pool is that the funds can be kept for a bigger community project. The disadvantage of not releasing funding to pay for a boiler heating system for the Harihari community swimming pool is that many people in the community will never be able to use the pool.
- 6.3 Funding for the project can come from the carryover of Harihari's 2016-2017 Township Development Funding of \$9,000 and \$52,668.75 from the Harihari Complex Reserve Fund which currently contains \$128,000.

**7 PREFERRED OPTION(S) AND REASONS**

7.1 The preferred option is to approve the request for heating the Harihari community swimming pool because funding is available through two accounts that can only be used in the Harihari community. Ongoing maintenance of the heating system will be the responsibility of the South Westland Area School in whose grounds the pool is located.

**8 RECOMMENDATION**

A) **THAT** Council approves funding for the proposed boiler heating system at the Harihari community swimming pool from the carryover of Harihari’s 2016-2017 Township Development Funding of \$9,000 and \$52,668.75 from the Harihari Complex Reserve Fund that currently contains \$128,000.

**Derek Blight**  
**Community Development Advisor**

**Appendix 1: Letter from the President of the Harihari Community Association Brian Manera and quote from Anchor Engineering.**

# Appendix 1

**HARI HARI COMMUNITY ASSOCIATION  
P O BOX 64  
03 7533133**

17 November 2017

Dear Mr Bruce Smith (Mayor)

**RE: HEATING FOR THE HARI HARI COMMUNITY SWIMMING POOL**

A community association meeting was held Wednesday 15 November, 7 pm at the community hall where it was put to the vote how we would heat our community swimming pool. We had quotes for solo, heat pump and boiler heating and all pros and cons of these were discussed in full and put to the vote. The outcome being the community members at this meeting unanimously decided to go with the boiler heating system which we will be able to hook into the existing South Westland Area School boiler system. The full cost of this being \$61668.75 including GST.

*A full quote has been attached from Anchor Engineering and is valid until the 12 December 2017.*

We would there for like to request that the Westland District Council release this amount out of the Hari Hari community funds for this community project. As we are working to a deadline your urgent response to this request would be very much appreciated. The contractor Anchor Engineering are able to start this community project early January 2018 and will have it completed by the start of the school year.

As a community we feel the promotion of swimming is beneficial to the whole town and we intend to let families or single swimmers purchase keys for an extended swimming season annually. At present we are unable to use our community pool as it is only getting up to 16 degree. Last season the pool reached a high of 18 for the season. Due to the low temperatures the community pool was not used as often as it should have.

Thanking you for your support

Kind Regards

Brian Manera  
President – Hari Hari Community Association



## Quote

**Quote No**            **Q000698**  
**Date**                    14 November 2017  
**Valid To**              12 December 2017

South Westland Area School  
South Westland Area School  
Wanganui Flat Road  
HARI HARI

Anchor Engineering Ltd  
30 Vickerman Street  
PORT NELSON 7043  
  
PO Box 5070  
PORT NELSON 7043  
  
Phone 03 546 9949  
Fax: 03 546 9941  
Email: anchorltd@lhug.co.nz

### HEATING FOR SOUTH WESTLAND AREA SCHOOL POOL

#### PART A

SUPPLY 200KW HEAT EXCHANGER TO BE MOUNTED IN POOL DOSING ROOM, FITTED WITH ELECTRONICALLY CONTROLLED 3-WAY VALVE HOOKED INTO THE POOL FILTRATION SYSTEM, FITTED WITH A BOOSTER PUMP TO INCREASE THE FLOW BACK TO THE BOILER HOUSE VIA THE GYM, THIS WILL CUT DOWN ON SOME PIPEWORK, HOWEVER THE ADMINISTRATION BLOCK WILL NEED TO BE MANUALLY ISOLATED AT THE RADIATORS, THIS PIPEWORK WILL STILL RUN THROUGH THE GYM TO THE ENTRY POINT FROM THE ADMIN.

#### PART B

TO CARRY THE PIPEWORK ON FROM THIS POINT, UNDERGROUND AND UP THROUGH THE ROOF OF THE ADMIN AND HOOKING UP IN THE HALLWAY WHERE THE HOTWATER ENTERS THE ADMINISTRATION BLOCK

### Consumables and Materials

Description	Quantity	Rate	Amount
As per quote - Part A	1.00	39,250.00	39,250.00
As per quote - Part B	1.00	14,375.00	14,375.00
		<b>Sub Total</b>	<b>53,625.00</b>
		<b>GST</b>	<b>8,043.75</b>
		<b>Total</b>	<b>61,668.75</b>

Anchor Engineering Ltd thanks you for the opportunity to quote this job.

# Report



**DATE:** 14 December 2017  
**TO:** Mayor and Councillors  
**FROM:** Planning Manager

---

## **PLANNING UPDATE THROUGH NOVEMBER 2017**

### **1 SUMMARY**

- 1.1 The purpose of this report is to provide the eleventh in an ongoing series of monthly reports to the Council on its planning activities under the Resource Management Act 1991, including resource consent processing, monitoring and enforcement, and policy development including the review of the Westland District Plan.
- 1.2 This issue arises from Elected Members' request to be better informed on planning matters, as well as positive and constructive feedback on the reports to date.
- 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 2015-25. These are stated on Page 2 of this agenda.
- 1.4 This report concludes by recommending that Council receives this report.

### **2 BACKGROUND**

- 2.1 Since February, the Council has received written monthly reports covering the matters below, which are also the subject headings for this month's report:
  - Resource consent applications received, by type
  - Resource consents issued, by type, and compliance with statutory timeframes
  - Resource consent applications notified (limited or full public), by type
  - Resource consent applications that went to or are going to a hearing (due to submitters wishing to be heard)
  - Significant compliance monitoring and enforcement activity

- Progress with the District Plan Review
- Resourcing issues
- RMA Amendments

2.2 Like monthly financial reports, the monthly planning report focuses on the previous calendar month – in this case the month ending 30 November.

### 3 CURRENT SITUATION

#### 3.1 Resource consent applications received

3.1.1 A total of 10 complete applications were received in November 2017, up from 6 in October.

3.1.2 In terms of their activity status under the District Plan:

- Seven are for discretionary activities, being:
  - a variation to the plans of an existing consented subdivision at Hall Street
  - a variation of condition of land use consent at Hall Street
  - a garage which breached front yard setbacks at Ross
  - a cancellation of a consent condition for a motel resource consent at Weld Street
  - a discretionary subdivision at Seaview
  - a discretionary application for dwellings in the rural zone (bundled with the above subdivision)
  - a dwelling within the rural zone with a reduced side boundary setback
- One is a non-complying activity being a garage which breaches height and gross ground floor area requirements at Blue Spur.
- One is restricted discretionary being the erection of a dwelling in rural zone and forming an unformed legal road at Keogans Road.

3.1.3 Further details of each application received are not provided in this report but have been included in the weekly e-mail updates to Elected Members on the consents received. The updates include the name of the applicant, the location, and the proposed activity.

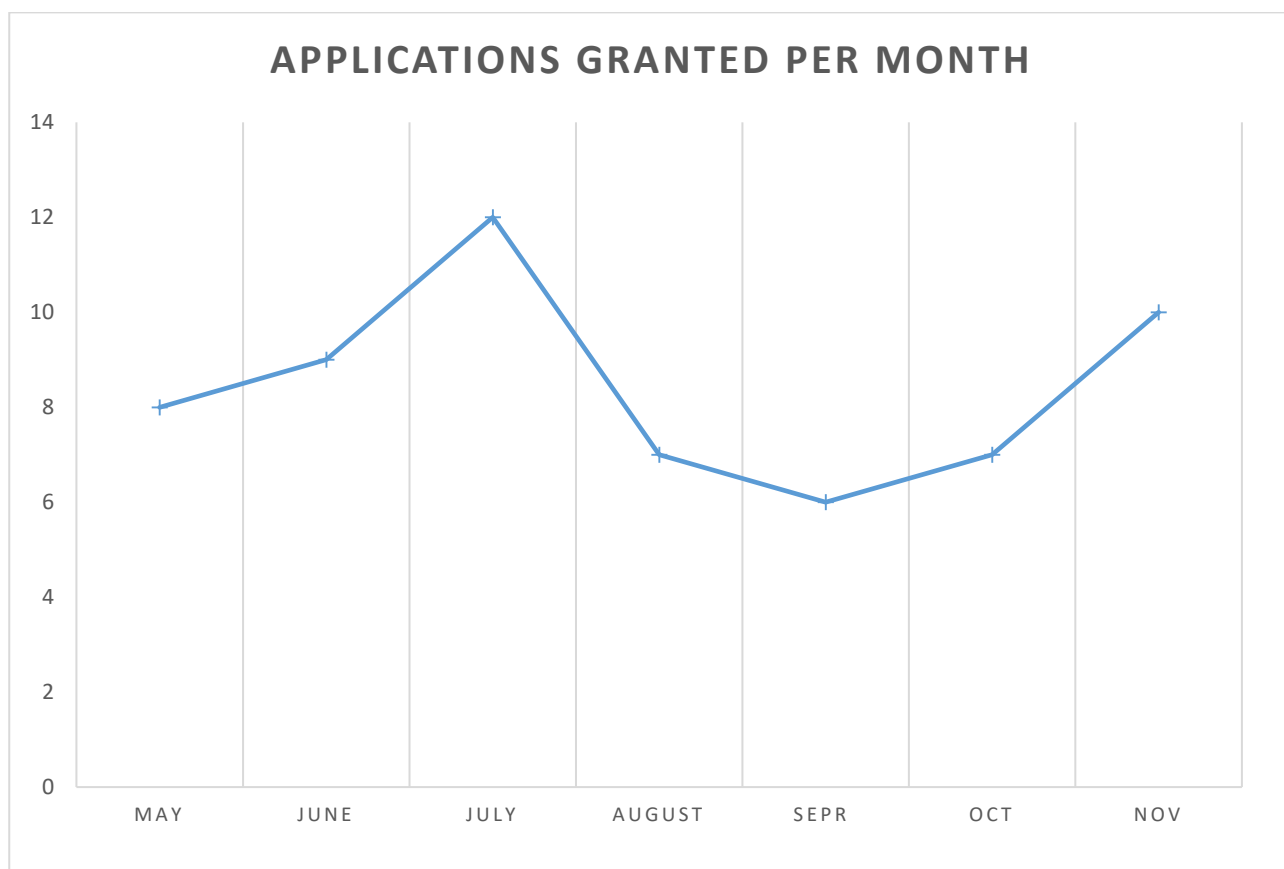


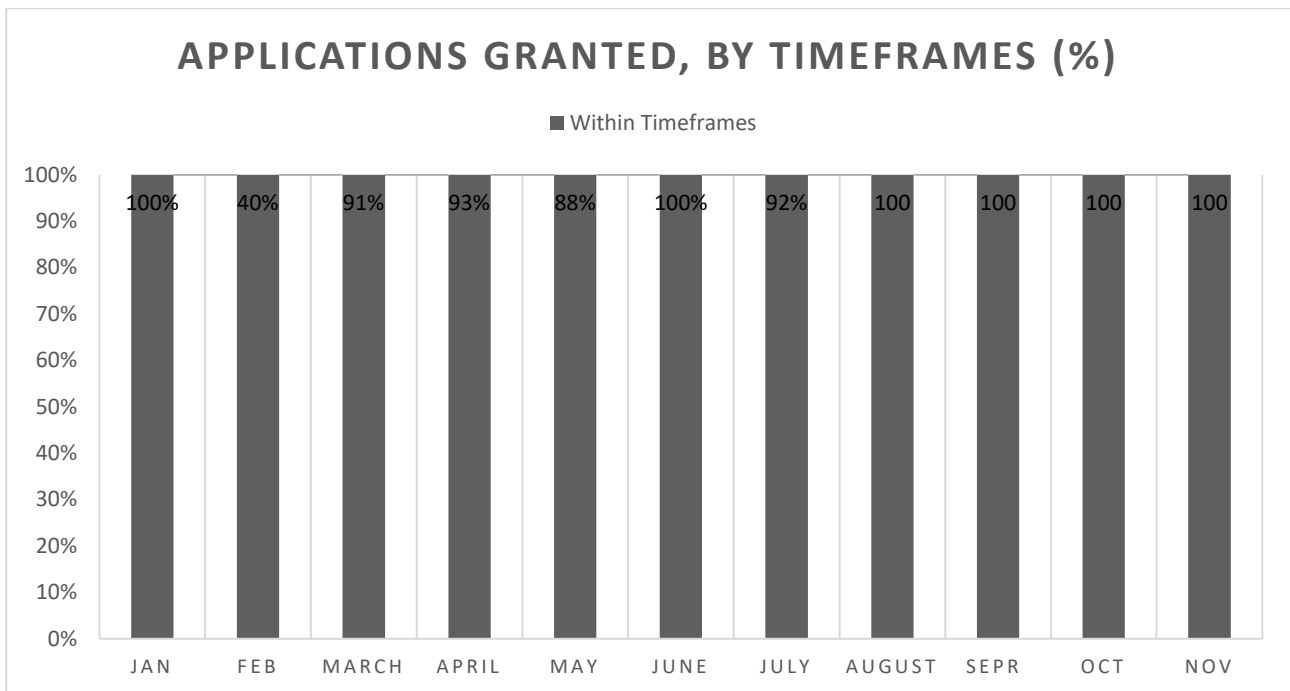
### 3.2 Resource consents issued

3.2.1 A total of nine consents were issued in November. The breakdown of these consents is as follows:

- KT Stuart – residential dwelling in the rural zone – Ruatapu Road
- CM Glass – second dwelling in the rural zone – Golf Links Road
- SE & PA Barker – cancel consent condition – Weld Street
- R Davis – non-farming shed exceeding gross ground floor area and height requirements – Big Paddock Road
- AIS Graham – reduce rear yard setback and height limit for shed – Franz Alpine Resort
- DA Saxton – subdivide land into two allotments – SH6, Haast
- DC Nicholls - vary condition of subdivision consent, Kaniere Tram
- JA Muir & CE Stevenson – vary resource consent to amend setback reductions – Hall Street

3.2.2 Compliance of processing timeframes achieved 100% for November.





### 3.3 Resource consent applications notified

3.3.1 In November, one application was limited notified at the request of the applicant, being New Zealand Motor Caravan Association Inc's application to formalise the commercial use of land at Ruatapu Road.

3.3.2 No applications were fully publicly notified in November, or in the calendar year 2017 to date.

### 3.4 Resource consent applications that went to or are going to a hearing

3.4.1 No hearings are required at present.

3.4.2 Two resource consents, being Tuffy Investment's camping ground at Davies Street, Hokitika and AR & DK Godfrey Family Trust's helipad at Whitcombe Valley Road are currently in mediation with Environment Court. There are no further updates on these mediation processes.

### 3.5 Significant compliance monitoring and enforcement activity

3.5.1 Signage compliance has not yet commenced, however work is being undertaken alongside NZTA to ensure a collaborative approach to unauthorised signs present along the State Highway network.

### **3.6 Progress with the District Plan Review**

3.6.1 The recent Local Government Commission announcement is likely to shape how the Plan review is run, however our work will proceed, to contribute on behalf of our Community.

### **3.7 Resourcing issues**

3.7.1 Interviews are underway to replace our Planner with the intention of starting the selected candidate in early January.

### **3.8 RMA Amendments**

3.8.1 The Special Consultative Procedure closed with no submissions on November 20<sup>th</sup>. It is requested that Council adopts the proposed \$300 deposit for boundary activities and marginal or temporary activities as presented in September's Planning Report.

## **4 OPTIONS**

4.1 To receive this report or not.

4.2 To adopt the application fees for the processing of boundary activities and marginal or temporary activities.

## **5 SIGNIFICANCE AND ENGAGEMENT**

5.1 Under the Council's Significance and Engagement Policy, the decisions to be made today are of low significance as they are simply to receive the report or not, and to adopt a lower fee for certain activities that do not require a full consent in keeping with recent RMA amendments.

5.2 Engagement on the proposed fee occurred through the Special Consultative Procedure which closed on 20 November 2017 and generated no submissions.

## **6 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)**

6.1 There is no advantage to not receiving this report.

6.2 In terms of the \$300 deposit for boundary activities and marginal or temporary activities, the advantage of adopting it is that it is a lower charge than for normal resource consents, which will benefit customers, yet it will help defray

Council's staff costs which would otherwise transfer to the ratepayer if the fees are not adopted.

**7 PREFERRED OPTIONS AND REASONS**

7.1 The preferred options are that Council receives this report and that it adopts the proposed \$300 deposit for boundary activities and marginal or temporary activities, for the reasons outlined above.

**8 RECOMMENDATION**

A) **THAT** Council receives this report and adopts, following the Special Consultative Procedure, the proposed \$300 deposit for boundary activities and marginal or temporary activities as defined by recent amendments to the Resource Management Act 1991.

**Fiona Scadden**  
**Planning Manager**