

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 23 FEBRUARY 2023 COMMENCING AT 1 PM

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

1. MAKING & ATTESTATION OF DECLARATION OF A MEMBER:

Her Worship the Mayor, Helen Lash welcomed the newly elected Councillor Patrick Phelps to the Council meeting and thanked all the candidates who also campaigned to serve in the role of Councillor.

The Chief executive advised that the process needed to be formalised, and the report in the agenda was to confirm the process of the Northern Ward nomination.

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

1. The report be received
2. The Patrick Phelps publicly makes his declaration

The Mayor invited new elected Councillor Patrick Phelps to make his declaration as the newly elected councillor.

Patrick Sean Phelps made his statutory declaration and provided a brief address to the meeting.

2. KARAKIA TĪMATANGA OPENING KARAKIA

The opening Karakia was read by Cr Cassin

3. MEMBERS PRESENT AND APOLOGIES

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

NGĀ WHAKAPAAHA APOLOGIES

Apologies for lateness received from Deputy Mayor Cr Gillett

STAFF PRESENT

S.R. Bastion, Chief Executive; L. Crichton, Group Manager: Corporate Services; S. Baxendale, Group Manager District Assets; D. Maitland; Executive Assistant, E. Rae, Strategy and Communications Advisor (via zoom); S. Johnston; Governance Administrator.

Also in attendance	Joanne Conroy – Westland Holdings Ltd	Tash Goodwin – Okarito Community
	Chris Rea – Westland Holdings Ltd	Chris Gourley – Westland Holdings Ltd

3. **WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST**

The Interest Register had been circulated via Microsoft Teams and available on the Council table. There were changes made to the Interest Register noted from Cr Cassin and Cr Phelps.

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

There were no urgent items of business not on the Council Agenda.

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

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

- **Ordinary Council Meeting Minutes – 8 December 2022**
- **Extraordinary Council Meeting Minutes – 15 December 2022**

Moved Cr Baird seconded Cr Burden and **Resolved** that the Minutes of the Ordinary Council Meeting held on the 8 December 2022 and the Extraordinary Council Meeting minutes held on the 15 December 2022 be confirmed as a true and correct record of the meeting.

The Chair **Approved** that their digital signature be added to the confirmed Council Meeting Minutes of 8 December 2022 and 15 December 2022.

COMMITTEE MINUTES TO BE RECEIVED:

The following committee minutes were circulated separately via Microsoft Teams:

- **Hokitika Wastewater Treatment Plant Project Oversight Sub-Committee Meeting Minutes – 14 December 2022.**

Moved Cr Cassin seconded Cr Neale and **Resolved** that the Sub-Committee minutes of the Hokitika Wastewater Treatment Plant Project Oversight Sub-Committee be received.

Deputy Mayor Cr Gillett joined the meeting at 1:08pm

6. **ACTION LIST**

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

- **Pakiwaitara Building / Council Building Business Case**
A Workshop on is being held on Monday 27 February 2023 with Councillors. The Chief Executive and District Assets Manager are working with O'Connor Partners to formulate a review of Council Building, Pakiwaitara and Government/Seddon House. There are a number of stages to go through regarding this. The Chief Executive confirmed to Councillors that some options had been received from Heritage NZ in terms of future options.

- **Racecourse Development Submission Bid**

A significant workshop was held with Joseph and Associates & O'Connor Partners 26 January 2023. Currently going through master planning and community engagement concept.

A development plan to be completed by 27 April 2023 and an update on where things are at will be brought back to Council in March 2023.

Kw Madgwick asked if there could be a January Council Meeting as 3 months between meetings seemed like a long time, and queried if this could be reviewed for 2023-2024 transition.

The CE advised that the January meeting was moved due to the lack of staff available at the time and proposed that the December Council meeting for 2023 be the week prior to Christmas with the possibility of bringing the February Council Meeting brought forward 1 week.

The Mayor advised that this has been noted and felt it to be prudent to assess the situation towards the end of the year to see what the needs are and formalise Council meeting dates closer to that time.

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

SPECIAL THANKS FROM THE MAYOR

The Mayor proceeded to give special recognition and acknowledgement and thank you to Council staff who had travelled to the North Island to help with the recent weather event and reflected that the scale of trauma is severe, and the impact on the communities will be lifelong.

The Mayor also commented that it was very commendable that Council staff put their hands up straight away to help. The insight and knowledge and tools that these staff members will gain from this event will also be valuable to the local Community for our own Emergency Operations Centre for any potential future event and thanked the staff members for dedication to their roles and focus on getting involved in these communities through such harrowing times.

7. NGĀ TĀPAETANGA PRESENTATIONS

- **Okarito Dark Sky Community**

Tash Goodwin, Pam Birmingham representing the Okarito Dark Sky Community spoke to this presentation and provided the following information:

- **The International Dark Sky Places Program offers 5 types of designations:**

1. International Dark Sky Communities
2. International Dark Sky Parks
3. International Dark Sky Reserves
4. International Dark Sky Sanctuaries
5. Urban Night Sky Places

- **Dark Sky in New Zealand**

Dark Sky Reserve – Tekapo
Waiheke Island – in progress
Dark Sky Park – Nelson/Tasman
Dark Sky Sanctuary – Stewart Island
Wairarapa Dark Sky Reserve
Dark Sky Nation – New Zealand in progress now

- **Why protect Okarito's Dark Skies?**

- **There is a global issue with lighting effects, causing harm all over the world**

- **Impact on Plants**
- **Impact on Wildlife and Birds**
- **Impact on humans**
- **Safety**
- **Basic Principles of responsible lighting**
- **Okarito could be the first 'Dark Sky Community' in New Zealand**
- **Benefits of being a Dark Sky Community**
- **Current support from:**
Te Rūnanga o Makaawhio
Okarito Community Association
- **Ideas for events and promotion**
- **Dark Sky Requirements Summary**
- **Dark Sky New Zealand are able to assist with:**
Measuring the level of darkness and night sky brightness in the area
Obtaining dark sky accreditation for the area
Providing astronomy outreach to the community
Assistance with building a group of Dark Sky Ambassadors for the area
- **Next Steps**
- **Goals / Timeline**
- **In Conclusion**
- **Questions**

Various councillors voiced their support of this presentation and felt it would be an asset to the Community.

The Chief Executive advised that there are a number of Council processes (i.e.: building consents/district plans etc) that need to be considered with this and advised to get this locked in for a future outcome, a submission would need to be made via the District Plan. He also advised that submissions are currently closing for the District Plan review, and for the Okarito Community's voice to be heard it needs to be shared with the District Planners. Once it is in the District Plan it is locked in for 10 years.

The Chief Executive advised that he would discuss with The Planners on their behalf.

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

1. The Okarito Dark Sky Community presentation from Tash Goodwin and Pam Birmingham representing the Okarito Community be received.

- **Westland Holdings Ltd:**

- **Statement of Intent and Westland Holdings Financial Results to 31 December 2022**

Directors, Joanne Conroy, Chris Gourley and Chris Rea spoke to this presentation, and advised that there were two items being discussed today, the first being the six-monthly results up to the 31st December 2022 and secondly the Draft Statement of Intent for the period starting 1 July 2023.

Moved Cr Davidson seconded Cr Baird and **Resolved** that:

1. The presentation from the Directors of Westland Holdings Ltd be received

Director Joanne Conroy advised that the Statement of Intent – is looking forward from 1 July 2023 for 3 years and noted that there is some repetition and duplications around performance targets, and reminded Council that this it is a draft to be approved, and reviews and or updates can be made

between now and June 2023, and also commented that they were looking for feedback from Councillors on the draft Statement of Intent at this Council meeting.

The Mayor asked if Joanne Conroy could provide a brief summary of the discussion held at the briefing between Councillors and Westland Holdings on the 22 February 2023.

Director Joanne Conroy advised that the Statement of Intent is a compliance document and is dictated by the Local Government Act, and that performance targets are specific and targeted in the Statement of Intent. It was not advisable for 'aspirational goals' to be added to the Statement of intent.

However, the tool the Council has, is to give Westland Holdings Limited a letter of expectation where aspirational goals can be given which gives Westland Holdings Limited guidance, which is still a formal performance process.

As discussed with the Council at the briefing on the 22 February 2023:

1. Issues around sale and purchase of land and whether this should be in the Statement of Intent. Council have asked the Directors of Westland Holdings Limited to draft a policy for the Sale & Purchase of land by Council Controlled Organisations that will outline the rules/guidelines and processes. The draft policy document will be available for the April 2023 Council Meeting.
2. That the duplication / repetition of some of the wording in the Statement of Intent to be revised.

Moved Cr Cassin seconded Cr Phelps and resolved that:

2. Council approve the **draft** Westland Holdings Limited 2023-2026 Statement of Intent noting amendments and additions to be added before final Statement of Intent is approved.

- **Hokitika Wastewater Upgrade Project - Update**

Senior Civil Engineer, John Strange from Stantec provided an update on the Wastewater Treatment Plant Project.

- **Hokitika Wastewater Upgrade Project**
- **Introduction**
- **Overview of Work to Date**
- **Options / Alternatives – Sieving Approach**
- **Elements of a Wastewater Scheme**

Cr Burden left the chambers at 2:16pm and returned at 2.19pm

- **Base Scheme Elements taken forward**
- **Scheme Options Assessment (Domestic)**
- **Short List of Potential Wastewater Schemes**
- **Components that make up the 11 Short List Options**
- **Next Steps**
- **Questions**

Cr Davidson queried the monetary figure of the new wastewater treatment plant and asked if a ball park figure could be given at this stage for the benefit of the ratepayer.

John Strange from Stantec advised that in this process cost does not have to be considered yet and advised that the reason why cost doesn't come into the process to date is to ensure that cost doesn't rule out the best practicable option, so not to stifle the process of consideration of options by ruling

things out early due to cost. Cost and technical assessment come into the process at the Multi-Criteria Analysis.

The Chief Executive advised that the figure of \$12.3M for the wastewater treatment project upgrade is in the Long-Term Plan and has been well publicised, and that is before the final cost of the future design of the project.

Moved Cr Phelps seconded Cr Davidson and **Resolved** that

1. The Hokitika Wastewater Upgrade Project update presentation from John Strange at Stantec be received.

8. PŪRONGO KAIMAHI STAFF REPORTS

- **Financial Performance – January 2023**

Finance Manager Lynley spoke to this item and advised the purpose of this report is to provide an indication of Council's financial performance for the month to 31 January 2023.

The Mayor requested clarification regarding the Responsible Camping Costs and what they related to.

The Chief Executive advised that this was a carryover from Tourism Infrastructure Funding received from last season.

The Finance Manager advised that this year Council received a grant which Council had not budgeted for, so incurred \$58k in costs, and this has come out of the grant.

The Chief Executive advised that council made an application to the Tourism Infrastructure Funding for the summer season for responsible camping which was a late application late last year, and we was surprisingly successful; \$345k of cost funding for that project. There is criteria for this, with only half of that funding to be drawn down this season, with the remaining half to be drawn down in the next financial year.

The Mayor requested the information surrounding this project (Responsible Camping) to be circulated to Councillors.

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

1. The Financial Performance – January 2023 Report from the Finance Manager be received.

Moved Cr Burden seconded Cr Davidson and resolved to break for afternoon tea for 10 minutes at 3:05pm and the meeting resumed at 3:16pm.

- **Westland Creative Community Committee**

Chief Executive Simon Bastion spoke to this report and advised the purpose of this report is to have Council confirm the nominated members of the Westland Creative Community Committee for the current triennium.

The nominated members being:

Nominee	Nominated by	Interest areas
Delwyn Alexander	Amelia Myles	Creative fibre, Film, Performance Art

Mary-Anne Bell	Emma Kay	Accessible art experiences for wider community, local craft groups, workshops
Paul Kerridge (2 nd Triennium)	Janice Rhind	Visual arts, film, and performance art, encouraging pathways and experiences to encourage careers in art
Emma Kay	Mary-Anne Bell	Creative art experiences for children, music and performance art
Nikki-Leigh Wilson-Beazley	Te Rūnanga o Makaawhio (Kara Edwards)	Creative NZ ask for a representative of local iwi to encourage workshops, rehearsals, performances, festivals or exhibitions in Māori heritage or contemporary art forms
Sophie Roberts	Mary-Anne Bell	Music, Art experiences for low vision community
Phoebe Wilson	Alana Howard	Music, performance art and alternative art presentation, graphics as an art form.
Tallulah Ngahua Martin-Naylor	Natasha Morris	Toi Māori, Māori artists, music, and community projects

Moved Cr Baird seconded Cr Phelps and **Resolved** that:

1. The Westland Creative Community Committee Report be received.

- **Nomination of Resource Management Act (RMA) Commissioner to represent Westland District Council**

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

The Chief Executive advised that at the 8 December 2022 Council meeting, Edith Bretherton was nominated as the RMA Commissioner to represent Westland District Council, however due to potential conflict of interest, a new person has been nominated.

A number of Councillors expressed their support for Paul Rogers and felt he was an excellent choice to represent Westland District Council.

Moved Cr Davidson seconded Cr Burden and **Resolved** that:

1. The Report to Council be received.
2. Council nominate Paul Rogers as Westland District Council's RMA Commissioner for the TTPP.

- **2022-2025 West Coast Triennial Agreement**

The Chief Executive, Simon Bastion spoke to this item and advised the purpose of this report is to adopt the 2022-2025 West Coast Triennial Agreement.

The Chief Executive advised that this was a requirement from Local Government Act that councils join on common purpose through a Triennium agreement. The draft has been endorsed by the Mayors and Chairs forum and now needed to be endorsed by Council.

Kw Madgwick queried the 2050 strategy and the various strategies that fall under this. Kw Madgwick queried why local government involvement and the final plan not coming back to Mayors and Chairs.

The Chief Executive advised that this can be highlighted at the next workshop with Development West Coast planned for the 6th March.

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

1. The report be received.
2. Council adopts the 2022-2025 West Coast Triennial Agreement and endorse the Mayor signing the agreement on behalf of Westland District Council.

- **Council Controlled Organisations (CCO) Review – Scope of Services**

Group Manager, Corporate Services and Risk & Assurance, Lesley Crichton spoke to this item and advised the purpose of this report is to provide the draft scope of services for the review of Westland District Councils (WDC), Council Controlled Organisations (CCO) Review.

Cr Burden asked how Council was proposing to pay Price Waterhouse Coopers for this review.

The Group Manager, Corporate Services and Risk & Assurance advised that this is unbudgeted spend, therefore general reserves would need to be used, and also commented that the review is high level (not detailed) so not to give any pre-conceived suggestions to the reviewer, that it is prudent to look at the structures of the Council Controlled Organisations, review how they are performing, the community outcomes and value for money. From this review, options are then looked at, and cost will be determined on what options (if any) council want to explore.

There was a general consensus around the Council table that this was a much-needed review and was supported by the Councillors.

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

1. The report be received.

Moved Cr Phelps and seconded Deputy Mayor Gillett and **Resolved** that:

2. Council approve to proceed with the Price Waterhouse Coopers scope of services for the review of the CCO structure and performance against community outcomes.

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

(to consider and adopt confidential items)

Moved Cr Neale, seconded Cr Baird and **Resolved** that Council confirm that the public were excluded from the meeting in accordance with Section 48, Local Government Official Information and Meetings Act 1987 at 3:48 pm.

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

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1.	Confidential Minutes – 8 December 2022	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
2.	Confidential Risk 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)
3.	Confidential Haast-Jackson Bay Road Pavement Rehabilitation – WDC No: 22-23-10 – TENDER APPROVAL	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	Protect the privacy of natural persons, including that of deceased natural persons (Schedule (7)(2)(a))
1, 2, 3	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)).
1, 2, 3	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))
3	Prevent the disclosure or use of official information for improper gain or improper advantage (Schedule 7(2)(j))

Moved Cr Neale, seconded Cr Burden and **Resolved** that the business conducted in the ‘Public Excluded Section’ be confirmed and accordingly, the meeting went back to the open part of the meeting at 4:14pm.

**DATE OF NEXT ORDINARY COUNCIL MEETING – 23 MARCH 2023
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

MEETING CLOSED AT 4:14 PM

Confirmed by:

**Her Worship the Mayor
Chair**

Date: 23 March 2023