



ORDINARY COUNCIL MINUTES

MINUTES OF THE ORDINARY COUNCIL MEETING OF WESTLAND DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM ON THURSDAY, 28TH OCTOBER 2021 COMMENCING AT 1PM.

The Council Meeting was live streamed to the Westland District Council YouTube Channel and presentations are made available on the council website.

1. KARAKIA TĪMATANGA OPENING KARAKIA

The opening Karakia was read by Kw Madgwick.

2. MEMBERS PRESENT AND APOLOGIES

Chairperson	His Worship the Mayor	
Members	Cr Carruthers (Deputy)	
	Cr Davidson	Cr Hart
	Cr Hartshorne (via Zoom)	Cr Kennedy (via Zoom)
	Cr Keogan (joined the meeting at 1.50pm)	Cr Martin
	Cr Neale	Kw Madgwick

NGĀ WHAKAPAAHA APOLOGIES

Kw Tumahai
Cr Keogan for lateness

Moved Deputy Mayor Carruthers, seconded Cr Hart and **Resolved** that the apologies from Cr Keogan and Kw Tumahai be received and accepted.

STAFF PRESENT

S.R. Bastion, Chief Executive; S. Baxendale, Group Manager District Assets; T. Cook, Group Manager: Regulatory and Community Services (Zoom); L. Crichton, Group Manager: Corporate Services; F. Scadden, Planning Manager (Zoom); D. Maitland; Executive Assistant, E. Rae, Strategy and Communications Advisor (Zoom); M. Smith, Committee Secretary.

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated via Microsoft Teams and available on the Council table.

Cr Davidson advised via email on the 17 October 2021, a conflict of interest regarding a matter to be heard in the public excluded section of the meeting. The item of conflict is the report for the Council Controlled Organisation Director Appointments, Cr Davidson's daughter was an applicant.

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

- **Fox Glacier Water Treatment Plant Upgrade Project**
 - A) The reason the item was not added to the agenda was an administrative error.
 - B) The item cannot be delayed so contractor works can commence and timeframes meet.
- **Infrastructure Acceleration Fund – Hokitika Racecourse Development**
 - A) The reason the item was not added to the agenda was that the information has just been received.
 - B) The item cannot be delayed due to the tight timeframes to be meet.

Moved Cr Martin, seconded Cr Hart and **Resolved** that the Fox Glacier Water Treatment Plant Upgrade Project and the Infrastructure Acceleration Fund – Hokitika Racecourse Development be added to the reports section of the public excluded section of this meeting.

5. NGĀ MENETI O TE HUI KAUNIHĒRA MINUTES OF MEETINGS

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

Meeting minutes to be confirmed:

- Ordinary Council Meeting Minutes – 30 September 2021

Moved Cr Davidson, seconded Cr Hart and **Resolved** that the Minutes of the Ordinary Council Meeting held on the 30 September 2021 be confirmed as a true and correct record of the meeting.

The Chair **Approved** that their digital signature be added to the confirmed Council Meeting Minutes of 30 September 2021.

Meeting minutes to be received:

Moved Deputy Mayor Carruthers, seconded Cr Neale and **Resolved** that the following Standing Committee Meeting Minutes be received:

- Planning Committee Minutes – 3 June 2021
- Community Development Committee Minutes – 14 June 2021
- Extraordinary CE's Review Committee Minutes – 18 February 2021
- Extraordinary CE's Review Committee Minutes – 16 March 2021
- Extraordinary CE's Review Committee Minutes – 29 April 2021

6. ACTION LIST

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

1. **Kaniere School Students – Cycle trail: Crossing progress, placement. T-intersection progress.** Project is almost completed, reserve parking and island works to be completed. Expected competition date mid Dec. Westland District Council (WDC) to liaise with the school re an official opening in 2022.

- 2. Speed Limit Register Review – Stage 2**

A review was presented to Council on the 30th September 2021. Stage 2 is to be reviewed and presented to Council in February 2022 to begin public consultation with the intended implementation scheduled for April/May. This is in line with Waka Kotahi’s review period.
- 3. Ross Chinese Gardens – Flooding issues**

WDC resource consent due mid next week and on track. Further work is to be done with the community post resource consent regarding the execution of the consent.
- 4. Kumara Gardens**

WDC is supporting the group with the tender’s process. Post tender, the community group will provide an update to Council. This action is on-going.
- 5. Revell Street Trial – Stage 2**

Workshop with Councillors was held on the 12 July 2021, and direction provided to staff on Stage 2 of the trial. Works are continuing, the design is almost finalised. Structure works have begun.
- 6. Hokitika Waste Water Treatment Plant Project Update**

Process is going very well. The next workshop scheduled for mid to late November focuses on potential site locations. A formal update will be presented to Council in November by Stantec, the project contractors.
- 7. Old Christchurch Road seal extension**

A review including a desk top exercise, site visits and contractor liaison to be completed by 31st Dec 2021. Investigation into sealing the remaining portion of the road is underway.
- 8. Investigate costs to bring the WDC HQ & Pakiwaitara buildings up to 100% National Building standards**

Council update today re the Pakiwaitara building via the Chief Executive’s report. The same process will then follow for the WDC headquarters building. A report to be brought before Council in November.
- 9. Pakiwaitara Building Business Case Timeline**

Planning workshop for this is scheduled for November.
- 10. Seek Arborist advice on the removal and relocation to the 2 large palm trees outside the swimming pool.**

Relocation options are still under review.
- 11. Maintenance Programme for Cement Lead Road**

Monitoring and data collection along cement lead road is underway after requests for sealing of the road, this is to establish the volume of vehicles that use the road and current speeds used.
- 12. Road Maintenance Action Updates**

A report will be brought back to Council regarding potential parking upgrades around the CBD that could be instigated immediately as well as those that will need to be included as part of an annual plan process. Footpath works near Mitre 10 are underway.
- 13. WHL Staggered Directorship Renewal**

A letter was sent on 01.10.21 to WHL about their Director Appointment Policy, encouraging staggered directorship renewal so not all were due at the same time. Action complete.

14. 3 Waters Resolution Letter to Central Government

On the 01.10.21 A letter was sent to the Minister of Local Government, with a copy sent to Local Government New Zealand and the Department of Internal Affairs by the Mayor and signed by each councillor, stating that Westland District Council's Position on the 3 Waters Reform Proposal. Action complete.

15. LGNZ Heads of Agreement Letter

A letter was sent to Local Government New Zealand (LGNZ) on the 01.10.21 advising that Council does not support the Heads of Agreement between LGNZ and the Crown signed in June 2021 and request LGNZ rescind the agreement to better reflect the views of its diverse membership and this Council. Action complete.

16. Additions to the Annual Plan 2022 – 2023.

An email was sent to staff involved in the Annual Plan process on 06.10.21 requesting that the following items be included in the review:

- Dog Control Fees and charges.
- Redevelopment of Sewell Street, Hokitika.
- Improvement/sealing of Davie Street, Hokitika.
- Improvement/ sealing of Cement Lead Road, Hokitika.

Action is now complete.

16. Responsible Dog Ownership Program

Communication was sent out to remind the community about the fee reduction in registering under the Responsible Dog Ownership Program. An article was included in the Westland Matters October Update. Action complete.

17. Waste Management Delivery Report

S17a Service Delivery Review Report emailed out to the elected members on 07.10.21. Action complete.

After discussion by the elected members, the following actions were requested:

- Revell Street Trial: Elected members requested an updated budget and funds allocation be emailed out.

Cr Kennedy noted that a formal extension of the Revel Street Trail was yet to be resolved, the following motion was presented to the elected members and carried.

- Moved His Worship the Mayor, seconded Deputy Mayor Carruthers and **resolved** that the Revell Street Trial be extended to the 31st March 2022.

Moved Cr Davidson, seconded Cr Neale and **Resolved** that the updated Action List be received with the below completed items removed:

- WHL Staggered Directorship Renewal
- 3 Waters Resolution Letter to Central Government
- LGNZ Heads of Agreement Letter
- Additions to the Annual Plan 2022 – 2023
- Responsible Dog Ownership Program
- Waste Management Delivery Report

7. NGĀ TĀPAETANGA PRESENTATIONS

There were no presentations for this agenda.

8. PŪRONGO KAIMAHI STAFF REPORTS

- **Financial Performance: September 2021**

The Finance Manager spoke to this item and advised the purpose of this report is to provide an indication of Council's financial performance for three months to 30 September 2021.

Action: Cr Kennedy requested an update on the Whataroa and Ross playgrounds.

Moved Cr Davidson, seconded Cr Neale and **Resolved** that the Financial Performance: September 2021 Report from the Finance Manager be received.

- **Chief Executive's Quarterly Report**

Cr Martin left the chambers at 1.38pm and returned at 1.43pm.

The Chief Executive spoke to this item and advised the purpose of this report is to provide an update on the positive aspects that are happening in the Westland District and to update Council on any Matters of Significance & Priority. The topics included were:

- COVID-19 Update
- Three Waters Reform
- Three Waters Capital Works Programme
- Hokitika Waste Water Treatment Plant (WWTP)
- Provisional Development Unit Funding:
 - Solid Waste Management: Fox Landfill Waste Removal and Butlers Landfill Cell
 - Cron Street and Footpath Extension
 - Old Christchurch Road Seal Extension
 - Jacksons Bay Wharf
 - Hokitika Swimming Pool Renovation
- Tourism Infrastructure Funding Applications (TIF)
- Carnegie Building
- Pakiwaitara Building
- Council Headquarters Building
- Custom House
- West Coast Wilderness Trail – Enhancements
- Corporate Services:
 - Finance
 - Strategy and Communications
 - Information Technology
 - Information Management
 - Customer Service
- Planning
- Staffing Update:
 - Incoming and outgoing staff (July – November 2021)
 - Recruitment
- LGOIMA Update

Cr Keogan entered the chambers at 1.50pm.

Further discussion was had around the Pakiwaitara building earthquake strengthening and refurbishment. Current plans would have the building NBS lifted to 67%, elected members queried what would be required to bring the building to 100% NBS.

The CE informed the members that the question had been asked of the contractor and had been advised that the costs would increase substantially for this to be achieved with an indication of over \$22m.

For 100% NBS to be achieved Deputy Mayor Carruthers advised that re-engineering of the foundations would need to take place.

The CE advised that reaching the NBS 67% meets the criteria for the work done that is to be undertaken in the building and is suitable for museum, library and public use.

WDC staff are aware of the proposed final standard of the building.

The CE updated the elected members on Central Government vaccination mandates. WDC is awaiting legal advice from LGNZ around the impacts for potential local government staff mandated vaccinations and are investigating issues that could arise should this be required.

The following actions were noted from the CE's Quarterly Report:

- Hokitika Pool Phoenix Palm Trees: WDC staff to look at options to retain these trees onsite and report back as part of the action list update.
- Update the Capital Projects and Tenders Committee in February 2022 on the aged pipe infrastructure review.
- Pakiwaitara Building: Workshop to be scheduled for November for proposed layout and fit out.
- Revell Street Trial - Community Communication: Once the concept plans have been finalised a press release is to be scheduled.

Moved Cr Neale, seconded Cr Hart and **Resolved** that the Chief Executive's Quarterly Report from the Chief Executive be received.

9. ADMINISTRATIVE RESOLUTIONS

- **Warrant of Appointment**

Moved Cr Neale, seconded Cr Hart and **Resolved** that Council confirm its Seal being affixed to the Warrant of Appointment as listed on the Agenda and stated below:

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

- **Deed of Variation**

Moved Deputy Mayor Carruthers, seconded Cr Keogan and **Resolved** that Council confirm its Seal being affixed to the Deed of Variation of the Headlease between Westland District Council and Destination Westland Limited. The land is vested in the Lessor as a local purpose reserve for aerodrome and associated purposes subject to the Reserves Act 1977.

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

(to consider and adopt confidential items)

Moved Cr Neale, seconded Cr Hart and **Resolved** that Council confirm that the public were excluded from the meeting in accordance with Section 48, Local Government Official Information and Meetings Act 1987 at 2.42pm.

The general subject of the matters to be considered while the public are excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of the resolution are as follows:

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1.	<p>Confidential Minutes <u>To be confirmed:</u></p> <ul style="list-style-type: none"> - Council Meeting, 30 September 2021 <p><u>To be received:</u></p> <ul style="list-style-type: none"> - Planning Committee Minutes, 3 June 2021 - Extraordinary Chief Executive's Review Committee Minutes, 18 February 2021 - Extraordinary Chief Executive's Review Committee Minutes, 16 March 2021 - Extraordinary Chief Executive's Review Committee Minutes, 29 April 2021. 	<p>Good reasons to withhold exist under Section 7.</p>	<p>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.</p> <p>Section 48(1)(a)</p>
2.	<p>Council Controlled Organisation Director Appointments</p>	<p>Good reasons to withhold exist under Section 7.</p>	<p>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure</p>

			of information for which good reason for withholding exists. Section 48(1)(a)
3.	Westland Holdings Limited - Fitzherbert Street Property Project	Good reasons to withhold exist under Section 7.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
4.	Chief Executive's Report	Good reasons to withhold exist under Section 7.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

This resolution is made in reliance on sections 48(1)(a) and (d) of the Local Government Official Information and Meetings Act 1987 and the particular interests or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

Item No.	Interest
1,2	Protect the privacy of natural persons, including that of deceased natural persons Section 7(2)(a)
1,2	Protect information where the making available of the information: (i) would disclose a trade secret; and (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. Schedule 7(2)(b)
4	Maintain Legal professional privilege Section 7(2)(g)
1,2,3,4	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) Schedule 7(2)(i)
1	Prevent the disclosure or use of official information for improper gain or improper advantage. Section 7 (2)(j)

Moved Deputy Mayor Carruthers, seconded Cr Martin and **Resolved** that the business conducted in the 'Public Excluded Section' be confirmed and accordingly, the meeting went back to the open part of the meeting at 4.25pm.

**DATE OF NEXT ORDINARY COUNCIL MEETING – 30 NOVEMBER 2021
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

MEETING CLOSED AT 4.25PM

Confirmed by:

Mayor Bruce Smith
Chair

Date: