

AGENDA

RĀRANGI TAKE

NOTICE OF AN ORDINARY MEETING OF

COUNCIL

to be held on **Thursday, 18 December 2025**, commencing at **1 pm** in the Council Chambers,
36 Weld Street, Hokitika and via Zoom

Chairperson	Her Worship the Mayor
Deputy and Northern Ward Member:	Cr Burden
Northern Ward Members:	Cr Mackenzie, Cr Maitland
Hokitika Ward Members:	Cr Gillett, Cr Martin, Cr Walker
Southern Ward Members:	Cr Manera, Cr Munns
Iwi Representatives:	Kw Madgwick, Kw Tumahai



In accordance with clause 25B of Schedule 7 of the Local Government Act 2002, members may attend the meeting by audio or audio-visual link.

Council Vision

*By investing in our people, caring for the environment, respecting the Mana Whenua
Cultural heritage, and enabling investment, growth, and development
we will enrich our district and the people that reside here.*

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 promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

1. KARAKIA TĪMATANGA OPENING KARAKIA

*Kia hora te marino
Kia whakapapa pounamu te moana
Hei hurahai mā tātou
I te rangi nei
Aroha atu, aroha mai
Tātou i a tātou katoa
Hui e! Tāiki e!*

*May peace be widespread
May the sea be like greenstone
A pathway for us all this day
Give love, received love
Let us show respect for each other
Bind us all together!*

2. NGĀ WHAKAPAAHA APOLOGIES

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a member thinks they may have a conflict of interest, they can seek advice from the Chief Executive (preferably before the meeting). It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

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

Section 46A of the Local Government Official Information and Meetings Act 1987 states:

- (7) An item that is not on the agenda for a meeting may be dealt with at the meeting if –
 - (a) the local authority by resolution so decides, and
 - (b) the presiding member explains at the meeting at a time when it is open to the public, –
 - (i) the reason why the item is not on the agenda; and
 - (ii) the reason why the discussion of the item cannot be delayed until a subsequent meeting.
- (7A) Where an item is not on the agenda for a meeting, –
 - (a) that item may be discussed at the meeting if –
 - (i) that item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
 - (b) No resolution, decision, or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.

5. PUBLIC FORUM

6. NGĀ MENETI O TE HUI KAUNIHERA MINUTES OF MEETINGS

Minutes circulated.

- Council Meeting Minutes – 27 November 2025 (Pages 7-16)

COMMITTEE MINUTES TO BE RECEIVED:

- Nil

7. ACTION LIST

(Pages 17-19)

8. NGĀ TĀPAETANGA PRESENTATIONS

- Westland Industrial Heritage Park
- Water Treatment – Tim Cadogan

9. PŪRONGO KAIMAHI STAFF REPORTS

- **Financial Report** (Pages 20-35)
Chief Financial Officer to speak to the report.
- **Confirmation of Appointments to Community Committees and Organisations**
Chief Executive to speak to the report. (Pages 36-42)
- **Adoption of Terms of Reference for Committees and Subcommittees**
Chief Executive to speak to the report. (Pages 43-63)
- **Manatu Whakaaetanga Partnership agreement** (Pages 64-79)
Chief Executive to speak to the report.
- **Hokitika Racecourse Street Names** (Pages 80-82)
Facilities and Properties Manager to speak to the report.
- **Responsible Freedom Camping Bylaw Update** (Pages 83-85)
Asset Strategy and Development Manager and General Manager Regulatory and Compliance to speak to the report.
- **Proposed Alcohol Restriction Bylaw 2026** (Pages 86-104)
General Manager – Regulatory and Compliance to speak to the report.

10. ADMINISTRATIVE RESOLUTIONS

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

- **Warrants of Appointment –**

Bethan Dickens Noise Control Officer	STATUTORY DELEGATIONS AND ENFORCEMENT To act in the Westland District as: <ul style="list-style-type: none"> • An Officer pursuant to Section 174 of the Local Government Act 2002; AND • An Officer under the Westland District Council Bylaws; AND • An Enforcement Officer pursuant to Section 38 of the Resource Management Act 1991; AND • A Ranger pursuant to Section 8 of the Impounding Act 1955 • Authority to exercise all of the functions and powers of an Enforcement Officer under Sections 327 and 328 (which relate to excessive noise) of the Resource Management Act 1991.
Quentin Jay Building Control Officer	STATUTORY DELEGATIONS AND ENFORCEMENT To act in the Westland District as: <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.

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

(to consider and adopt confidential items)

Resolutions to exclude the public: Section 48, Local Government Official Information and Meetings Act 1987. 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 – Ordinary Council Meeting 27 November 2025	Good reason 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)

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
2.	Land Disposal	Good reason 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.	Director Remuneration	Good reason 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.	Appointment of Independent Chair – Risk and Assurance Committee	Good reason 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	Section
1, 2, 3, 4, 5, 6	Protect the privacy of natural persons, including that of deceased natural persons	(S.7(2)(a))
1	Protect information where the making available of the information:	
	(i) (ii) would disclose a trade secret; and would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	(S.7(2)(b))
2, 3	Maintain the effective conduct of public affairs through— (i) the free and frank expression of opinions by or between or to members or officers or employees of any local authority, or any persons to whom section 2(5) applies, in the course of their duty; or the protection of such members, officers, employees, and persons from improper pressure or harassment.	(S.7(2)(f))
1	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.	(S. 7(2)(h))

Item No.	Interest	Section
1	Prevent the disclosure or use of official information for improper gain or improper advantage.	(S.7(2)(j))

DATE OF NEXT ORDINARY COUNCIL MEETING
ON 29 JANUARY 2026 AT 1.00 PM
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM



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 27 NOVEMBER 2025 COMMENCING AT 1.30 PM (AT THE CONCLUSION OF THE PUBLIC EXCLUDED SECTION, PART 1)

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 led by Her Worship the Mayor.

Cr Manera attended the meeting from 1.31pm.

2. MEMBERS PRESENT AND APOLOGIES

Chairperson:	Her Worship the Mayor
Deputy and Northern Ward Member:	Cr Burden
Northern Ward Members:	Cr Maitland, Cr Mackenzie
Hokitika Ward Members:	Cr Gillett, Cr Martin, Cr Walker
Southern Ward Members:	Cr Manera, Cr Munns
Iwi Representatives:	Kw Madgwick, Kw Tumahai

NGĀ WHAKAPAAHA APOLOGIES

Nil

STAFF PRESENT

B. Phillips, Chief Executive; E. Bencich, General Manager District Assets; S. Lewis, Chief Financial Officer; A. Parris, Executive Assistant; N. Sinclair, Senior Administrator.

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated to the Mayor and Councillors.

Her Worship the Mayor acknowledged recent changes made to the register by Cr Maitland and Cr Munns.

Cr Maitland updated the Interest Register on 20 November 2025, stating the non-pecuniary, perceived conflict of interest to be *'Related to staff employed at Westland District Council.'*

Cr Munns updated the Interest Register on 18 November 2025, stating the non-pecuniary, perceived conflict of interest to be '*Director of Udder Confusion Ltd and Community Voice for West Coast Health*'.

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

There were no urgent items to be added to the agenda.

**5. NGĀ MENETI O TE HUI KAUNIHERA
MINUTES OF MEETINGS to be confirmed:**

- **Inaugural Council Meeting Minutes – 23 October 2025**

Moved Cr Gillett, seconded Cr Martin and **Resolved** that the Minutes of the Inaugural Council Meeting held on **23 October 2025** be confirmed as a true and correct record of the meeting.

Her Worship the Mayor approved that her digital signature be added to the confirmed Inaugural Council Meeting Minutes of 23 October 2025.

Her Worship the Mayor requested that it be recorded in the minutes that the statement made at the Inaugural Council Meeting on 23 October 202 relating to Her Worship the Mayor using a casting vote at the 24 July 2025 Council meeting to pass a resolution to the Future Delivery of Water Service report was incorrect. The motion was carried by way of a show of hands, 5 votes for the motion and 3 votes against the motion. Hence, Her Worship the Mayor's casting vote was not used.

MINUTES OF MEETINGS to be received:

- **Hokitika Wastewater Treatment Plant Project Oversight Subcommittee – 2 April 2025**

Moved Cr Burden, seconded Cr Maitland and **Resolved** that the Minutes of the **Hokitika Wastewater Treatment Plant Project Oversight Subcommittee** held on **2 April 2025** be received.

- **Ordinary Council Meeting Minutes – 25 September 2025**

Moved Cr Gillett, seconded Cr Munns and **Resolved** that the Minutes of the **Ordinary Council Meeting** held on **25 September 2025** be received.

6. ACTION LIST

The Chief Executive spoke to the Action List.

Item No.	Date Added	Item	Action	Completion Target Date	Officer	Current Status	Date and Next Steps
1.	26.08.21	Council Headquarters, 36 Weld Street / Pakiwaitara Building, 41 Weld Street, Hokitika	Business case for the scope of work after structural analysis and report. Options to be reported back to Council at	April 25	General Manager District Assets	Council resolved on the 22 May 2025 to put the Pakiwaitara Building on the market immediately, with a caveat that investigations be undertaken to provide costings on two alternative	The intention is that the community will be provided with information once preparatory work has been completed by the end of

Item No.	Date Added	Item	Action	Completion Target Date	Officer	Current Status	Date and Next Steps
			the 26 June Ordinary Council meeting.			options for the Council building, namely: i) Demolish and rebuild on the Pakiwaitara site. ii) To occupy the Hokitika Government Building.	November 2025. The Chief Executive advised that work was progressing. They were waiting on further information relating to the new policies on earthquake strengthening and would report back in February 2026. Kw Madgwick requested an update be provided on the status of assessing earthquake-prone public and private buildings in the district, particularly St Mary's Catholic Church. The Chief Executive would provide an update at the December Council meeting.
2.	26.09.24	Hokitika Museum Trust Board Formation	Information regarding the formation of a Trust Board		Community Services Manager	Her Worship the Mayor advised that before a Trust is established, there needs to be an understanding of the current management structure, staffing, operational costs, a full set of financial records, including operational costs, the proposed future plans, and the future	A report was being prepared by the new General Manager, Business Enablement who will liaise with Kw Madgwick before being presented to Council.

Item No.	Date Added	Item	Action	Completion Target Date	Officer	Current Status	Date and Next Steps
						projections of the Museum.	
3.	28.11.24	Hokitika CBD Strategy	Working Group to be established.	May 25	General Manager District Assets	This process is currently underway. <ul style="list-style-type: none"> Community parking questionnaire closed 20 December 2024. Review current feedback and hold further workshops from February 2025. 	The remit of the Hokitika CBD Strategy Group may widen to include Kumara and Franz Josef townships.
4.	17.04.25	Hokitika Racecourse Development			Chief Executive		A quarterly update was on the agenda for the 27 November 2025 Council meeting.
5.	22.05.25	Lake Kaniere	Request for a round table meeting to discuss issues at Lake Kaniere.		Chief Executive	Various items relating to Lake Kaniere were raised at the 22 May 2025 Extraordinary Council Meeting.	A noting paper was on the agenda of the 27 November 2025 Council meeting.
6.	22.05.25	Hokitika Westland isite			Chief Executive	Councillors discussed the costs for the isite and West Coast Wilderness Trail at their meeting on the 22 May 2025.	A paper to be provided to the new Council for consideration in February or March 2026.

Moved Cr Walker, seconded Cr Gillett and **Resolved** that:

1. The updated Action List be received.

7. NGĀ TĀPAETANGA PRESENTATIONS

- **Her Worship the Mayor's Monthly Update to Councillors**

Her Worship the Mayor provided a verbal update on activities she had been involved in and tabled a summary to Councillors.

Topics discussed:

- Her Worship the Mayor provided a list of official meetings and public events that she had attended since the Inaugural Council meeting on 23 October 2025.

- Discussed the Air NZ service provided to the community, including flight scheduling and cancellations and a review of landing fees.
- Cr Burden requested that an update of the Airport project be provided to Councillors.
- Cr Burden suggested the community work undertaken by Her Worship the Mayor be communicated to the public.
- The Chief Executive offered to organise a presentation by Tim Cadogen from the water agency on the water treatment regulations of smaller communities in South Westland at the December Council meeting.
- The Jackson Bay Wharf funding announcement was attended by Cr Munns and Cr Manera.

Moved Cr Maitland, seconded Cr Martin, and **Resolved** that Her Worship the Mayor's report tabled at the meeting be received.

Kw Tumahai left the meeting at 1.51 pm and returned at 1.56 pm.

8. PŪRONGO KAIMAHI STAFF REPORTS

- **Draft Annual Report 2024-2025 for Adoption**
The Chief Financial Officer spoke to the report.

Topics discussed:

- A workshop will be provided to Councillors in January 2026 to provide an opportunity for question time and to form an understanding of the Annual Report process, requirements and deadlines.
- Cr Maitland suggested a simplified summary of the Annual Report be provided to the public.

Moved Cr Manera, seconded Cr Gillett and **Resolved** that:

- 1.1 That the report be received.
- 1.2 That Council adopt the Annual Report for the financial year ending 30 June 2025 as provided in Appendix 1.

Her Worship the Mayor and the Chief Executive proceeded to sign the following letters to be returned to the auditors EY immediately thereafter:

- Representation Letter In Respect of Westland District Council's Debenture Trust Deed Limited Assurance Engagement for the Year Ended 30 June 2025
- Representation Letter for the Year Ended 30 June 2025
- Representation Letter for the Summary Annual Report for the Year Ended 30 June 2025
- **Standing Orders: Clause 15 Public Forum**
The Chief Executive spoke to the report.

Topics discussed:

- The Chief Executive advised that policies from 66 local authorities were investigated to form the basis of the report.
- A suggestion of 30 minutes to be allocated to hold a Public Forum at the start of each Ordinary Council meeting.
- Requests would need to be received 24 hours' notice before the meeting and must outline the items they wish to address.

- Councillors thought it prudent to allow 5 minutes for question time after each speaker.
- Public forums would be livestreamed.
- The Chief Executive would circulate the topics to be raised at the Public Forums ahead of the Council meeting.
- Public Forums were the start of a new culture of engagement and openness from Council with the community.
- Councillors agreed the Standing Orders, Clause 15 Public Forum, policy was a working document, with improvements being made as required as and when required.

Moved Cr Burden, seconded Cr Walker and **Resolved:**

- 1.1 That the report be received.
- 1.2 That a period of up to 30 minutes be available for the public forum at each scheduled Ordinary Council meeting.

Speakers can speak for up to five minutes (excluding questions).

Requests to speak at a public forum must be:

- a) Made to the Chief Executive and/or the Mayor (or their delegate);
- b) Made at least 24 hours before the meeting; and
- c) Must outline the items that will be addressed by the speaker(s).

The chairperson has discretion to:

- a) Extend a speaker's allocated speaking time;
- b) Where there are more than six speakers presenting in the public forum, the Chairperson may decrease the speaking time for all presenters, or
- c) Waive the time requirement for requesting permission to speak in the public forum.

- 1.3 That the procedure for public forums at **Appendix 1** be adopted and updated on the Council Website.
- 1.4 That Standing Orders be updated accordingly and made available on the Council's Website.

- **Committee Structure for the New Triennium**

The Chief Executive advised that the purpose of the report was to inform Council that the Mayor has exercised the powers under Section 41A Role and Powers of Mayors, Local Government Act 2002 to establish committees for the 2025-2028 Triennium.

Topics discussed:

- The committee structure for this triennium would consist of three standing Committees and two subcommittees:

Standing Committees

Risk and Assurance Committee

Council Controlled Organisation Oversight Committee

Chief Executive's Review Committee

Subcommittees

Hokitika Wastewater Treatment Plant Project Oversight Subcommittee

Tenders Subcommittee

- Terms of Reference will be adopted at the 18 December Council meetings and/or the respective inaugural meetings to be scheduled.
- The timings of meetings outlined on the meeting schedule took into account pertinent deadlines for audit deadlines, Annual Plans and Annual Reports.
- The Hokitika Wastewater Treatment Plant Project Oversight Subcommittee only meets when required. The Chief Executive advised that a finalised report would come to Council in December 2025 or January 2026 to consider options on how to proceed with this committee and the Council Controlled Organisation. Membership will be discussed depending on the outcome.
- The Consenting and Compliance Committee was originally stood up to process a backlog of issues at the time. These issues have now been resolved, therefore, there was no need for the subcommittee to continue. Furthermore, the subcommittee never met during the last triennium. Council has a new General Manager Regulatory and Compliance to oversee this area going forward.
- If Councillors wished to formalise the dissolution of the Consenting and Compliance Committee, then the Chief Executive would prepare a paper to consider and adopt at the December Council meeting.
- Councillors who are contacted by constituents with concerns about the consenting process should contact the Chief Executive, so the appropriate staff can be directed to investigate the matter.

Moved Cr Maitland, seconded Cr Gillett and **Resolved**:

- 1.1 That the report be received.
- 1.2 That Council adopts the Committee structure and membership as outlined in **Appendix 1** of the report.
- 1.3 That Council adopts the proposed meeting schedule for January 2026 to December 2026 as provided in **Appendix 2** of the report.
- 1.4 A paper to provide a discussion and/or decision on the future of the Consenting and Compliance Committee.

- **Financial Performance Report**

The Chief Financial Officer advised that the purpose of the report was to provide an indication of Council's financial performance for the month to 31 October 2025.

Kw Madgwick left the meeting at 2.37pm and returned at 2.40pm.

Topics discussed:

- Council receives monthly financial reporting so that it has current knowledge of its financial performance and position against budgets.
- The report presented is in the format supplied to the previous Council. The Chief Financial Officer would like to make changes to the report to make it easier to understand whilst providing more detail in specific areas.
- The report is of a summarised nature, with only permanent variances over \$25,000 having comments.
- A breakeven position of \$12.9 million (not surplus or deficit).
- Variances to the Rates Revenue relate to water meters that show a rise, normal as usage increases over the summer months. Swaps were the other variance discussed, which are a financial accounting instrument used to protect Council from fluctuations in interest rates. The \$420,000 variance shown will naturally even out to zero as time progresses and should not be interpreted as cash lost or gained. Road maintenance variance was due to the timing of allocated budgets for works that needed to be completed.
- Debt levels were at a forecasted level and were below acceptable levels.

- The Statement of Comprehensive Revenue and Expense, Debtors, Debt Position and Capital Expenditure were discussed.
- Resource consents had doubled due to volume and complexity. Staff had processes in place to assist in progressing consent approvals.
- Council intends to communicate to the public on our rating rebates policies and payment instalment options via Council's newsletter, Facebook or text message.
- Discussed notifying rate payers with rate demands closer to the due date so that it is at the forefront of minds.

Deputy Mayor Burden left the meeting at 2.54 pm and returned at 2.56 pm.

Moved Cr Maitland, seconded Cr Mackenzie and **Resolved:**

1.1 That the Financial Performance Report for 31 October 2025 be received.

- **Noting Paper - Lake Kaniere Development**

The General Manager District Assets, advised that the report provided an overview of how development at Lake Kaniere was managed within the jurisdiction of the Westland District Council and how effective management helped mitigate adverse environmental effects.

Topics discussed:

- Concerns raised during the Long Term Plan (LTP) consultation around the impact of developments on the water quality of Lake Kaniere were the reason for the noting paper being presented to Council.
- The General Manager District Assets advised that Council were confident that the planning and consenting framework, combined with the West Coast Regional Council's (WCRC) ongoing programme of water quality monitoring and environment oversight, provided strong and effective safeguards to ensure development is appropriately managed and that Lake Kaniere's water quality was maintained.
- Ultimately, the WCRC were responsible for the water quality of Lake Kaniere.
- WCRC do have plans in place to monitor the testing of stormwater, which would capture sewage leakages, in addition to the current testing requirements.
- Cr Gillett would like the potential risk of water contamination to be added to the Risk Register of the Risk and Assurance Committee.
- Cr Gillett was aware that the Department of Conservation (DOC) also conducted water testing as part of their consent for the toilet block at Hans Bay with the WCRC, which had three failed tests.
- It was the responsibility of the landowners to ensure septic systems were in order. Discussed whether Council should notify landowners to remind them of their responsibilities, along with whether WCRC should enforce an expiry date for old septic tank systems.
- Need a report from Regional Council/DOC testing, RMA changes, what department does this issue stand.
- There are no concerns with the quality of water. There is also the river intake which can be switched over right away.
- The General Manager District Assets, will investigate with the WCRC on what other data they collate relating to testing, Resource Management Act changes, past and future developments at Lake Kaniere, and will report back to Council in February 2026.
- Mr P. Breeze spoke briefly to Council about the concerns raised above.

Moved Cr Martin, seconded Cr Maitland and **Resolved that:**

1.1 The noting paper on Lake Kaniere Development be received.

1.2 The General Manager District Assets, provides a report to Council in February 2026.

9. KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI
RESOLUTION TO GO INTO PUBLIC EXCLUDED
(to consider and adopt confidential items)

Moved Cr Gillett, seconded Cr Maitland 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 3.15 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 – Hokitika Wastewater Treatment Plant Project Oversight Subcommittee – 2 April 2025	Good reason 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 Minutes – Ordinary Council Meeting 25 September 2025	Good reason 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.	Ernst & Young Close Report Presentation	Good reason 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.	Haast Watermains Upgrade Contract Number 25.26.01 – Tender Approval	Good reason 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)
5.	New Totara River Bridge West Coast Wilderness Trail – Contract Number 25-26-02 – Tender Approval	Good reason 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)
6.	Quarterly Update – Enabling Infrastructure Project – Hokitika Racecourse Development	Good reason 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)

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
7.	Appointment of Directors, Westroads Ltd	Good reason 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	Section
2, 7	Protect the privacy of natural persons, including that of deceased natural persons	(S.7(2)(a))
1, 2, 3, 5, 6	Protect information where the making available of the information: (i) (ii) would disclose a trade secret; and would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	(S.7(2)(b))
2	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or	(S. 7(2)(h))
1, 2, 4, 5	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or	(S. 7(2)(i))
1, 2, 4, 5	Prevent the disclosure or use of official information for improper gain or improper advantage.	(S.7(2)(j))

Moved Cr Gillett, seconded Cr Munns 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 4.16 pm.

MEETING CLOSED AT 4.16 PM

**DATE OF THE NEXT ORDINARY COUNCIL MEETING – 18 DECEMBER 2025 AT 1.00 PM
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

Confirmed by:

**Her Worship the Mayor
Chair**

Date: 18 December 2025

Council Meeting Action List – 18 December 2025

Item No.	Date Added	Item	Action	Completion Target Date	Officer	Current Status	Date and Next Steps
1.	26.08.21	Council Headquarters, 36 Weld Street / Pakiwaitara Building, 41 Weld Street, Hokitika	<p>Business case for the scope of work after structural analysis and report.</p> <p>Options to be reported back to Council at the 26 June Ordinary Council meeting.</p>	April 25	General Manager District Assets	<p>Council resolved on the 22 May 2025 to put the Pakiwaitara Building on the market immediately, with a caveat that investigations be undertaken to provide costings on two alternative options for the Council building, namely:</p> <ul style="list-style-type: none"> i) Demolish and rebuild on the Pakiwaitara site. ii) To occupy the Hokitika Government Building. 	<p>The intention is that the community will be provided with information once preparatory work has been completed by the end of November 2025.</p> <p>The Chief Executive advised that work was progressing. They were waiting on further information relating to the new policies on earthquake strengthening and would report back in February 2026.</p> <p>Kw Madgwick requested an update be provided on the status of assessing earthquake-prone public and private buildings in the district, particularly St Mary's Catholic Church. The Chief Executive would provide an update at the December Council meeting.</p>
2.	26.09.24	Hokitika Museum Trust Board Formation	Information regarding the formation of a Trust Board		Community Services Manager	Her Worship the Mayor advised that before a Trust is established, there needs to be an understanding of the current management	A report was being prepared by the new General Manager, Business Enablement who will liaise with

Item No.	Date Added	Item	Action	Completion Target Date	Officer	Current Status	Date and Next Steps
						structure, staffing, operational costs, a full set of financial records, including operational costs, the proposed future plans, and the future projections of the Museum.	Kw Madgwick before being presented to Council. A paper to be provided to the new Council for consideration in February or March 2026.
3.	28.11.24	Hokitika CBD Strategy	Working Group to be established.	May 25	Mayor	This process is currently underway. <ul style="list-style-type: none"> Community parking questionnaire closed 20 December 2024. Review current feedback and hold further workshops from February 2025. 	The remit of the Hokitika CBD Strategy Group may widen to include Kumara and Franz Josef townships.
4.	17.04.25	Hokitika Racecourse Development			Chief Executive		A quarterly update was on the agenda for the 27 November 2025 Council meeting.
5.	22.05.25	Lake Kaniere	Request for a round table meeting to discuss issues at Lake Kaniere.		Chief Executive	Various items relating to Lake Kaniere were raised at the 22 May 2025 Extraordinary Council Meeting.	A noting paper was on the agenda of the 27 November 2025 Council meeting.
6.	22.05.25	Hokitika Westland isite			Chief Executive	Councillors discussed the costs for the isite and West Coast Wilderness Trail at their meeting on the 22 May 2025.	A paper to be provided to the new Council for consideration in February or March 2026.
7.	18.12.25	Status of assessing earthquake prone public and private buildings, including St Mary's Catholic Church.			Chief Executive	Council discussed the effect of the recent earthquake prone building (EPB) changes on the buildings with a EPB notice.	A paper to be provided to the Council for consideration in February 2026 in conjunction with item 1.

Item No.	Date Added	Item	Action	Completion Target Date	Officer	Current Status	Date and Next Steps
						<p>The proposals are potentially to be legislated in 2027 and are subject to change.</p> <p>Details of these proposals will be included in the Council HQ paper.</p> <p>The Council paper will not include privately owned buildings as this is not Council's responsibility.</p>	
8.	18.12.25	Tim Cadogan	Presentation on the water treatment regulations		Chief Executive	Presentation on the Council Agenda for 18 December 2025.	
9.	18.12.25	Consenting and Compliance Committee	Paper for Council to provide a discussion/and or decision on the future of a Consenting and Compliance Committee		Chief Executive/Mayor	The Councillors discussed the appropriateness of the dis-establishment of the Consenting and Compliance Committee being a Council decision.	A paper to be provided to the new Council for consideration of a NEW Committee in February 2026

Report to Council



DATE: 18 December 2025

TO: Mayor and Councillors

FROM: Chief Financial Officer

FINANCIAL PERFORMANCE – November 2025

1. Summary

- 1.1. The purpose of this report is to provide an indication of Council's financial performance for the month to 30 November 2025.
- 1.2. This issue arises from a requirement for sound financial governance and stewardship with regards to the financial performance and sustainability of a local authority.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2025, which are set out in the Long Term Plan 2025–2034. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council receive the financial performance report to 30 November 2025.

2. Background

- 2.1. Council receives monthly financial reporting so that it has current knowledge of its financial performance and position against budgets. A more detailed performance report is presented to the Risk and Assurance Committee (R&A Committee), on a quarterly basis which includes non-financial information against KPI's adopted through the Long Term Plan.

3. Current Situation

- 3.1. The information in the report is of a summarised nature, with only permanent variances over \$25,000 having comments. Temporary differences which are mainly budget phasing are not commented on as these will either approximate budget by the end of the financial year, or become a permanent variance which will be noted.
- 3.2. This is the first financial report of the new financial year, and the first report under the nine-year Long Term Plan 2025–2034. As such, it sets the baseline for monitoring progress against the new budget and strategic priorities.
- 3.3. The financial performance report to 30 November 2025 is attached as **Appendix 1** and contains the following elements;
 - 3.3.1. Sustainability report
 - 3.3.2. Statement of Comprehensive Revenue and Expense

- 3.3.3. Notes to the Statement of Comprehensive Revenue and Expense
- 3.3.4. Revenue and Expenditure Graphs
- 3.3.5. Funding Impact Statement
- 3.3.6. Statement of Financial Position
- 3.3.7. Debtors
- 3.3.8. Debt position
- 3.3.9. Capital Expenditure

4. Options

- 4.1. Option 1: That Council receives the Financial Performance Report to 30 November 2025.
- 4.2. Option 2: That Council does not receive the Financial Performance Report to 30 November 2025.

5. Risk Analysis

- 5.1. Risk has been considered and no risks have been identified in receiving the report, however if Council did not receive the report, it could be perceived that there was a lack of financial stewardship leading to reputational risk and conduct risk.

6. Health and Safety

- 6.1. Health and Safety has been considered and no items have been identified.

7. Significance and Engagement

- 7.1. The level of significance has been assessed as being low as the report is for information purposes only.
- 7.2. No public consultation is considered necessary.

8. Assessment of Options (including Financial Considerations)

- 8.1. Option 1: The Council receives the report. This report is to inform Council on the monthly financial position and to encourage financial stewardship.
- 8.2. Option 2: If the Council does not receive the report there will be no oversight of the financial position of Council or whether the costs of Council are being managed in line with budgets.
- 8.3. There are no financial implications to these options.

9. Preferred Options and Reasons

- 9.1. The preferred option is Option 1.
- 9.2. The reason that Option 1 has been identified as the preferred option is that the report is administrative in nature and to do nothing could create risks to council. Council would be carrying out its administrative stewardship in receiving the report.

10. Recommendation

- 10.1. That the Financial Performance Report for 30 November 2025 be received.

Stephen Lewis
Chief Financial Officer

Appendix 1: Finance Performance Report for 30 November 2025

Appendix 1



Financial Performance Year to 30 November 2025

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Sustainability Report

Total revenue	Total expenditure	Total surplus/(deficit)
\$16.9M	\$15.9M	\$1.0M
Is 1.8% less than the total budget of \$17.2M	Is 3.7% more than the total budget of \$15.3M	Is 46.3% worse than the budgeted surplus of \$1.9M

SUSTAINABILITY

Legend - Performance Status

Achieved/Within Limit



Not Achieved/Outside Limit



	Actual	Target
Rates to operating revenue	62.2%	N/A
Rates Revenue	\$10.5M	
Operating Revenue	\$16.9M	

62.2% of operating revenue is derived from rates revenue. Rates revenue includes penalties, water supply by meter and is gross of remissions. Operating revenue excludes vested assets, and asset revaluation gains.

Balanced budget ratio	106.3%	≥100.0%
Operating revenue	\$16.9M	
Operating expenditure	\$15.9M	






- TARGET: Operating revenue should be equal or more than operating expenditure.
- ACTUAL: As at November, operating revenue was 106.3% of operating expenditure.
- Operating revenue excludes vested assets and asset revaluation gains.
- Operating expenditure includes depreciation but excludes landfill liability and losses on asset revaluations.

Interest to rates revenue (LGFA Cov.)	3.6%	≤25.0%
Net interest and finance costs	\$0.4M	
Rates Revenue	\$10.5M	



- TARGET: Our set limit is 25% of rates revenue.
- ACTUAL: 3.6% of rates revenue is paid in interest.
- Net interest is interest paid less interest received.
- Rates revenue includes penalties, water supply by meter and gross of remissions.

	Actual	Target
Interest to operating revenue	2.2%	≤10.0%
Net Interest and finance costs	\$0.4M	
Operating revenue	\$16.9M	
<ul style="list-style-type: none">●TARGET: Our set limit is 10% of operating revenue.●ACTUAL: 2.2% of operating revenue is paid in interest.●Net interest is interest paid less interest received.		
Liquidity Risk (LGFA Cov.)	138.1%	≥110.0%
Gross debt	\$38.7M	
Undrawn committed facilities	\$4.0M	
Cash and cash equivalents	\$9.4M	
<ul style="list-style-type: none">●TARGET: The liquidity risk policy requires us to maintain a minimum ratio of 110% which is also an LGFA covenant.●ACTUAL: Council's current liquidity risk is 138.1%.		
Essential services ratio	96.0%	≥100.0%
Capital expenditure	\$2.2M	
Depreciation	\$2.3M	
<ul style="list-style-type: none">●TARGET: Capital expenditure should be equal to or more than depreciation for essential services.●ACTUAL: Year to date capex is 96.01% of depreciation.●Essential Services (ES) are Water Supply, Wastewater, Stormwater, and Roothing.		

Statement of Comprehensive Revenue and Expenditure

	Notes	Actual YTD (\$000)	YTD Budget (\$000)	Variance YTD (\$000)	Var/Bud %	Full Year Budget (\$000)	Full Year Forecast (\$000)
Revenue							
Rates	01	10,531	10,663	(132)	(1.24%)	25,984	25,984
Grants and subsidies	02	3,952	4,321	(369)	(8.54%)	25,465	25,465
Interest Revenue	03	205	244	(39)	(15.96%)	585	585
Fees and Charges	04	1,439	1,180	259	21.94%	2,774	2,774
Other Revenue	05	793	813	(20)	(2.51%)	1,789	1,789
Total Operating Revenue		16,920	17,222	(302)	(1.75%)	56,597	56,597
Expenditure							
Employee Benefit expenses	06	3,404	3,549	(145)	(4.09%)	8,508	8,508
Finance Costs	07	636	669	(32)	(4.83%)	1,605	1,605
Depreciation	08	3,918	3,418	500	14.62%	8,204	8,204
Other Expenses	09	7,957	7,713	244	3.16%	34,579	34,579
Total Operating Expenditure		15,915	15,349	566	3.69%	52,896	52,896
Operating Surplus/(Deficit)		1,005	1,873	(868)	(46%)	3,701	3,701

Notes to the Statement of Comprehensive Revenue and Expenditure

Comments are provided on permanent variances over \$25,000.

01 Rates

- Variance is due to metered water charges being lower than forecast. This variance is expected to reduce over time.

02 Grants and subsidies

- \$1m is budgeted for the Racecourse Development project; \$599k has been invoiced to date for Roothing Network and Water Services work completed this year.
- \$16.4m is budgeted for the Hokitika Airport project; \$1.4m has been invoiced to date.
- The first Transport claim of the year has been received at \$620k.

03 Interest Revenue

- Variance relates to low interest rates on current account.

04 Fees and charges

- Building & Resource consent fees are over budget by \$28k & \$143k respectively due to higher consent volumes and increased complexity (leading to more hours charged).
- Waste disposal levies are \$54k over due to higher than expected tourist numbers and escalations.

05 Other Revenue

- Only four recreational contributions have been received to date, totalling \$18k (full-year budget: \$150k)

06 Employee benefit expenses

- Variance is reflects vacant positions.

07 Finance Costs

- Interest expense is slightly under budget, reflecting lower-than-expected interest rates.

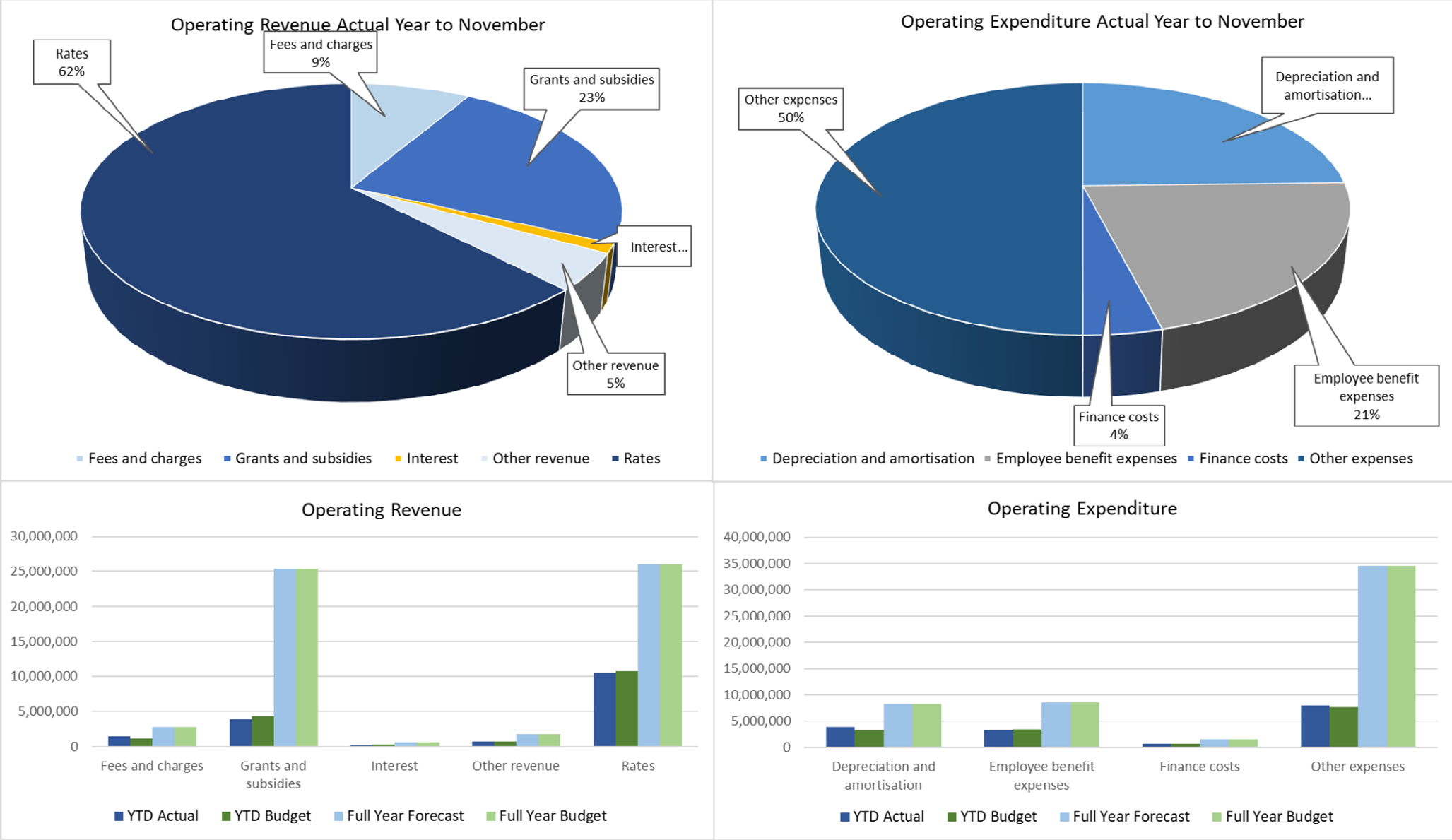
08 Depreciation

- Over by \$500k, though depreciation is on track to be similar to last year.

09 Other expenses

- Non-cash loss on swaps of \$162k recognized this year due to a significant drop in interest rates. Swaps are market driven and also move to par as they move to the maturity date.

Revenue & Expenditure Graphs



Funding Impact Statement (Whole of Council)

	2025 Annual Plan \$000	2025 Annual Report \$000	2026 Annual Plan \$000	November 2025 YTD \$000
(SURPLUS) / DEFICIT OF OPERATING FUNDING				
Sources of Operating Funding				
General rates, uniform annual general charges, rates penalties	10,925	10,801	13,365	5,454
Targeted Rates	12,034	12,005	12,619	5,077
Subsidies and grants for operating purposes	4,242	4,328	3,408	1,246
Fees and charges	2,603	3,190	2,816	1,452
Interest and dividends from investments	1,371	1,285	835	535
Local authorities fuel tax, fines, infringement fees, and other receipts	1,360	1,505	1,497	450
Total Operating Funding (A)	32,534	33,114	34,540	14,214
Applications of Operating Funding				
Payments to staff and suppliers	24,306	28,243	43,087	11,360
Finance Costs	1,760	1,918	1,605	636
Total Applications of Operating Funding (B)	26,066	30,161	44,692	11,997
Surplus/(Deficit) of Operating Funding (A - B)	6,468	2,954	(10,152)	2,217
(SURPLUS) / DEFICIT OF CAPITAL FUNDING				
Sources of Capital Funding				
Subsidies and grants for capital expenditure	9,026	4,354	22,057	2,706
Increase (decrease) in debt	3,888	2,500	2,843	-
Gross proceeds from sale of assets	-	-	1,256	-
Total Sources of Capital Funding (C)	12,914	6,854	26,156	2,706
Application of Capital Funding				
Capital Expenditure:				
- to meet additional demand	818	304	56	131
- to improve the level of service	7,600	4,892	7,312	1,424
- to replace existing assets	12,602	4,306	11,775	1,198
Increase (decrease) in reserves	(1,638)	305	(3,139)	2,171
Increase (decrease) of investments	-	-	-	-
Total Applications of Capital Funding (D)	19,382	9,807	16,004	4,924
Surplus/(Deficit) of Capital Funding (C - D)	(6,468)	(2,954)	10,152	(2,217)
Funding Balance ((A - B) + (C - D))	-	-	-	-

Statement of Financial Position

	At 30 November 2026 \$000	Annual Plan FY 2025/26 \$000	Actual FY 2024/25 \$000
Assets			
Current assets			
Cash & cash equivalents	9,364	6,257	5,667
Debtors & other receivables	4,802	3,171	4,572
Inventory	228	-	228
Tax refundable	-	-	-
Work in progress	-	-	-
Derivative financial instruments	-	-	-
Other financial assets	8,853	5,137	8,853
Total Current Assets	23,246	14,566	19,320
Assets held for sale			
Land held for sale	446	446	446
Total Assets Held for Sale	446	446	446
Non-current assets			
Council Controlled Organisations	12,480	12,480	12,480
Deferred Tax	-	-	-
Intangible assets	139	94	151
Assets Under Construction	11,380	17,916	8,370
Derivative financial instruments	74	53	50
Other Financial Assets	859	705	859
Investment property	-	-	-
Loans to CCO's	-	-	-
Property, Plant and Equipment	525,428	535,559	529,335
Total Non-current assets	550,360	566,807	551,246
Total Assets	574,052	581,819	571,012

	At 30 November 2026 \$000	Annual Plan FY 2025/26 \$000	Actual FY 2024/25 \$000
Liabilities			
Current liabilities			
Creditors & other payables	1,934	3,539	3,530
Employee benefit liabilities	611	618	656
Tax payable	-	-	-
Borrowings	10,944	9,944	10,944
Derivative financial instruments	-	-	-
Other	4,529	1,033	1,017
Total Current Liabilities	18,018	15,134	16,147
Non-current liabilities			
Deferred Tax	21	41	21
Employee benefit liabilities	45	38	43
Provisions	3,112	3,137	3,112
Borrowings	27,800	30,643	27,800
Derivative financial instruments	500	180	337
Total Non-Current Liabilities	31,477	34,039	31,313
Total Liabilities	49,495	49,174	47,460
Net Assets	524,558	532,646	523,553
Equity			
Retained Earnings	160,253	175,422	159,248
Restricted Reserves	12,698	5,524	12,698
Revaluation reserves	351,477	351,573	351,477
Other comprehensive revenue and exper	130	128	130
Total Equity	524,558	532,647	523,553

Debtors at 30 November 2025

30/11/2025 Current Year

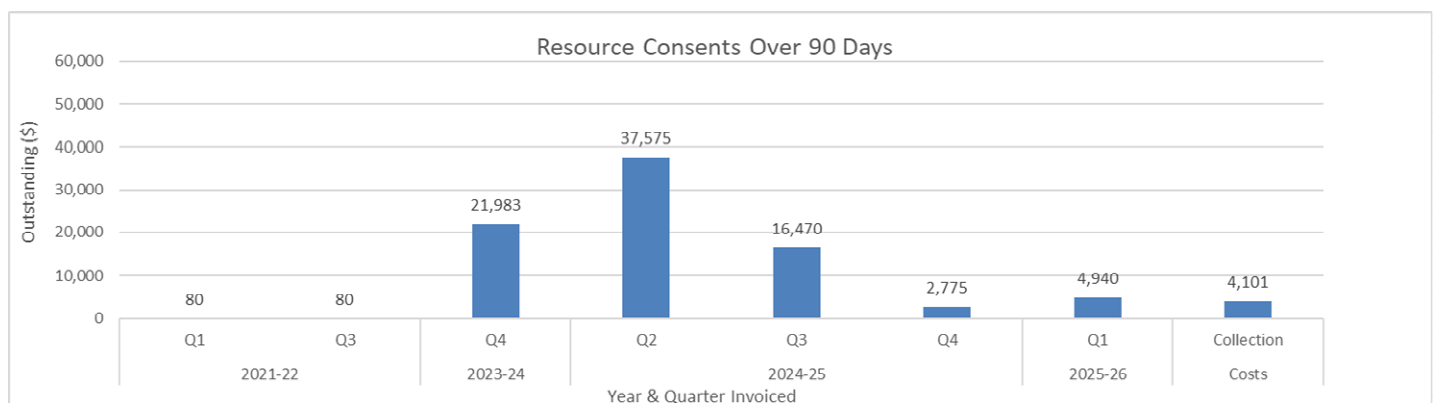
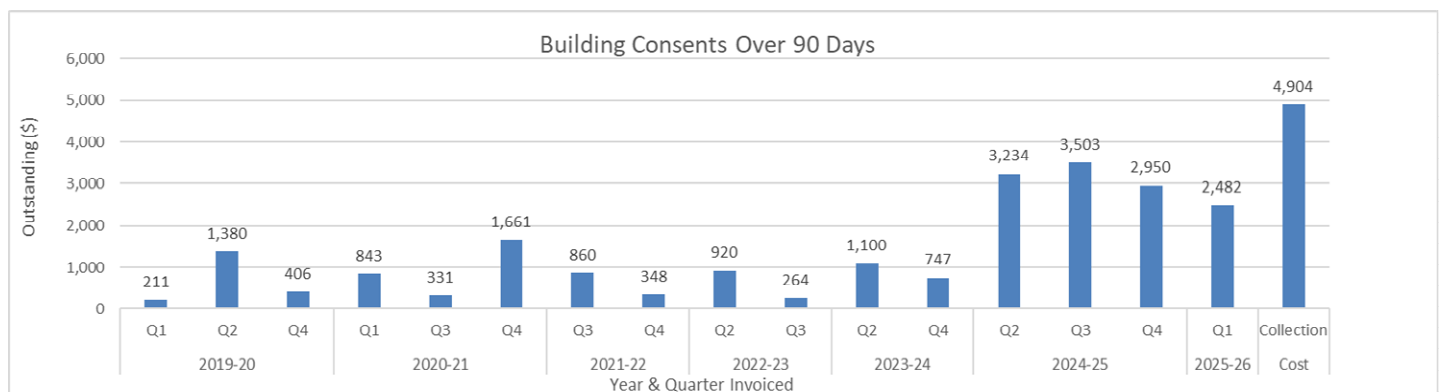
Type	Over 90 Days	60-90 Days	30-60 Days	Current	Total (\$)
Building Consents	26,143	6,403	10,659	29,235	72,440
Building Warrants	4,219	853	1,641	4,771	11,484
Resource Consents	88,005	3,155	6,139	8,707	106,006
Sundry Debtors	99,867	10,117	51,946	115,783	277,712
Grants Debtors	138,000	-	1,477,250	-	1,615,250
Grand Total	356,234	20,529	1,547,634	158,496	2,082,892

Grants outstanding as at 30/11/2025

Date Invoiced	Project	Total (\$)
7/03/2025	Hokitika Swimming Pool - Final Claim	138,000
14/10/2025	Hokitika Airport Project - Milestone 1	500,000
14/10/2025	Hokitika Airport Project - Milestone 2	500,000
14/10/2025	Hokitika Airport Project - Milestone 1	201,250
14/10/2025	Hokitika Airport Project - Milestone 2	201,250
22/10/2025	Mayors Task Force for Jobs - Tranche 1	74,750
		1,615,250

30/11/2024 Prior Year Comparison

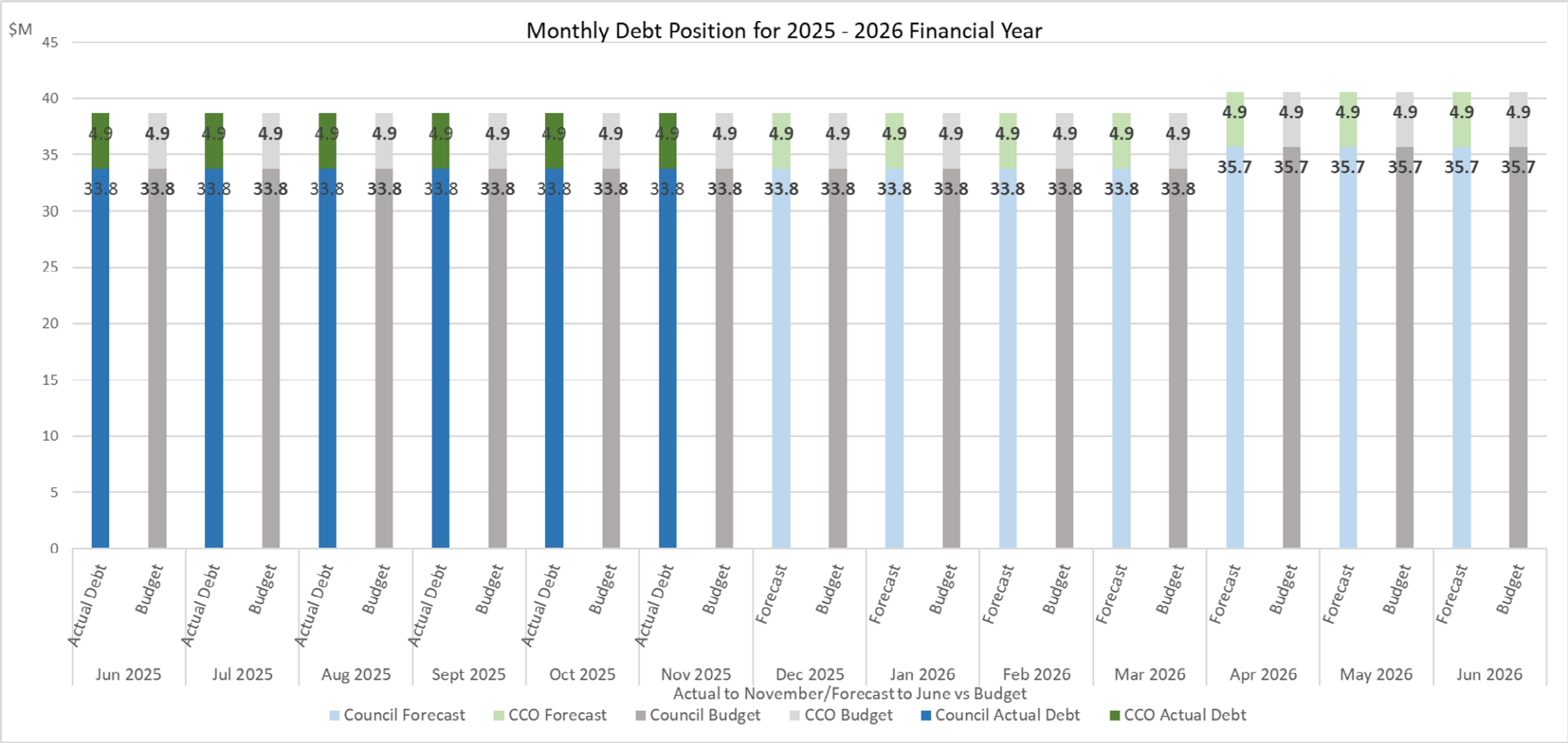
Type	Over 90 Days	60-90 Days	30-60 Days	Current	Total (\$)
Building Consents	28,707	8,771	59,912	31,095	128,486
Building Warrants	1,358	2,089	1,768	3,432	8,647
Resource Consents	46,783	1,115	9,089	21,956	78,943
Sundry Debtors	72,465	835	36,309	91,306	200,915
Grant Debtors	19,182	-	-	377,200	396,382
Grand Total	168,495	12,810	107,079	524,989	813,373



Rates Debtors at 31 October 2025		5,025,274
Adjustments	-	
Less payments received	(4,064,887)	
Paid in advance change	247,124	
Previous years write off's	-	
Write off's	(75)	
Penalties	47,943	
Discounts	-	
Court Cost	-	
		(3,769,895)
Total Rates Debtors at 30 November 2025		1,255,379
Arrears included above at 30 November 2025	1,255,379	
Arrears at 30 November 2024	1,065,908	
Increase/(decrease) in arrears		189,470

Rates debtors reduced in November as the 2nd instalment of the year was invoiced in October. Rates are invoiced quarterly and the majority of payments are due on the 20th month following the invoice date, however we are continuing to arrange more payment plans which spread the rates cost over the year.

Debt Position



Capital Expenditure

Capital Projects 2025/26 As at 30/11/2025		
Project / Activity	YtD Expenses	Annual Plan
Leadership	79,384	1,646,021
Planning & Regulatory Services	26,017	152,770
Water Supply	787,249	1,680,793
Waste Water	281,498	3,284,131
Solid waste	78,378	955,164
Storm water	97,892	2,015,529
Cemeteries	9,570	98,206
Swimming pools	33,200	1,000,000
Facilities & Leisure Services - other	962,077	1,465,314
Parks & reserves	142,075	1,855,452
Land transportation	165,200	5,931,823
Unbudgeted capital expenditure	90,147	0
CCO Funded Project	0	16,380,004
Total	2,752,688	36,465,207

Report to Council



DATE: 18 December 2025

TO: Mayor and Councillors

FROM: Chief Executive

CONFIRMATION OF APPOINTMENTS

1. Summary

- 1.1. The purpose of this report is to confirm Council appointments to committees, community organisations, liaison roles and other appointments for the 2025-2028 Triennium.
- 1.2. This issue arises from requests from community organisations to have a Council representative liaise with their group.
- 1.3 Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2024, which are set out in the Enhanced Annual Plan 2024/2025. Refer page 2 of the agenda.
- 1.4 This report concludes by recommending that Council confirm the appointments to committees, community organisations, liaison roles, and other appointments for the 2025-2028 Triennium.

2. Background

- 2.1 This report has come before Council due to the number of external organisations with which Council has an appointment or liaison role. These roles are not legislatively required and remain at the sole discretion of Council.

3. Current Situation

- 3.1 At the Inaugural Council meeting held on 25 October 2025, Council adopted a committee structure, meeting schedule, and confirmed committee chairs and membership.
- 3.2 It is important to distinguish between ‘making an appointment to’ and ‘having a liaison role’. Appointments are usually legislatively or constitutionally required. Historically, Council has “made appointments to outside organisations”, such as community organisations. There is nothing in these organisations' constitutions that requires Council to do this, and for this reason, officers are recommending that the term used is “has a liaison role with...”.

4. Options

- 4.1. Option 1: Confirm elected member representation on community organisations, communities and other appointments as listed in **Appendix 1**.

4.2. Option 2: Amend the list and adopt.

5. Risk Analysis

5.1. Risk has been considered, and no risks have been identified.

6. Health and Safety

6.1. Health and Safety has been considered, and no items have been identified.

7. Significance and Engagement

7.1. The level of significance has been assessed as administrative in nature and therefore low.

7.1.1.No public consultation is required.

8. Assessment of Options (including Financial Considerations)

8.1 Option 1 – The list in Appendix 1 reflects prior Council discussions. Confirming this list will allow external organisations to be notified of their Council liaison.

8.1.1 Financial implications: Elected Members may claim mileage in accordance with the Elected Members Allowances Policy 2023 and within budget. Increased meeting attendance may result in higher mileage costs.

8.2 Option 2 – Amending the list at the meeting on 18 December 2025 will have minimal impact. Significant changes may require deferring parts of this report to a future meeting, delaying confirmation of appointments.

8.2.1 There are no financial implications to this option.

9. Preferred Options and Reasons

9.1. The preferred option is Option 1.

9.2. This option enables elected members to develop strong working relationships within the communities they represent.

10. Recommendations

10.1. That the report be received.

10.2 That Council confirms the appointments to committees, community organisations, liaison roles, and other appointments for the 2025-2028 Triennium.

Barbara Phillips
Chief Executive

Appendix 1: Appointments to Committee, Community Organisations and Other Appointments

APPOINTMENTS TO EXTERNAL COMMITTEES AND GROUPS

Organisation	Recommendation
Destination Management Plan – Reference Group	Recommendation: Her Worship the Mayor
Development West Coast – Appointment Panel	Recommendation: Her Worship the Mayor Cr Gillett (Delegate)
District Licensing Committee (DLC) The purpose of the group is to consider and determine applications made under the Sale and Supply of Alcohol Act 2012. The Commissioner was appointed from 14 December 2023 for a term of up to 5 years. Committee Members were appointed from 29 April 2021 for a term of up to 5 years.	Murray Clearwater (Commissioner) (Committee Members): <ul style="list-style-type: none"> • Jim McDermott • Jacqui Low • Miriama Johnson • Alan Stobie
Future Franz The purpose of the Working Group is to work in a collaborative manner to plan for the future of the Franz Josef/Waiau area in regard to the challenges it faces.	Recommendation: Her Worship the Mayor Cr Manera Cr Munns
Franz Josef/Waiau Rating District Joint Committee Mayor and two Southern Ward Councillors The purpose of the Committee to jointly manage the maintenance of the Franz Josef/Waiau flood defence assets, via a Joint Committee of the two Councils (West Coast Regional Council and Westland District Council), Te Rūnanga o Makaawhio, Waka Kotahi, Department of Conservation and community members.	Recommendation: Her Worship the Mayor Cr Manera Cr Munns
Hokitika Rating District Joint Committee Mayor and two Councillors The purpose of the Committee is to jointly manage the maintenance of the Hokitika foreshore and river area and the sea and river protection works for the Hokitika Rating District and community, via a Joint Committee of the two Councils (West Coast Regional Council and Westland District Council), Chairs of Te Rūnanga o Ngati Waewae and Te Rūnanga o Makaawhio.	Recommendation: Her Worship the Mayor Deputy Mayor Burden Cr Martin
Local Waters Done Well	Recommendation: Her Worship the Mayor Deputy Mayor Burden Cr Maitland

APPENDIX 1

Organisation	Recommendation
Te Tai o Poutini Plan (TTPP) <p>The Te Tai o Poutini Plan (TTPP) is the combined District Plan for the West Coast, covering Buller, Grey and Westland Districts.</p>	Recommendation: <p>Cr Maitland</p>
West Coast Regional Transport Committee <p>This Joint Committee is a Committee of Council that is required under section 105 of the Land Transport Management Act. Council is required to appoint one elected member as a representative on this Committee.</p>	Recommendation: <p>Her Worship the Mayor Deputy Mayor Burden</p>
Membership of Civil Defence Emergency Management Groups - West Coast Emergency Management Group <p>Section 13 of the Civil Defence and Emergency Management Act 2002 states that "Each local authority that is a member of a Group with other local authorities must be represented on the Group by 1, and only 1, person, being the mayor or chairperson of that local authority or an elected person from that local authority who has delegated authority to act for the mayor or chairperson."</p>	Recommendation: <p>Her Worship the Mayor</p>

LIAISON ROLE WITH COMMUNITY ORGANISATIONS

Organisation	Recommendation
Otira Community Association	Recommendation: Deputy Mayor Burden Cr Mackenzie Cr Maitland
Kumara Residents Association	Recommendation: Deputy Mayor Burden Cr Mackenzie Cr Maitland
Destination Hokitika	Recommendation: Her Worship the Mayor Cr Gillett Cr Martin
Heritage Hokitika	Recommendation: Her Worship the Mayor Cr Gillett
Heritage West Coast	Recommendation: Her Worship the Mayor Cr Gillett
Safe Community Coalition <i>(The Safe Community Coalition terms of reference do not stipulate membership; however elected members have attended meetings in the past.)</i>	Recommendation: Cr Maitland Cr Martin
Kokatahi/Kowhitirangi Community Association	Recommendation: Deputy Mayor Burden Cr Mackenzie Cr Maitland
Ross Community Society	Recommendation: Deputy Mayor Burden Cr Mackenzie Cr Maitland
Hari Hari Community Association	Recommendation: Cr Manera Cr Munns

APPENDIX 1

Organisation	Recommendation
Whataroa Community Association	Recommendation: Cr Manera Cr Munns
Ōkārito Community Association	Recommendation: Cr Manera Cr Munns
Franz Inc.	Recommendation: Cr Manera Cr Munns
Franz Josef/Waiau Community Forum	Recommendation: Cr Manera Cr Munns
Glacier Country Tourism Group	Recommendation: Cr Manera Cr Munns
Fox Glacier Community Association	Recommendation: Cr Manera Cr Munns
Haast Community	Recommendation: Cr Manera Cr Munns

INTERNAL APPOINTMENTS TO WORKING GROUPS AND COMMITTEES

Working Groups	Name
Central Business District Working Group	Recommendation: Her Worship the Mayor Deputy Mayor Burden – Project Sponsor Hokitika Ward Councillor Kw Madgwick Kw Tumahai Chief Executive Hokitika-Westland isite Manager (Project Manager) Asset Strategy and Development Manager (Project Team Leader)

APPENDIX 1

Hokitika Racecourse Development Working Group	Recommendation: Her Worship the Mayor Cr Munns Cr Walker
Committees	Name
Creative Communities Local Assessment Committee	Recommendation: Cr Martin Cr Walker
Dog Control Hearing Committee (Quorum is 3 members)	Recommendation: Her Worship the Mayor Cr Maitland Cr Martin
Sport NZ Rural Travel Fund – Allocation Committee	Recommendation: Cr Martin Cr Walker

Report to Council



DATE: 18 December 2025

TO: Mayor and Councillors

FROM: Chief Executive

ADOPTION OF TERMS OF REFERENCE FOR COMMITTEES AND SUBCOMMITTEES

1. Summary

- 1.1. The purpose of this report is for the Council to adopt the Terms of Reference and appointment of members for the Chief Executive's Review Committee, Council Controlled Organisation Oversight Subcommittee, and Risk and Assurance Committee, Hokitika Wastewater Treatment Plant Project Oversight Subcommittee, and the Tenders Subcommittee.
- 1.2. This issue arises from the establishment of the three Standing Committees and two Subcommittees by the Mayor and the requirement to be clear as to the role of the Committees and Subcommittees.
- 1.3 Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2024, which are set out in the Enhanced Annual Plan 2024/2025. Refer page 2 of the agenda.
- 1.4 This report concludes by recommending that Council adopt the Terms of Reference and appointment of members for the Chief Executive's Review Committee, Risk and Assurance Committee, Council Controlled Organisation Oversight Subcommittee, Hokitika Wastewater Treatment Plant Project Oversight Subcommittee, and the Tenders Subcommittee.

2. Background

- 2.1 The reason the report has come before the Council is due to the Mayor has established the committee structure of the Council and appointed the respective chairs of the committees and subcommittees under [s.41A](#) of the Local Government Act 2002.
- 2.2 Her Worship the Mayor appointed Cr Reilly Burden as Deputy Mayor at the Inaugural Council meeting on 23 October 2025.
- 2.3 Council determined that a committee structure would be more relevant and effective than a portfolio system, as there was a lack of clarity around the purpose and expected outcomes of the portfolio system.

3. Current Situation

- 3.1 The current situation is that the Mayor has established a Committee and Subcommittee structure and a Chairperson for each Committee. To give effect to the Mayor's declaration, it is necessary for the Council to agree on the Terms of Reference for each Committee or Subcommittee. The membership of each Committee has already been adopted by Council at the Triennial Council meeting held on 23 October 2025.

3.2 The Mayor has indicated that she wishes each Committee and Subcommittee to be responsible for the following matters:

i) Chief Executive's Review Committee

Delegations of the Committee:

- Approving the employment agreement between the local authority and the chief executive and setting key performance indicators in a performance agreement.
- Working with the chief executive on the implementation of the performance agreement.
- Conducting any performance reviews required by the performance agreement.
- Making decisions about the remuneration of the chief executive.
- Conducting any statutory performance reviews under clauses 34 and 35 of Schedule 7 of the Act.
- Deciding any other issues that may arise in the relation to the employment or performance of the chief executive.
- Fulfilling the local authority's contractual obligations to the chief executive.
- Approving any legal representation on performance-related issues or defamation proceedings.
- Disciplinary or performance issues that may need to be addressed/investigated relating to the chief executive.

ii) Council Controlled Organisation Oversight Committee

The purpose of the Council Controlled Organisation Oversight Committee is to have a general overview of the strategy, direction and priorities of the Council Controlled Organisations, and monitor the performance and delivery on strategic outcomes of Council Controlled Organisations by:

- Review of CCO strategy documents
- Review of Statement of Intent
- Recommending to Council on the content of annual letters of expectations
- Monitor the performance of each of the organisations
- Promoting a culture of openness and continuous improvement.

iii) Risk and Assurance Committee

Delegations to the Committee

- The Risk and Assurance Committee can conduct and monitor special investigations in accordance with Council policy, including engaging expert assistance, legal advisors, or external auditors, and where appropriate, recommend action (s) to Council.
- Subject to any expenditure having been approved in the Long-Term Plan or Annual Plan the Risk and Assurance Committee has delegated authority to approve:
 - Risk management and internal audit programmes.
 - The appointment of the internal auditor, risk management and internal audit programmes, audit engagement letters and letters of undertaking for audit functions, and additional services provided by the external auditor.
 - The proposal and scope of the internal audit.

iv) Hokitika Wastewater Treatment Plant Project Oversight Committee

Delegations to the Subcommittee

The Hokitika WWTP Project Oversight Subcommittee will have the following delegated powers and be accountable to the Council for the exercising of these powers. In exercising the delegated powers, the Subcommittee will operate within:

- Policies, plans, standards, or guidelines that have been established and approved by Council;
- The overall priorities of the Council;
- The needs of Iwi and the local communities; and
- The approved budgets for the activity.

The Hokitika WWTP Project Oversight Subcommittee will have delegated authority to:

- Define the overall objectives and values of the Hokitika WWTP project.
- Power to co-opt technical advice as appropriate.
- All powers necessary to perform the Subcommittee's responsibilities except:
 - Powers that the Council cannot legally delegate or has retained for itself.
 - Where the Subcommittee's responsibility is limited to making a recommendation only.
 - Deciding significant matters for which there is high public interest, and which are controversial.
 - The commissioning of reports on new policy where that policy programme of work has not been approved by the Council.

v) Tenders Subcommittee

Delegations to the Subcommittee

The Tenders Subcommittee will have the following delegated powers and will be a Subcommittee of the Risk and Assurance Committee.

- In accordance with the Council's Adopted Delegations Manual, the Chief Executive has delegated authority to sign off tenders less than \$100,000.
- Tenders from \$100,000 to \$499,999 must be approved by the Tenders Committee.
- Tenders from \$500,000 and greater must be approved by the full Council.

4. Options

- 4.1. Option 1: Adopt the Terms of Reference for each Committee and Subcommittee.
- 4.2. Option 2: Request changes to the Terms of Reference for each Committee and Subcommittee.
- 4.3. Option 3: Do not adopt the Terms of Reference for each Committee and Subcommittee.

5. Risk Analysis

- 5.1. Risk has been considered, and no risks have been identified.

6. Health and Safety

- 6.1. Health and Safety has been considered, and no items have been identified.

7. Significance and Engagement

7.1. The level of significance has been assessed as being administrative in nature and therefore of low significance.

7.1.1. No public consultation is considered necessary.

8. Assessment of Options (including Financial Considerations)

8.1. Option 1 – Adopt the Terms of Reference for each Committee and Subcommittee and confirm the appointments. This will enable efficient and effective decision-making for some of the more complex governance processes.

The Council must adopt the Terms of Reference before any Committees can start operating.

For the matters delegated to the Committees, good process can be just as important, if not more so, than the final decision.

8.1.1. There are no financial implications to this option.

8.2. Option 2 – Request changes to the Terms of Reference and confirm the Council appointments.

8.2.1 There are no financial implications to this option.

8.3 Option 3 – Do not adopt the Terms of Reference for the Committee and Subcommittees.

8.3.1 There are no financial implications to this option.

9. Preferred Options and Reasons

9.1. The preferred option is Option 1.

9.2. The reason that Option 1 has been identified as the preferred option is to enable efficient and effective decision-making for some of the more complex governance processes.

10. Recommendations

10.1. That the report be received.

10.2. That the Council adopts the Terms of Reference for the following Committees and Subcommittees:

Standing Committees

- Chief Executive's Review Committee
- Council Controlled Organisation Oversight Committee
- Risk and Assurance Committee

Subcommittees

- Hokitika Wastewater Treatment Plant Project Oversight Subcommittee.
- Tenders Subcommittee (noting the appointment of a Northern Ward Councillor to the Subcommittee).

10.3. That the Terms of Reference for the Committees be updated in the Delegations Manual.

10.4. That the Local Governance Statement be updated.

Barbara Phillips
Chief Executive

- Appendix 1:** Terms of Reference for the Chief Executive's Review Committee
- Appendix 2:** Terms of Reference for the Council Controlled Organisation Oversight Committee
- Appendix 3:** Terms of Reference for the Risk and Assurance Committee
- Appendix 4:** Terms of Reference for the Hokitika Wastewater Treatment Plant Project Oversight Subcommittee
- Appendix 5:** Terms of Reference for the Tenders Subcommittee

TERMS OF REFERENCE FOR THE CHIEF EXECUTIVE'S REVIEW COMMITTEE

Title	Chief Executive's Review Committee
Authorising Body	Mayor/Council
Status	Standing Committee
Quorum	Chair plus 2 members
Adopted by Council	18 December 2025
Administrative Support	Chief Executive Office

Role of the Chief Executive's Committee

The Committee employs the Chief Executive, who, in turn, employs and manages Council staff. Council, therefore, has a responsibility to set and monitor the performance of the Chief Executive.

Membership

The Chief Executive Review Committee will comprise the following:

- Her Worship the Mayor (Chair)
- Deputy Mayor Burden
- Kw Tumahai
- Cr Manera

Quorum

The quorum at any meeting of the Committee shall be the Chairperson and any two members.

Frequency of Meetings

The Chief Executive's Review Committee shall meet at least twice per year but may convene more frequently as required.

Conduct of Affairs

The Committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, and Local Authorities (Members' Interests) Act 1968, the Council's Standing Orders, and the Code of Conduct.

Committees Responsibilities

The Committee's responsibilities are described below:

Performance of the Chief Executive

- Review the Chief Executive's performance as required in the employment agreement between the Council and the Chief Executive.
- Annually consider the Chief Executive's remuneration.
- Supervise any recruitment and selection process for a Chief Executive.
- Consider any issues regarding the employment of the Chief Executive.
- The Committee may procure independent specialist advice to assist with the relationship and oversight of the Chief Executive's performance in accordance with Council's procurement policy and processes.

Delegations of the Committee:

- Approving the employment agreement between the local authority and the Chief Executive and setting key performance indicators in a performance agreement.
- Working with the Chief Executive on the implementation of the performance agreement.
- Conducting any performance reviews required by the performance agreement.
- Making decisions about the remuneration of the Chief Executive.
- Conducting any statutory performance reviews under clause 35 and 35 of Schedule of the Act.
- Deciding any other issues that may arise in relation to the employment or performance of the Chief Executive.
- Fulfilling the local authority's contractual obligations to the Chief Executive.
- Approving any legal representation on performance-related issues or defamation proceedings as directed by the full Council.
- Disciplinary or performance issues that may need to be addressed/investigated relating to the Chief Executive.

Minutes of meetings:

The Committee shall record minutes of all its proceedings.

Adopted by Council – 18 December 2025

TERMS OF REFERENCE FOR THE COUNCIL CONTROLLED ORGANISATION OVERSIGHT COMMITTEE

Title	Council Controlled Organisation Oversight Committee
Authorising Body	Mayor/Council
Status	Standing Committee
Quorum	Chair plus 2 members (must include 1 Councillor)
Adopted by Council	18 December 2025
Adopted by Committee	
Administrative Support	Chief Executive Office

This document outlines the Terms of Reference for the Council Controlled Organisation Oversight Committee.

The Chief Executive will be responsible for coordinating agendas and be the principal point of contact for committee members.

1. Purpose

The purpose of the Council Controlled Organisation Oversight Committee is to have a general overview of the strategy, direction and priorities of the Council Controlled Organisations, and monitor the performance and delivery on strategic outcomes of Council Controlled Organisations by:

- Review of CCO strategy documents
- Review of Statement of Intent
- Recommending to Council on the content of annual letters of expectations
- Monitor performance of each of the organisations
- Promoting a culture of openness and continuous improvement.

2. Responsibilities

Review of Strategy documents

- Ensure that the strategy documents align with Council direction and policy.
- Making recommendations to Council regarding endorsement of strategic plans and business plans.
- Review CCO requests for major transaction approval and recommend appropriate actions by Council.
- Monitor performance and risks related to the delivery of strategic outcomes.

Statements of Intent

- Recommend to the Council on the content of the annual letters of expectations to each CCO.
- Review draft Statement of Intent (Sol) to ensure that the Sol provides clarity and direction for both the CCO's and Council.
- Recommendation of adopting of Sol's to the Council.

Accountability and monitoring

- Review of Sol and recommending adoption to Council.
- Review of the CCO Annual Report, which must include a comparison of its actual and intended performance (as set out in its statement of intent) and audited financial statements and recommending adoption to Council.
- Review of half-yearly report for shareholders on the operations during the half year, including information required by its Sol and financial information.
- Review of quarterly management accounts.

Director appointments and board evaluations

- Identify director appointments that have the requisite skills, knowledge and experience for the respective CCO board in line with the Council's Controlled Organisation Director Appointment Policy.
- Make recommendations to Council for the appointment.
- Carry out director reviews and board reviews.
- Review remuneration and make recommendations to Council.

Other Matters

- Report half-yearly to Council on the performance against financial and non-financial KPI's as required in the Sol.
- Review CCO policies and suggest relevant changes.

3. Delegated Authority

- To appoint a specialist consultant or recruitment advisor to assist with shortlisting suitable candidates if required.
- To reappoint suitable directors without further approval from Council.

The CCO Oversight Committee can recommend to Council

- Recommendations as to the content of letters of expectation.
- Approval of strategic plans.
- Adoption of Statement of Intent.
- Adoption of Annual Reports.
- Appointment of suitable director appointments.
- Remuneration changes.

Power to delegate

The CCO oversight committee may not delegate any of its responsibilities, duties or powers.

4. Committee Meetings, records and reporting structure

- The committee will meet at least quarterly in each financial year.
- One meeting must consider the CCO's draft annual report before adoption of the annual reports by Council.
- Minutes of the committee be presented to the Council for its consideration.
- Report to the Council at least twice a year on the performance of the CCO's.
- The committee will be attended by a representative of External Audit for one meeting each year.

Role of Chair

The role of Chair is key to achieving committee effectiveness, to achieve this;

- The Chair should take ownership of, and have final say in, the decisions about what business will be pursued at any particular meeting.
- The Chair should ensure that after each meeting appropriate reports (minutes) are prepared from the CCO Oversight Committee to the Council.
- Encourage good, open relationships between the CCO Oversight Committee, CE, Elected members and internal and external auditors.

Committee Membership

- Her Worship the Mayor (Chair)
- Deputy Mayor Burden
- Cr Gillett
- Kw Madgwick
- Kw Tumahai

The Committee Chair will be the spokesperson on matters of public interest within the committee's scope of work. On technical matters or where the status is still at the staff proposal level, senior staff may be the appropriate spokesperson. Where necessary and practical the Committee Chair and senior staff will confer to determine the most appropriate course of action for advising the public.

The Committee shall record minutes of all its proceedings.

Adopted by Council – 18 December 2025

TERMS OF REFERENCE FOR THE RISK & ASSURANCE COMMITTEE

Title	Risk and Assurance Committee
Authorising Body	Mayor/Council
Status	Standing Committee
Quorum	Chair plus 2 members (must include 1 Councillor)
Adopted by Council	18 December 2025
Administrative Support	Chief Executive Office

This document outlines the Terms of Reference for the Risk and Assurance Committee.

The Chief Executive (CE) will assign the Quality Assurance Manager (QAM) to the Committee. The QAM will be responsible for coordinating agendas and will be the principal point of contact for committee members.

1. Purpose

The purpose of the Risk and Assurance Committee is to contribute to improving the governance, performance, and accountability of the Westland District Council by:

- Ensuring that the Council has appropriate financial, health and safety, risk management and internal control systems in place.
- Seeking reasonable assurance as to the integrity and reliability of the Council's financial and non-financial reporting.
- Provide a communication link between management, the Council and the external and internal auditors and ensure their independence and adequacy.
- Promoting a culture of openness and continuous improvement.

2. Responsibilities

Risk Management

- Review the risk management framework and associated manual to ensure they are current, comprehensive, and appropriate for effective identification and management of Council's risks.
- Assist Council with determining 'risk appetite'.
- Review the effectiveness of the Council's risk management framework.
- Review the effectiveness of the risk assessment and management policies and processes.
- Review risk management reporting on a quarterly basis.

Audit and External Accountability

- Engage with Council's external auditors regarding the external audit work programme and agree the terms and arrangements of the external audit
- Recommend to Council the terms and arrangements for the external audit programme
- Review of the effectiveness of the annual audit and Long-Term Plan audit
- Oversee the preparation of and review key formal external accountability documents such as the Long-Term Plan and the Annual Report in order to provide advice and recommendations to Council in respect of the appropriateness of the documents and disclosures made.
- To review in depth the Council's annual report and recommend the adoption of the annual report to Council.
- Monitor the organisation's response to the external audit reports and the extent to which recommendations are implemented.
- To engage with the external auditors on any one-off assignments.

Internal Control

- Review the existence and quality of cost-effective internal control systems and the proper application of procedures.
- Monitor the delivery of the internal audit work programme.
- Review the annual internal audit plans and assess whether resources available to internal audit are adequate to implement the plans, and
- Assess whether all significant recommendations of the internal audit have been properly implemented by management.
- Monitor existing corporate policies and recommend new corporate policies to prohibit unethical, questionable, or illegal activities. This also includes reviewing and monitoring policies and procedures.
- Review the effectiveness of the control environment established by management, including computerised information systems controls and security. This also includes reviewing and monitoring of the documentation of policies and procedures.
- Review the existence and quality of cost-effective health and safety management systems and the proper application of the health and safety management policy and processes.
- Review the Council's insurance policies on an annual basis.

Other Matters

- Review reports related to any protected disclosure, ethics, bribery, and fraud-related incidents and assist in any investigations related to these matters.
- Review the process of the development of the financial strategy and infrastructure strategy as required by the Long-Term Plan.
- Monitor Council's treasury activities to ensure that it remains within policy limits, where there are good reasons to exceed policy, that this be recommended to Council.
- Review any other policies.
- Ensure compliance with applicable laws, regulations, standards, and best practice guidelines.
- The Risk and Assurance Committee will also periodically review its own effectiveness and report the results of that review to the Council.

3. Delegated Authority

- The Risk and Assurance Committee can conduct and monitor special investigations in accordance with Council policy, including engaging expert assistance, legal advisors, or external auditors, and where appropriate, recommend action (s) to Council.
- Subject to any expenditure having been approved in the Long-Term Plan or Annual Plan the Risk and Assurance Committee have delegated authority to approve:
 - Risk management and internal audit programmes.
 - The appointment of the internal auditor, risk management and internal audit programmes, audit engagement letters and letters of undertaking for audit functions, and additional services provided by the external auditor.
 - The proposal and scope of the internal audit.

The Risk and Assurance Committee can recommend to Council

- Governance policies associated with Council's financial, accounting, risk management, compliance and ethics programmes, and internal control functions, including the Liability Management Policy, Treasury Policy, Sensitive Expenditure Policy, Fraud Policy, and Risk Management Policy.
- Accounting treatments, changes in generally accepted accounting practice (GAAP).
- New accounting and reporting requirements.

Power to delegate

The Audit and Risk Committee may not delegate any of its responsibilities, duties, or powers.

4. Committee Meetings, records, and reporting structure

- The committee will meet at least quarterly in each financial year.
- One meeting must consider the draft annual report prior to adoption of the annual report by Council.
- Minutes of the committee will be presented to the Council for its consideration
- Report to the Council at least twice a year on the effectiveness of internal controls, risk management and financial reporting, noting any recommendations for improvement.
- The committee will be attended by a representative of External Audit for one meeting each year.

Role of Chair

The role of Chair is key to achieving committee effectiveness, to achieve this;

- The chair should meet with the QAM before each meeting to discuss and agree the business for the meeting.
- The Chair should take ownership of, and have final say in, the decisions about what business will be pursued at any particular meeting.
- The Chair should ensure that after each meeting appropriate reports and minutes are prepared from the Risk and Assurance Committee to the Council.
- Encourage good, open relationships between the Risk and Assurance Committee, CE, QAM and Chief Financial Officer and internal and external auditors.

Committee Membership

- Independent Chair
- Her Worship the Mayor
- Councillor Mackenzie
- Councillor Martin
- Kw Tumahai

The Committee Chair will usually be the spokesperson on matters of public interest within the committee's scope of work. Some issues may be of such public interest that it is more appropriate for the Mayor to be the spokesperson. On technical matters or where the status is still at the staff proposal level, senior staff may be the appropriate spokesperson. Where necessary and practical, the Mayor, Committee Chair and senior staff will confer to determine the most appropriate course of action for advising the public.

The Committee shall record minutes of all its proceedings.

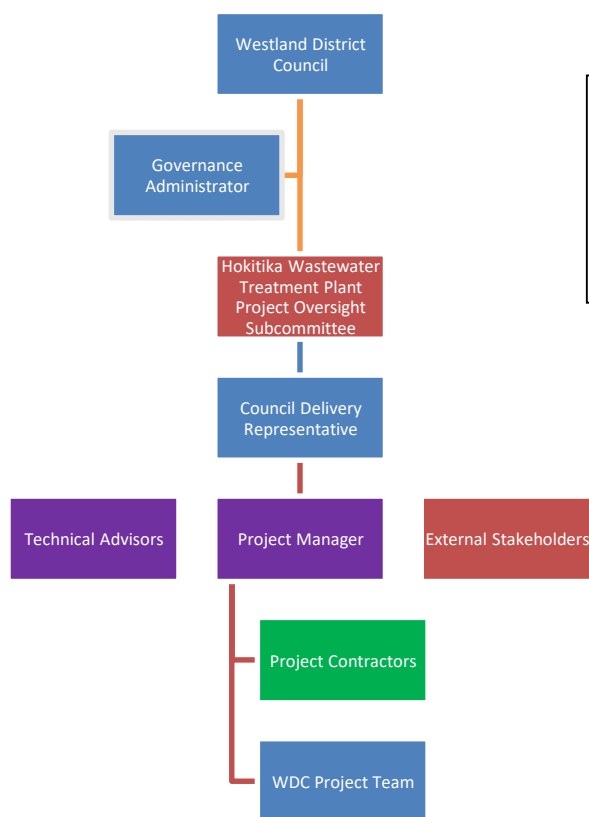
Adopted by Council – 18 December 2025

TERMS OF REFERENCE FOR THE HOKITIKA WASTEWATER TREATMENT PLANT PROJECT OVERSIGHT SUBCOMMITTEE

Title	Hokitika Wastewater Treatment Plant Project Oversight Subcommittee
Authorising Body	Mayor/Council
Status	Subcommittee of Council
Quorum	The Chair plus two members, one of whom must be an Iwi representative
Adopted by Council	18 December 2025
Administrative Support	Chief Executive's Office

Purpose

The purpose of the Hokitika Wastewater Treatment Plant (WWTP) Project Oversight Subcommittee is to oversee the Governance of the Hokitika Wastewater Treatment Plant Project. This Subcommittee honours the MoU between Westland District Council (WDC) and Poutini Ngāi (Kāi) Tahu in an equal partnership to support significant issues and projects within the WDC boundary. The makeup of the Subcommittee represents an equal partnership to ensure stakeholders are represented to provide guidance on the strategy of the project.



GOVERNANCE
 Hokitika WWTP Oversight Subcommittee
 Made up of equal representation of WDC and Iwi representatives.
 WDC reps: Mayor and 3 Councillors
 Iwi representatives: 4

Responsibility

The Hokitika WWTP Project Oversight Subcommittee is responsible for the following:

- Defining the overall objectives and values of the Hokitika WWTP project.
- The contribution each proposal would have towards achieving the objectives.
- Financial sustainability of each proposal.
- Ensuring the prioritisation of projects reflects community needs.
- Working closely with all key stakeholders of the project.

In connection with the project, the Subcommittee shall receive regular reports from project management containing such information it deems relevant to fulfil its mandate, including but not limited to information concerning:

- Project timetable, critical path events and progress to completion.
- Major project milestones, including variance analysis and mitigation strategies.
- Key issues or disputes and proposed mitigation strategies.
- Project budget updates, showing actual expenditures versus budget, use of contingencies and projected final expenditures.
- Assist with bridging project barriers outside the influence of staff.

The Subcommittee will report to Council on a regular basis to provide updates as required.

Delegations to the Subcommittee

The Hokitika WWTP Project Oversight Subcommittee will have the following delegated powers and be accountable to the Council for the exercise of these powers. In exercising the delegated powers, the Subcommittee will operate within:

- Policies, plans, standards, or guidelines that have been established and approved by Council;
- The overall priorities of the Council;
- The needs of Iwi and the local communities; and
- The approved budgets for the activity.

The Hokitika WWTP Project Oversight Subcommittee will have delegated authority to:

- Define the overall objectives and values of the Hokitika WWTP project.
- Power to co-opt technical advice as appropriate.
- All powers necessary to perform the Subcommittee's responsibilities except:
 - Powers that the Council cannot legally delegate or has retained for itself.
 - Where the Subcommittee's responsibility is limited to making a recommendation only.
 - Deciding significant matters for which there is high public interest, and which are controversial.
 - The commissioning of reports on new policy where that policy programme of work has not been approved by the Council.

Power to Delegate

The Hokitika WWTP Project Oversight Subcommittee may not delegate any of its responsibilities, duties or powers.

Membership

The Hokitika WWTP Project Oversight Subcommittee will comprise the following, one of which will be the chairperson:

- Her Worship the Mayor (Chair)
- Deputy Mayor Burden
- E Weepu – Ngati Waewae
- P Adams – Ngati Maahaki
- S McLaren – Ngati Maahaki
- J Russell – Ngati Waewae

Chairperson

The Chairperson is responsible for:

- The efficient functioning of the Subcommittee;
- Setting the agenda for Subcommittee meetings in conjunction with the Chief Executive; and
- Ensuring that all members of the Subcommittee receive sufficient timely information to enable them to be effective Committee members.

The Chairperson will be the link between the Subcommittee and Council staff.

The Chair appointment will be reviewed and appointed following the selection of Councillors at each new Triennium.

Remuneration

Remuneration for iwi representatives will be \$250.00 per meeting and is to be funded by Westland District Council. A Koha will also be offered for utilisation of the Arahura Marae (when hosting meetings).

Frequency of Meetings

The Subcommittee shall meet as required but not less than quarterly. Every alternative meeting will be hosted by Arahura Marae.

Relationships with Other Parties

- The Chief Executive is responsible for servicing and providing support to the Subcommittee in the completion of its duties and responsibilities. The Chief Executive shall assign council staff as required to provide these functions on their behalf.
- The Chairperson may request the Chief Executive and staff in attendance to leave the meeting for the duration of the discussion. The Chairperson will provide minutes for that part of the meeting.
- The Subcommittee acknowledges that there are a number of external stakeholders interested in the outcome of the project and whilst they do not form part of the membership of the Subcommittee, they will be consulted on any aspect of the Subcommittee's work that they will be impacted by.

Contacts with Media and Outside Agencies

- The Subcommittee Chairperson is the authorised spokesperson for the Subcommittee in all matters where the Subcommittee has the authority or a particular interest.
- The Subcommittee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of the Council on matters outside of the Subcommittee's delegations.
- The Chief Executive will manage the formal communications between the Subcommittee and its constituents and for the Subcommittee in the exercise of its business. Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of the Westland District Council.

Conduct of Affairs

The Subcommittee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, the Council's Standing Orders and Code of Conduct.

Public Access and Reporting

Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:

- Workshops may be held to provide an opportunity for councillors to give guidance to staff on the next steps (direction setting); however, they cannot make decisions or formal resolutions.
- Extraordinary meetings of the Subcommittee must be held in accordance with Standing Orders.

The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in s.48 of the Local Government Official Information and Meetings Act 1987.

Minutes of meetings:

The Committee shall record minutes of all its proceedings.

Adopted by Council – 18 December 2025

TERMS OF REFERENCE FOR THE TENDERS SUBCOMMITTEE

Title	Tenders Subcommittee
Authorising Body	Mayor/Council
Status	Subcommittee of the Risk and Assurance Committee
Quorum	Chair plus two members
Adopted by Council	18 December 2025
Administrative Support	Chief Executive's Office

Purpose

The purpose of the Tenders Subcommittee is as follows:

1. To approve conforming tenders with value between \$100,000 and \$499,999 with preference to lowest conforming tenders.
2. To approve the extension of the term of contracts in accordance with special conditions of the contracts, subject to good performance and there be no chance of a new tender delivering more attract rates/outputs.
3. Overhead review of contractor performance.

Responsibility

The Tenders Subcommittee is responsible for:

1. Considering tender evaluations presented by General Managers/Consultants for work with a value between \$100,000 and \$499,999. The subcommittee will in its deliberations provide for:
 - Taking into account the advice provided by staff/consultants
 - Giving preference to the lowest conforming tenders.
2. Recommendations to Council on recommendations by General Managers regarding contractor performance.

Report to the Risk and Assurance Committee on a regular basis concerning all large capital project updates as required.

Delegated Authority

In accordance with the Council's Adopted Delegations Manual, the Chief Executive has delegated authority to sign off on tenders less than \$100,000.

Tenders from \$100,000 to \$499,999 must be approved by the Tenders Committee.

Tenders from \$500,000 and greater must be approved by the full Council.

Power to Delegate

The Tenders Subcommittee may not delegate any of its responsibilities, duties or powers.

Membership

The subcommittee will comprise of the following:

- Her Worship the Mayor (Chair)
- Northern Ward Councillor (TBC)
- Cr Gillett
- Cr Manera
- Kw Tumahai
- Kw Madgwick

Chairperson

The Chairperson is responsible for:

- The efficient functioning of the subcommittee
- Setting the agenda for subcommittee meetings in conjunction with the Chief Executive
- Ensuring that all members of the subcommittee receive sufficient timely information to enable them to be effective subcommittee members.

The Chairperson will be the link between the subcommittee and Council staff.

Quorum

The quorum at any meeting of the subcommittee shall be the Chairperson and any two members.

Frequency of Meetings

The subcommittee shall meet as and when required.

Relationships with Other Parties

The Chief Executive is responsible for servicing and providing support to the subcommittee in the completion of its duties and responsibilities. The Chief Executive shall assign council staff as required to provide these functions on their behalf.

The Chairperson may request the Chief Executive and staff in attendance to leave the meeting for the duration of the discussion. The Chairperson will provide minutes for that part of the meeting.

Contacts with Media and Outside Agencies

The Subcommittee Chairperson is the authorised spokesperson for the subcommittee in all matters where the subcommittee has the authority or a particular interest.

Subcommittee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of the Council on matters outside of the subcommittee's delegations.

The Chief Executive will manage the formal communications between the subcommittee and its constituents and for the subcommittee in the exercise of its business. Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of the Westland District Council.

Conduct of Affairs

The subcommittee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, the Council's Standing Orders and Code of Conduct.

Public Access and Reporting

Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:

- Workshops may be held to provide an opportunity for councillors to give guidance to staff on the next steps (direction setting), however, they cannot make decisions or formal resolutions.
- Extraordinary meetings of the subcommittee must be held in accordance with Standing Orders.

The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in s.48 of the Local Government Official Information and Meetings Act 1987.

Minutes of meetings

The subcommittee shall record minutes of all its proceedings.

Adopted by Council – 18 December 2025

Report to Council



DATE: 18 December 2025

TO: Mayor and Councillors

FROM: Chief Executive

MANATU WHAKAAETANGA PARTNERSHIP AGREEMENT

1. Summary

- 1.1. The purpose of this report is to present the agreement between Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio (together known as Poutini Ngāi Tahu) and Westland District Council -Te Kahui o Poutini.
- 1.2. This issue arises from a previous partnership agreement established in 2018 for a three-year term, which expired in 2021. The agreement was renewed from 27 June 2024 to 27 June 2027. It is now timely to align the agreement with the local authority election cycle; therefore, the proposed renewal period is 18 December 2025 to 18 December 2028.
- 1.3 Council seeks to meet its obligations under the Local Government Act 2002 and deliver on the District Vision adopted in June 2024, as outlined in the Enhanced Annual Plan 2024/2025 (refer to page 2 of the agenda).
- 1.4 This report recommends that Council receive and confirm the amended partnership agreement between Westland District Council and Te Rūnanga o Ngati Waewae and Te Rūnanga o Makaawhio.

2. Background

- 2.1 In 2018, Council invited the Chairs of Te Rūnanga o Ngati Waewae and Te Rūnanga o Makaawhio to attend and participate in Council meetings and business, acknowledging and strengthening Council's partnership with Mana Whenua of Westland.
- 2.2 The initial agreement was for three years and was renewed in June 2024 for another three-year term. It is now proposed to realign the agreement with the Triennial election cycle. The Chairs of Te Rūnanga o Ngati Waewae and Te Rūnanga o Makaawhio provided input into the Partnership Agreement when it was renewed in June 2024.
- 2.3 The Partnership Agreement set out the framework for an ongoing relationship, including objectives, principles, expectations and deliverables between Poutini Ngāi Tahu, and the Council.

3. Current Situation

3.1 The Kaiwhakahaere (Chairs) of both Runanga currently:

- Attend and participate in Council meetings.
- Serve as full members of the Risk and Assurance Committee and any other committees or subcommittees appointed during the triennium.

3.2 Council has statutory obligations to:

- Improve communication and consultation with Tangata Whenua.
- Recognise the principles of Tiriti ō Waitangi.
- Facilitate Māori participation in decision-making.

3.3 Council believes that continued participation of Poutini Ngāi Tahu representatives will strengthen relationships and deliver social and economic benefits to the community.

3.4 Mechanisms for participation include:

- Attendance and participation in Council meetings.
- Appointment as full members of the Risk and Assurance Committee and other committees during the triennium.

4. Options

4.1 Option 1: Receive the report and adopt the Partnership Agreement.

4.2 Option 2: Receive the report and request changes to the Partnership Agreement.

4.3 Option 3: Receive the report and not adopt the Partnership Agreement.

5. Risk Analysis

5.1 Risk has been considered, and the following risks have been identified.

- Relationship Risk: Failure to adopt the agreement may weaken Council's relationship with the local Runanga.
- Reputational Risk: Community perception may be negatively impacted if Council does not provide for Rūnanga input into decision-making.

6. Health and Safety

6.1. Health and Safety has been considered, and no items have been identified.

7. Significance and Engagement

7.1. The level of significance has been assessed as administrative in nature and therefore low.

7.1.1. Public consultation is not considered necessary.

7.1.2. The Chairs of both Te Rūnanga o Ngati Waewae and Te Rūnanga o Makaawhio have both previously provided input into the Partnership Agreement.

8. Assessment of Options (including Financial Considerations)

8.1 Option 1 – To receive the report and adopt the partnership agreement.

8.1.1 There are no financial implications to this option.

8.1.2 This will maintain the status quo and strengthen the partnership.

8.2 Option 2 – To receive the report and request changes to the partnership agreement.

8.2.1 There are no financial implications to this option.

8.2.2 This is an option available to Council.

8.3. Option 3 – To receive the report and not adopt the partnership agreement.

8.3.1. There are no financial implications to this option.

8.3.2 This would mean that there is no formal agreement in place with the local Rūnanga and could weaken the partnership.

9. Preferred Options and Reasons

9.1 The preferred option is Option 1.

9.2 The reason that Option 1 has been identified as the preferred option is that:

- It meets statutory obligations under the Local Government Act 2002.
- It recognises Te Tiriti o Waitangi principles.
- It strengthens relationships and benefits the community.

10. Recommendations

10.1. That the report be received.

10.2 That Council confirms the Manatu Whakaaetanga partnership agreement between Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio, together known as Poutini Ngāi Tahu and Westland District Council -Te Kahui o Poutini for the 2025-2028 Triennium.

Barbara Phillips
Chief Executive

Appendix 1: Manatu Whakaaetanga Partnership Agreement



Manatu Whakaaetanga Partnership agreement

Mō Te Runanga o Ngāti Waewae me Te Rūnanga o Makaawhio ka hono tahi koPoutini Ngāi Tahu
ki Te Kahui o Poutini

Between Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio together known as Poutini Ngāi Tahu
and Westland District Council -Te Kahui o Poutini

Rā whakamana (date of agreement): 18 December 2025 to 18 December 2028

Whakataukī:

Naku te rourou nau te rourou ka ora ai te iwi

With your basket and my basket the people will thrive

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1. Te Kaupapa Matua (Purpose of this Partnership Agreement)

This Partnership Agreement (PA) sets out the framework for an ongoing relationship between Westland District Council and Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio. The purpose of this agreement is to outline the partnership objectives, principles, expectations and deliverables of the partnership between Poutini Ngāi Tahu, and Council.

Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio and the Council are committed to the long-term success of the partnership and enduring relationship, therefore will participate fully and contribute adequate resourcing at all levels

2. Te Tahuhu o te Waka Hourua (Partnership Background)

2.1 Ngā Rōpu (Parties):

Te Rūnanga o Ngāti Waewae

Te Rūnanga o Ngāti Waewae is the mandated representative body of Ngāti Waewae. The Rūnanga is a non-profit incorporated society with charitable status. It administers the iwi estates and assets within its takiwā (boundaries).

The takiwā of Te Rūnanga o Ngāti Waewae is centered in Arahura and Hokitika and extends from the north bank of the Hokitika River to Kahurangi and inland to the Main Divide. Together with a shared interest with Te Rūnanga o Makaawhio in the area situated between the north bank of the Puerua River and the south bank of the Hokitika River.

Te Rūnanga o Makaawhio

Te Rūnanga o Makaawhio is the mandated representative body of Ngāti Mahaki. The Rūnanga is a non-profit incorporated society with charitable status. It administers the iwi estates and assets within its Takiwā.

The takiwā of Te Rūnanga o Makaawhio is centred at Mahitahi (Bruce Bay) and extends from the south bank of the Puerua River to Piopiotahi (Milford Sound) and inland to the Main Divide. Together with a shared interest with Te Rūnanga o Ngāti Waewae in the area situated between the north bank of the Puerua River and the south bank of the Hokitika River.



Westland District Council / Te Kahui o Poutini

Westland District Council ("Council") is represented under this PA by the Mayor and elected members. The purpose of the Council is to enable democratic local decision-making and action by, and on behalf of, the Westland District community; and to meet the current and future needs of the Westland District community 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.

2.2 Te Rohe (Area covered by PA)

This PA relates to the geographical area defined as the Westland District as per Schedule A.

2.3 Te Hanga o Te Waka Hourua (Establishment of the partnership)

Ngāi Tahu has developed a unique organisational structure based on innovative legislation to ensure it can act and speak as a single entity. This structure, known as Papatipu Rūnanga, ensures the organisation can perform effectively and that the views of its members are heard and acted upon. Papatipu Rūnanga exist to uphold the mana of their people over the land, the sea and the natural resources. Each of the 18 Papatipu Rūnanga appoints a tribal member to represent its interests at Te Rūnanga o Ngāi Tahu, the governing council overseeing the tribe's activities. Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio are Papatipu Rūnanga of the Westland Rohe / Takiwā.

Collectively they are known as Poutini Ngāi Tahu.

Poutini Ngāi Tahu are Mana Whenua of Westland District, representing the early inhabitants of the lands here over the past millennium. As such Poutini Ngāi Tahu have a deep connection and commitment to the environment, economy, people and communities of the District. To this end, Poutini Ngāi Tahu have been consistent in their desire as Mana Whenua, to be more involved in the planning and decision making of Westland District Council and believe a stronger partnership could achieve this.

3. Te Pūnaha Waka Hourua (Partnership Model)

In 2018 the Council invited Poutini Ngāi Tahu Papatipu Rūnanga to participate as non-voting councillors in Council Meetings and also as full members of the Risk and Assurance Committee as follows:

1. Kaiwhakahaere (Chairs) of Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio attend and participate in council meetings and the business of Council, in acknowledgement of, and to further strengthen, Council's partnership with the Mana Whenua of Westland.

Council includes the Kaiwhakahaere (Chairs) of Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio as full members of the Risk and Assurance Committee, and any other committee or subcommittee appointed during the Triennium

The Terms of Reference for the Standing Committees and Subcommittee of Council will be updated to reflect this as necessary. Council has statutory and legal obligations to improve communication, consultation and its relationship with Tangata Whenua and Māori, to take account of the principles of the Tiriti ō Waitangi, and to facilitate participation by Māori in council decision-making processes.

The Council believes that participation of Poutini Ngāi Tahu kaiwhakahaere as full members of the Risk and Assurance Committee and any other committee or subcommittee appointed during the triennium and also participating in Council Meetings as non-voting councillors will not only strengthen the Council's partnership relationship with Iwi, Hapū and Rūnanga residing in Westland District, but will also bring social and economic benefits to the community.

The agreed model provides for the following mechanisms to enable Poutini Ngāi Tahu Papatipu Rūnanga participation in council decision making:

- The Kaiwhakahaere (Chairs) of Te Rūnanga o Ngati Waewae and Te Rūnanga o Makaawhio attend and participate in Council Meetings and the business of Council.
- The appointment of Kaiwhakahaere (Chairs) of Te Rūnanga o Ngati Waewae and Te Rūnanga o Makaawhio as full members of the Risk and Assurance Committee of Council and any other committee or subcommittee appointed during the triennium

4. Ngā Whāinga (Goals of the Partnership)

The parties commit to the following goals for the partnership under this PA:

- To provide a framework for the parties to work together towards improving Westland;
- To provide mechanisms and resources that assist Poutini Ngāi Tahu Papatipu Rūnanga to participate in Council policy, planning, and other decision-making processes;
- To facilitate the sharing of information to build a better understanding that enhances collaboration and strategic thinking about Westland's future;
- To identify strategic opportunities to work closely together for the betterment of Westland District;
- To actively support and promote the initiatives and assets of the parties, and
- To build iwi capacity and capability to partner with local government.

5. Ngā Mātāpono me Ngā Uaratanga (Principles & Values of the Relationship)

5.1 Ngā Mātāpono (Partnership Principles)

All parties agree to honour the following principles in the conduct of the relationship. We will work together in good faith to safeguard and promote the mutual interests of the parties in improving outcomes for the whānau of Poutini Ngāi Tahu, and people of Westland District by:

- Respecting the tino rangatiratanga of Poutini Ngāi Tahu;
- Acting in ways that enhance the mana of all parties;
- Creating and fostering a high trust relationship and environment that allows the parties to work together while growing within their own tikanga (customs, obligations and conditions) and pursuing their own interests and priorities;
- Working toward solutions with rationality; free of prejudice or agenda and honesty of purpose;
- Resolving any differences simply, effectively and in a manner that supports a long term, intergenerational partnership;
- Ensuring parties do not tarnish the reputation of each other via public declarations or media releases
- Seeking opportunities to share skills, knowledge and information;
- Acknowledging Council's interest in the development and promulgation of strategy, policy and legislation on behalf of Westland ratepayers and residents and in managing the allocation of public financial resources.

The Parties understand that: the economic, social and cultural well-being of Poutini Ngāi Tahu; the relationship of Poutini Ngāi Tahu and their culture and traditions with ancestral lands, waters, sites, wāhi tapu, and associated taonga; the principles of the Treaty of Waitangi; and the kaitiakitanga responsibilities of mana whenua are all matters relevant to the purpose of the Act.

All parties also acknowledge the Council's guiding principles of good governance for elected members to Council:

- The Elected Members Code of Conduct that follows is based on the following general principles of good governance:
 - **Public Interest:** members should act solely in the public interest.
 - **Integrity:** members should not act or take decisions to gain financial or other benefits for themselves, their family, or their friends, or place themselves under any obligation to people or organisations that might inappropriately influence them in their work.
 - **Tāria te wā and kaitiakitanga/stewardship:** members should use long-term perspective when making decisions. Decisions, which impact on past, current and future generations, also affect collective well-being.
 - **Objectivity:** members should act and take decisions impartially, fairly, and on merit, using the best evidence and without discrimination or bias.
 - **Accountability:** members will be accountable to the public for their decisions and actions and will submit themselves to the scrutiny necessary to ensure this.
 - **Openness:** members should act and take decisions in an open and transparent manner and not withhold information from the public unless there are clear and lawful reasons for so doing.
 - **Honesty:** members should be truthful and not misleading.
 - **Leadership:** members should not only exhibit these principles in their own behaviour but also be willing to challenge poor behaviour in others, wherever it occurs.

5.2 Ngā Uaratanga o Poutini Ngāi Tahu (Poutini Ngāi Tahu Values)

All parties agree to honour the following values in the conduct of the relationship:

- Whanaungatanga (*Relationships*)
We will respect, foster and maintain important relationships within the organisation, within the iwi and within the community.
- Manaakitanga (*Looking after our people*)
We will pay respect to each other, to iwi members and to all others in accordance with our tikanga (customs).
- Tohungatanga (*Expertise*)
We will pursue knowledge and ideas that will strengthen and grow Poutini Ngāi Tahu and our community.
- Kaitiakitanga (*Stewardship*)
We will work actively to protect the people, environment, knowledge, culture, language and resources important to Poutini Ngāi Tahu for future generations.
- Tikanga (*Appropriate action*)
We will strive to ensure that the tikanga of Poutini Ngāi Tahu is actioned and acknowledged in all of our outcomes.
- Rangatiratanga (*Leadership*)
We will strive to maintain a high degree of personal integrity and ethical behaviour in all actions and decisions we undertake.

5.3 Ngā Kaunihera tūruapō (Council Vision)

All parties respect the following Council Vision in the conduct of the relationship:

“By investing in our people, caring for the environment, respecting the Mana Whenua cultural heritage, and enabling investment, growth, and development we will enrich our district and the people that reside here.”

6. Ngā Pito Mata (Agreed Expectations)

The following outlines the expectations of each party across aspects of the partnership.

6.1 Westland District Council agrees to:

- Provide information to the Kaiwhakarite who act on behalf of Papatipu Rūnanga to assist the operations of Papatipu Rūnanga and to build the capability of Poutini Ngāi Tahu to participate in Council decision-making.
- Provide governance support and training to Kaiwhakarite appointed to Council and Council committees.
- Consider joint submissions to central government with Papatipu Rūnanga when appropriate.
- Work together with Papatipu Rūnanga on the formulation, design and execution of work to implement the Council's statutory responsibilities towards Poutini Ngāi Tahu.
- Work together with Papatipu Rūnanga to increase the participation of Māori in Council processes and initiatives generally.
- Promote opportunities for Poutini Ngāi Tahu within Council.

6.2 Poutini Ngāi Tahu agree to:

- Develop views and provide input on Council policy, plans, strategy and operations that may impact on Poutini Ngāi Tahu, and the Westland community.
- Actively keep Poutini Ngāi Tahu whānau engaged- across multiple channels including direct engagement with Poutini Ngāi Tahu stakeholders monthly, on partnership related progress and to inform Poutini Ngāi Tahu input into Council decision-making.
- Provide information to Council to assist the mutual goals of each party.
- Consider joint submissions to central government with Council when appropriate.
- Work with Council on the formulation, design and execution of work to implement the Council's statutory responsibilities towards Poutini Ngāi Tahu.
- Promote the participation of Poutini Ngāi Tahu in Council processes and initiatives generally.
- Promote opportunities for Poutini Ngāi Tahu within Council.

7. Ngā Hua o Te Waka Hourua (Agreed Deliverables)

Nothing in this PA shall be understood to require Council to use Poutini Ngāi Tahu or to require Poutini Ngāi Tahu to provide any services to Council, except as may be set forth in any contractual agreement between the parties.

7.1 Ngā Hua o Te Kaunihera (Westland District Council agrees to):

At its sole discretion, and subject to each nominee:

- I. in the Council's reasonable opinion having the necessary skills, attributes and knowledge; and
- II. complying with any requirements of Council, including signing confidentiality undertakings,

appoint the Kaiwhakahaere (Chairs) of Te Rūnanga o Ngati Waewae and Te Rūnanga o Makaawhio as full members of the Risk and Assurance Committee of Council and any other committee or subcommittee appointed during the triennium other than the Chief Executive Remuneration Committee.

At its sole discretion, and subject to each Kaiwhakahaere

- I. in the Council's reasonable opinion having the necessary skills, attributes and knowledge; and
- II. Complying with any requirements of Council, including signing confidentiality undertakings, invite the Kaiwhakahaere of Te Rūnanga o Ngati Waewae and Te Rūnanga o Makaawhio to attend and participate in Council Meetings and the business of Council as non-voting councillors.

7.2 Poutini Ngāi Tahu Papatipu Rūnanga agree to:

- Upon request by Council, and pursuant to Schedule C, recommend suitable Kaiwhakarite (representatives) from the members of Papatipu Rūnanga for appointment on to Council committees, working groups and other advisory groups and procure consent from each representative to sit on any such committee. Should at any time and for any reason there is no person nominated by Papatipu Rūnanga appointed Papatipu Rūnanga will promptly nominate a suitably qualified person.
- Upon request by Council, recommend suitable representatives from Poutini Ngāi Tahu Papatipu Rūnanga for appointment on to working groups and other advisory groups and procure that each representative has given their consent to sit on any such working group and other advisory group.

8. Ngā Whakaritenga (Terms of the PA)

8.1 Te Roa (Term of PA)

This PA commences upon signing by all parties.

This PA is considered significant by Council therefore this PA may only be terminated by the mutual agreement of the parties, after conducting the following processes:

- Poutini Ngāi Tahu Papatipu Rūnanga to consult with its members to endorse or reject disestablishment of the partnership.
- Council to secure a majority resolution from Elected members to disestablish the partnership subject to undertaking a section 83 Local Government Act 2002 Special Consultative Procedure.

8.2 Hunga Honohono (Lead Contacts)

To provide for consistent and effective communication between Poutini Ngāi Tahu Papatipu Rūnanga and Council, each Rūnanga will appoint a Kaiwhakarite (representative) to serve as its central point of contact on matters relating to this PA. For the purposes of the PA this will be the Kaiwhakahaere (Chairs) of Te Rūnanga o Ngati Waewae and Te Rūnanga o Makaawhio.

8.3 Ngā Whakaturetanga (Statutory and Contractual Obligations)

The parties acknowledge that Westland District Council's relationship with and obligations to Poutini Ngāi Tahu Papatipu Rūnanga are subject always to the statutory responsibilities, functions and powers of the Council and that this PA will not require the Council to act in any way contrary to its obligations pursuant to Council or under its statutory responsibilities, or pursuant to any contractual obligations it has established with other parties. Also, nothing in this PA will preclude Poutini Ngāi Tahu Papatipu Rūnanga from furthering the interests of its members as it sees fit.

8.4 He Whanaungatanga Whanui (Non-exclusive Relationship)

The parties acknowledge that agreements under this PA do not create an exclusive relationship and each party may develop other appropriate relationships.

8.5 Te Mana Māngai (Representations)

The parties agree that they will not make any statement on the other's behalf to any third party without the express authorization of the other party.

8.6 Kōrero Huna (Confidentiality)

The parties agree that unless otherwise required by law or by mutual agreement, all information shared in the partnership will be open to the public unless the information is of a sensitive nature and either party requests (in writing) it remains confidential.

The parties also acknowledge that information relating to or produced by the relationship may be required to be released under the Local Government Official Information and Meetings Act 1987. In the event that information is requested under this Act, all parties will cooperate to make the information available.

8.7 Panonitanga (Review and Variation of PA)

This PA records a commitment to a long-term ongoing relationship. The parties acknowledge that over time the nature and focus of the relationship will evolve to reflect changing circumstances. Therefore, the parties will meet solely for the purpose of reviewing this PA every three years and within three months of the start of a new Council triennium, or otherwise as mutually agreed.

The parties may at any time and by mutual agreement amend this agreement to reflect any changes to the goals of the relationship as they reflect changing circumstances, and any other changes all parties agree are necessary.

8.8 Whakatau Nawe (Dispute Resolution)

The parties will act at all times in good faith and with the goal of preserving their relationship. However, in the event of a dispute the parties agree to the following process:

- a. In the first instance the agreed representatives of the parties will meet and attempt to resolve the dispute;
- b. If following "a." the dispute is not resolved the parties will engage in mediation through an agreed process.

Signatories

Date: 18 December 2025

Helen Lash
Mayor;
Westland District Council

Francois Tumahai
Kaiwhakahaere;
Te Rūnanga o Ngāti Waewae

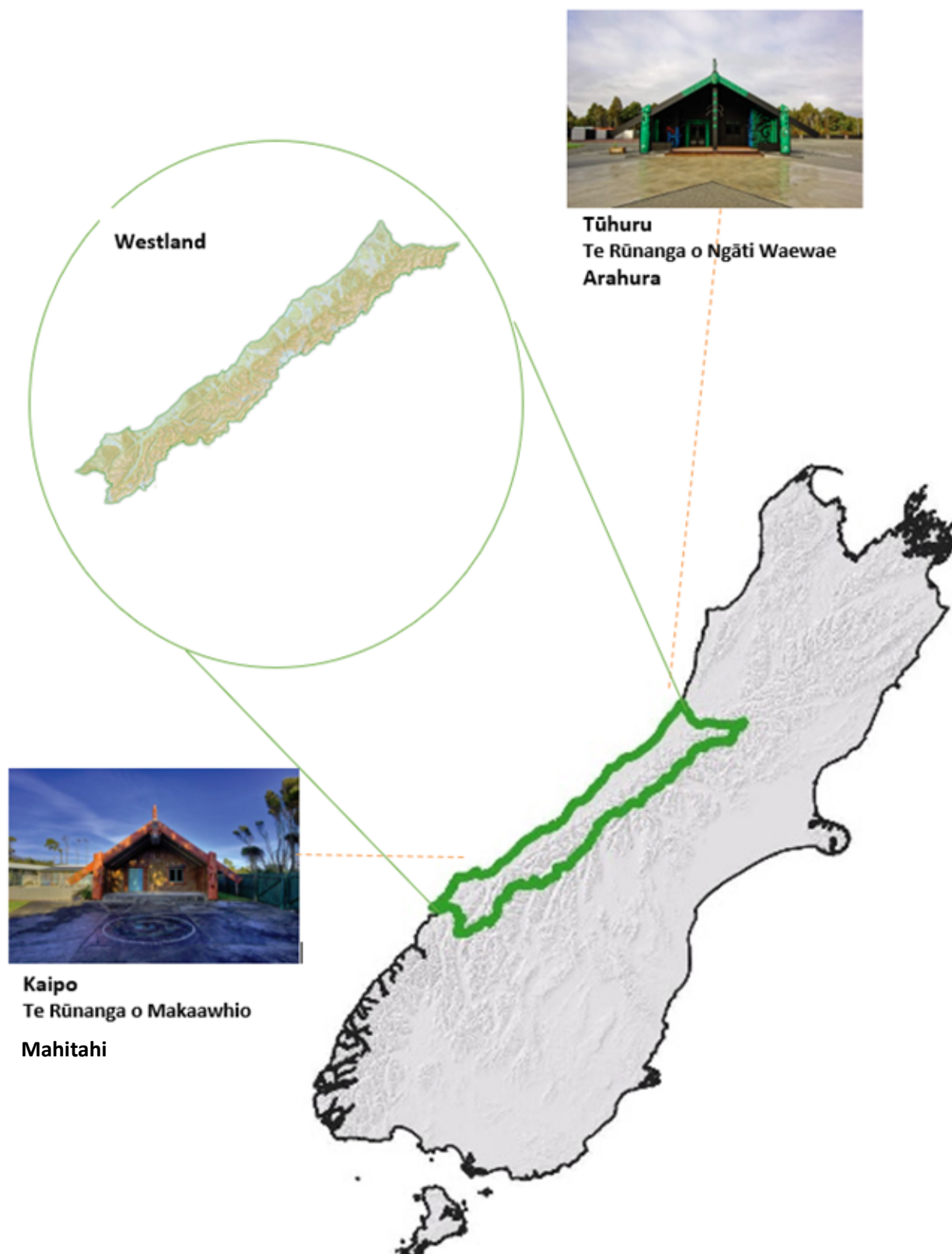
Paul Madgwick
Kaiwhakahaere;
Te Rūnanga o Makaawhio

In the presence of:

Barbara Phillips
Chief Executive; Westland District Council

Schedule A: Westland Rohe

Westland District



Schedule B: Council Committee Appointments

1. Appointment of Kaiwhakarite (Representatives) (to Committees)

- a. After Poutini Ngāi Tahu Papatipu Rūnanga Kaiwhakarite have been elected in accordance with their trust deed, Poutini Ngāi Tahu Papatipu Rūnanga will provide the Council with nominations to Council and other bodies.

("Committees")

- b. At the time that the Committees are reconstituted following the Council's Triennial elections, the Council will treat all persons sitting on the prior Committees as being re-nominated by Poutini Ngāi Tahu Papatipu Rūnanga, unless Poutini Ngāi Tahu Papatipu Rūnanga provide new nominations to Council at that time.

2. Filling vacancies

If, at any time and for any reason:

- a. The Council requests in writing that Poutini Ngāi Tahu Papatipu Rūnanga nominate a person for appointment to a Committee;
- b. The Council has not appointed, or has removed, any Kaiwhakarite nominated by Poutini Ngāi Tahu Papatipu Rūnanga for appointment to a Committee; or
- c. Poutini Kāi Tahu Papatipu Rūnanga has requested that a Kaiwhakarite nominated by it be removed from a Committee,

Poutini Ngāi Tahu Papatipu Rūnanga will promptly nominate to Council a suitably qualified Kaiwhakarite from its members for addition to that committee or other body.

3. No obligation to appoint

The Council will not be obligated to appoint any Kaiwhakarite nominated to a Committee, in particular, if:

- a. The Kaiwhakarite is not suitably qualified for the Committee; or
- b. The Kaiwhakarite does not sign a confidentiality agreement on terms approved by the Council

4. No tenure once appointed

The Council may remove, at any time and at its sole discretion, any Kaiwhakarite that has been appointed to a Committee. However, any such removal of any nominated Kaiwhakarite will be undertaken in accordance with the objectives, principles and values of the Partnership Agreement.

5. Assurance

Poutini Ngāi Tahu Papatipu Rūnanga will procure and ensure that each Kaiwhakarite nominated by it to sit on a Committee:

- a. Effectively represents Poutini Ngāi Tahu Papatipu Rūnanga on the Committee;
- b. Appropriately prepares for any Committee meeting;

- c. Attends and contributes to all Committee meetings, except where there is a valid reason for their absence; and
- d. Complies with the obligations and standards generally imposed by Council on members of the Committees, including meetings and decision-making requirements;
 - (i) any applicable Code of Conduct;
 - (ii) Local Government Official Information and Meetings Act 1987 and any other relevant legislation;
 - (iii) Standing Orders/Nga Tikanga Whakahaere Hui
 - (iv) Rules regarding Conflict of Interests and Pecuniary Interests.

Report to Council



DATE: 18 December 2025

TO: Mayor and Councillors

FROM: Facilities and Properties Manager

Hokitika Racecourse Street Names

1. Summary

- 1.1. The purpose of this report is to seek approval for names of the newly formed roads at the Hokitika Racecourse Crestview Development
- 1.2. This issue arises from the Hokitika Racecourse Crestview development nearing completion, and a need for the newly formed roads to be named
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2024, which are set out in the Enhanced Annual Plan 2024/2025. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council approves the naming of the newly formed roads at the Hokitika Racecourse Crestview Development as Keenan Place and Steward Lane as per the drawing attached as Appendix 1.

2. Background

- 2.1 The reason the report has come before the Council is due to the Hokitika Racecourse Crestview Development nearing completion, and the newly formed roads require naming.

3. Current Situation

- 3.1. The current situation is that Park Street and Dalton Street have been extended, and there are 2 newly formed roads that need to be named.
- 3.2. Some suggestions have come from the community, and because of the involvement at the Hokitika Racecourse from the late Harry Keenan, a request came through to name one of the roads Keenan Place in his honour.
- 3.3. A further suggestion was to name the other road Steward Lane, as it passes through the area where the old Hokitika Racecourse Grandstand was demolished.

4. Options

- 4.1. Option 1: That Council approve the naming of the 2 newly formed roads at the Hokitika Racecourse Crestview Development as Keenan Place and Steward Lane.

4.2. Option 2: That Council does not approve the naming of the 2 newly formed roads at the Hokitika Racecourse Crestview Development as Keenan Place and Steward Lane.

5. Risk Analysis

5.1. Risk has been considered, and no risks have been identified.

6. Health and Safety

6.1. Health and Safety has been considered, and no items have been identified.

7. Significance and Engagement

7.1. The level of significance has been assessed as medium.

7.1.1. Public consultation was undertaken in the form of open meetings at the Boys Brigade Hall in November 2024, and from suggestions coming from the local community.

8. Assessment of Options (including Financial Considerations)

8.1. Option 1 – That Council approve the naming of the 2 newly formed roads at the Hokitika Racecourse Crestview Development as Keenan Place and Steward Lane.

8.1.1. There are no financial implications to this option.

8.2. Option 2 - That Council does not approve the naming of the 2 newly formed roads at the Hokitika Racecourse Crestview Development as Keenan Place and Steward Lane.

8.2.1. There are no financial implications to this option.

9. Preferred Option(s) and Reasons

9.1. The preferred option is Option 1.

9.2. The reason that Option 1 has been identified as the preferred option is that all suggestions from the community have been reviewed, and the involvement and history of each suggestion have been researched to ensure validity.

10. Recommendations

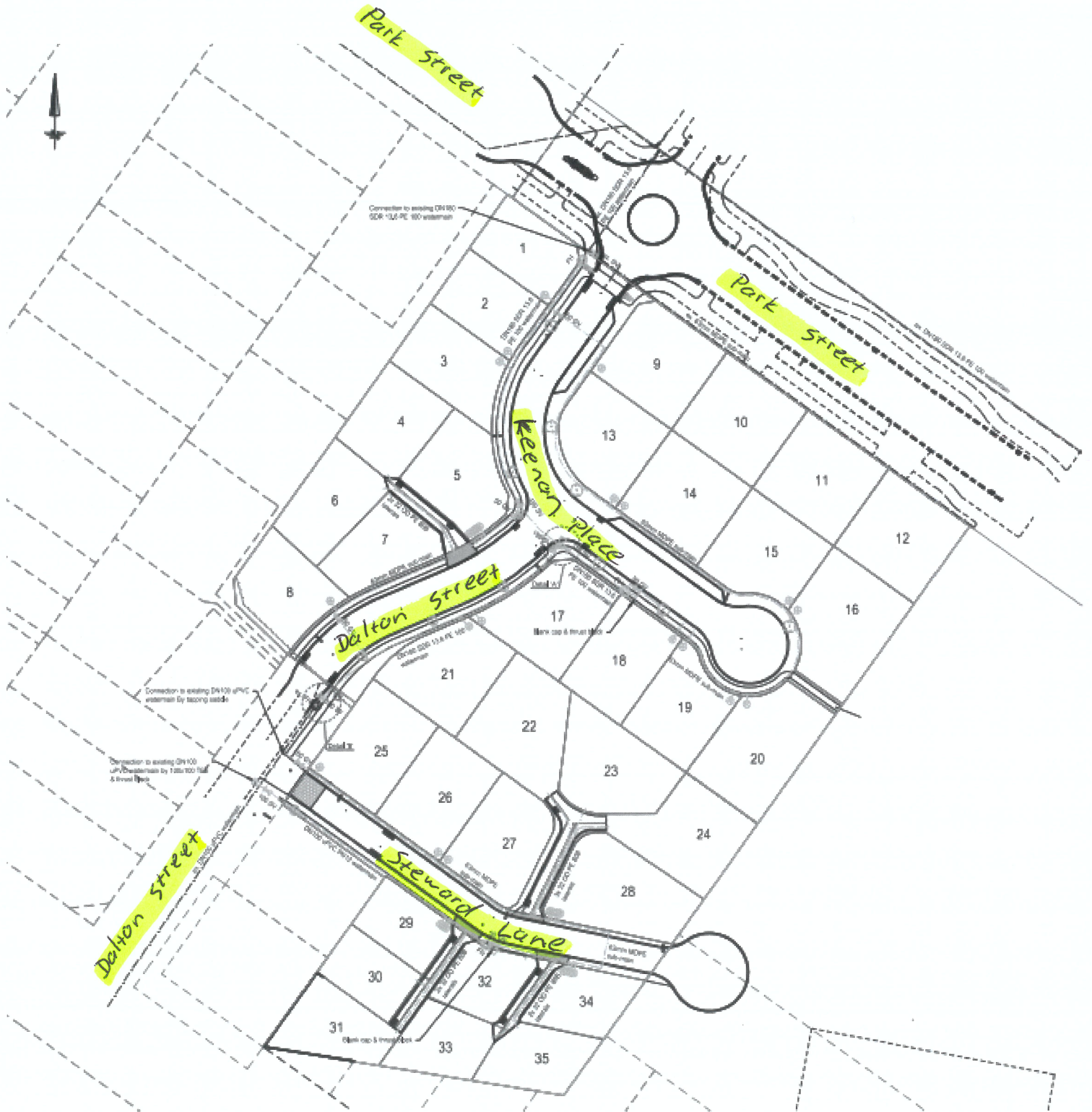
10.1. That the report be received.

10.2. That Council approve the naming of the 2 newly formed roads at the Hokitika Racecourse Crestview Development as Keenan Place and Steward Lane as per the drawing attached as Appendix 1.

Jan Visser
Facilities and Properties Manager

Appendix 1: Drawing of roads with proposed street names

HOKITIKA RACECOURSE STREET NAMES APPENDIX 1



Information Paper



DATE: 18th December 2025

TO: Mayor and Councillors

FROM: Asset Strategy and Development Manager; General Manager Regulatory and Compliance

RESPONSIBLE FREEDOM CAMPING BYLAW UPDATE

1. Summary

- 1.1. The purpose of this paper is to provide Council with an overview of the work undertaken to date and to provide an update regarding the Responsible Freedom Camping Bylaw and a proposed timeline for 2026.
- 1.2. This paper is being presented as an information paper due to the bylaw development being in progress.
- 1.3. The previous Freedom Camping Bylaw was revoked in November 2025.
- 1.4. Council staff have also taken steps to improve education regarding responsible camping for the 2025/26 season.

2. Background

- 2.1 Westland District is a popular destination for campers, however, the district faces several challenges in balancing the needs of visitors with the wellbeing of the communities that host them. The coastline, in particular, is a place of historical, cultural and environmental significance, home to important archaeological sites, unique ecosystems and biodiversity. It is also vulnerable to the impacts of severe weather, coastal erosion and climate change with infrastructure and access to remote communities at risk.
- 2.2 The broad geographical distribution of the district presents an additional challenge for enforcement and heightens concerns for health and safety of both visitors and local communities. Any regulation imposed by a responsible freedom camping bylaw must reflect these challenges and regulations must be balanced with the corresponding expectation of enforcement from the community.
- 2.3 The Freedom Camping Act 2011 permits freedom camping in any local authority area (i.e. land controlled by the local council rather than private entities or central government), unless it is restricted or prohibited by a local bylaw or any other enactment.
- 2.4 Council cannot absolutely prohibit all freedom camping within its district or have a bylaw that has the effect of prohibiting all freedom camping in its district.
- 2.5 Council can consider five ways to address matters related to freedom camping:
 - 2.5.1 Do nothing -
Under this, the Council maintains the status quo of having no bylaw and the Freedom Camping Act 2011 would apply. Under section 10 of that Act, freedom camping is generally permitted, subject to restrictions and prohibitions provided for in other legislation. A key area where such restrictions

apply are in reserves, where the use of these areas for temporary accommodation, such as freedom camping, is restricted by section 44 of the Reserves Act 1977.

- 2.5.2 Make a bylaw under the Local Government Act 2002 -
This would restrict or prohibit freedom camping in some areas and, in accordance with section 10(b) of the Freedom Camping Act 2011, would be controlling freedom camping 'under any other enactment'.
- 2.5.3 Use Reserve Management Plans -
This would permit freedom camping on some reserves, where it is appropriate to do so. Freedom camping would continue to be prohibited on all other reserves, but would be permitted on all other Council land, under the Freedom Camping Act 2011.
- 2.5.4 Add rules to the District Plan -
Rules controlling freedom camping could be identified as plan change for the Te Tai o Poutini Plan by using the plan change process set out in the Resource Management Act 1991.
- 2.5.5 Make a bylaw under the Freedom Camping Act 2011 -
This would restrict or prohibit freedom camping in some areas, including allowing freedom camping with restrictions on some reserves, where it is appropriate to do so.

2.6 Section 11(2) of the Freedom Camping Act 2011 provides that the Council may only make a bylaw under the Freedom Camping Act 2011 if it is satisfied that:

The bylaw is necessary for one of more of the following purposes:

- i. To protect the relevant areas;
- ii. To protect the health and safety of people who may visit the relevant areas;
- iii. To protect access to the relevant areas; and

The bylaw is the most appropriate and proportionate way of addressing the perceived problem in relation to the relevant area; and the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.

2.7 In 2024, Council staff considered the above options and recommended to Council that creating a bylaw under the Freedom Camping Act 2011 would be the most reasonably practicable solution for addressing the issues caused by freedom camping.

2.8 A new Responsible Freedom Camping Bylaw 2024 was proposed in December 2024. Following significant discussions, opposition and consideration it was determined that the proposed bylaw required further consideration.

2.9 Table 1 below shows the Responsible Freedom Camping Bylaw 2024 timeline.

Table 1. 2024 Bylaw Timeline

Task/Description	Time (Month)
Site Visits undertaken	August 2024
Bylaw being drafted	September 2024
Workshop with Elected Members	9 th October 2024
Council adopted Statement of Proposal	24 th October 2024
Public Consultation on the bylaw	25 th October – 25 th November 2024
Hearings and Deliberations	9 th December 2024

3. Current Situation

- 3.1. Council staff have been working on drafting a revised Responsible Freedom Camping Bylaw , having considered the submissions received.
- 3.2. However, over the last year there have been significant resourcing changes that have delayed further progress regarding this bylaw.
- 3.3. In addition, given the recent elections, Council Staff feel it is appropriate to ensure the newly elected Council is informed of the work to date to inform the decisions in 2026.
- 3.4. Table 2 below outlines the timeline for the bylaw adoption.

Table 2. Proposed Bylaw Timeline

Task/Description	Time (Month)
Workshop with Elected Members	January 2026
Council adopts Statement of Proposal	April 2026
Public Consultation on the bylaw	May 2026
Hearings and Deliberations	June 2026
Council adopts Bylaw	July/August 2026

- 3.5. For the 2025 season Council staff have redrafted the information on the Westland District Council Website and provided information via other media platforms.
- 3.6. Council staff are also working with other organisations to collect data over the 2025 season. This will provide the evidence required for Council to proceed with a bylaw.

4. Conclusion

- 4.1. Work has progressed on the development of a new bylaw, to be implemented for the 26/27 season. However, there will not be a bylaw in place for the 2025/26 season.
- 4.2. The next step in the creation of a bylaw will be hold a workshop with Elected Members in January 2025.

Alicia Paulsen
Asset Strategy & Development Manager

Lee Webster
General Manager Regulatory and Compliance

Report to Council



DATE: 18 December 2025

TO: Mayor and Councillors

FROM: General Manager – Regulatory and Compliance

Proposed Alcohol Restriction Bylaw 2026

1. Summary

- 1.1 The purpose of this report is for Council to consider the proposed Alcohol Restriction Bylaw 2026 for public consultation.
- 1.2 This proposal arises as the previous Alcohol Control Bylaw 2018 was not reviewed within the legislative time frame, resulting in the bylaw being revoked in July 2025 in accordance with the Local Government Act 2002.
- 1.3 The proposed Alcohol Restriction Bylaw 2026 is fit for purpose and requires minimal change from the previous Alcohol Control Bylaw 2018.
- 1.4 The proposed bylaw is necessary for the restriction of alcohol in public places for various events like the Wildfoods Festival, and to ensure measures are in place to prevent a potential increase in crime or disorder as a result of alcohol consumption in public places.
- 1.5 New Zealand Police have been consulted regarding any amendments necessary from the previous alcohol control bylaw and made no additional recommendations.

2. Background

- 2.1 Section 158 of the Local Government Act 2002 requires a local authority to review a bylaw no later than five years after the date on which it was made.
- 2.2 The Alcohol Control Bylaw 2018 was adopted by Council on 2 July 2018.
- 2.3 No review was undertaken within the required timeframe, and s.160A of the Local Government Act 2002 states that:

‘A bylaw that is not reviewed as required under section 158 or 159, if not earlier revoked by the local authority concerned, is revoked on the date that is 2 years after the last date on which the bylaw should have been reviewed under that section’.

- 2.4 Consequently, the Alcohol Control Bylaw 2018 was revoked on 2 July 2025.

2.5 As the Alcohol Control Bylaw 2018 has been revoked, there are currently no restrictions regarding alcohol consumption in public places during specified times or locations.

2.6 A bylaw is required to assist the Police and Council staff to effectively restrict the consumption, possession or bringing of alcohol into public places.

3 Options

3.1 Option 1 – Council approves the proposed Alcohol Restriction Bylaw 2026 for public consultation.

3.2 Option 2 – Council does not approve the proposed Alcohol Restriction Bylaw 2026 for public consultation.

4 Risk Analysis

4.1 A risk assessment has been considered, and without a bylaw, the Police and Council staff cannot effectively restrict the consumption, possession or bringing of alcohol into public places to prevent high levels of crime or disorder caused or made worse by alcohol consumption.

5 Health and Safety

5.1 Health and Safety has been considered, and there are potentially increased health and safety aspects to the wider community when alcohol is unrestricted at certain times and locations.

6 Significance and Engagement

6.1 The level of significance has been assessed as high in accordance with the Significance and Engagement Policy, as there is a statutory requirement for public consultation.

7 Assessment of Options (including Financial Considerations)

7.1 Option 1 – Public consultation regarding the proposed Alcohol Restriction Bylaw 2026 is undertaken.

7.2 This provides the community with the opportunity to inform Council of their views regarding the proposal following a statutory process.

7.3 Option 2 – Public consultation regarding the proposed Alcohol Restriction Bylaw 2026 is not undertaken.

7.4 This would contravene the statutory process if Council did want a bylaw.

7.5 If Council determined a bylaw was not required, some may consider that the community should have had an opportunity to consider the proposal.

7.6 Without a bylaw, the Police and Council staff cannot effectively restrict the consumption, possession or bringing of alcohol into public places to prevent high levels of crime or disorder caused or made worse by alcohol consumption.

7.7 There are minor financial considerations regarding the public notification costs which will be met through the current budgets.

8 Preferred Options and Reasons

8.1 The preferred option is Option 1 - that Council approves the proposed Alcohol Restriction Bylaw 2026 for public consultation.

9 Recommendations

9.1 That the report be received.

9.2 That Council approves the proposed Alcohol Restriction Bylaw 2026 for public consultation.

Lee Webster

General Manager - Regulatory and Compliance

Appendix 1: Proposed Alcohol Restriction Bylaw 2026

Appendix 2: Statement of proposal - Proposed Alcohol Restriction Bylaw 2026

PROPOSED ALCOHOL RESTRICTION BYLAW 2026

Date of review: XXXX

Commencement: XXXX

This bylaw is adopted pursuant to the Local Government Act 2002, by resolution of the Westland District Council on XXXX.

Contents

Clause		Page	Clause		Page
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2	APPLICATION	1	8	POWERS OF ARREST, SEARCH AND SEIZURE	4
3	PURPOSE	2	9	EXCLUSIONS	4
4	INTERPRETATION	2	10	PENALTY	4
5	ALCOHOL PROHIBITION REGULATION AND CONTROL	3	11	APPENDIX	4
6	ALCOHOL CONTROL RESOLUTION	3			

Explanatory Note

The Local Government Act 2002 provides Council the power to control the consumption, possession and bringing of alcohol in public places. The Council can use this power generally, to create on-going alcohol restrictions in public places, or to prohibit alcohol for one-off special events or occasions in public places.

1 TITLE AND COMMENCEMENT

1.1 This bylaw shall be known as the Alcohol Restriction Bylaw 2026.

1.2 This bylaw shall come into effect on the XXXX.

2 APPLICATION

2.1 This bylaw applies to specified public places in the Westland District

3 PURPOSE

- 3.1 The purpose of this bylaw is to restrict the possession and consumption of alcohol in public places where Council is concerned that the possession of alcohol, whether generally or over a specified period may result in a high level of crime or disorder.

4 INTERPRETATION

- 4.1 In this Bylaw unless the context otherwise requires:

Act means the Local Government Act 2002.

Council means the Westland District Council.

Licensed premises has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Alcohol has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Alcohol control resolution means a resolution of the Council pursuant to clause 4.1.

Offence means an offence under section 239A of the Local Government Act 2002 that is a breach of a bylaw prohibiting-

(a) the consumption or possession or both of alcohol in, or the bringing of alcohol into, a public place; or

(b) in conjunction with a prohibition relating to alcohol, the presence or use of a vehicle in a public place.

Public Place

(a) means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but

(b) does not include licensed premises

Special licence means a licence granted under Part 2, Subpart 4 of the Sale and Supply of Alcohol Act 2012.

Specified period means the period or periods specified in:

(a) Schedule 1 (as varied by any subsequent alcohol control resolution); or

(b) an alcohol control resolution, during which the consumption, bringing or possession of alcohol is prohibited in a specified place and publicly notified in accordance with clause 6 of this bylaw.

Specified place means a public place specified in:

- (a) the Schedule (as varied by any subsequent alcohol control resolution); or
- (b) an alcohol control resolution, at which the consumption, bringing or possession of alcohol is prohibited during a specified period and publicly notified in accordance with clause 6 of this bylaw.

Vehicle has the meaning given by section 2(1) of the Land Transport Act 1998.

5 ALCOHOL PROHIBITION REGULATION AND CONTROL

5.1 No person shall:

- (a) bring alcohol to a specified place, during the specified period or specified periods relating to that specified place; or
- (b) consume or possess alcohol at a specified place, during the specified period or specified periods relating to that specified place.

5.2 Every person shall comply with the terms of an alcohol control resolution prohibiting, regulating or otherwise controlling:

- (a) the consumption of alcohol in a public place; or
- (b) the bringing of alcohol into a public place; or
- (c) the possession of alcohol in a public place; or
- (d) in conjunction with a prohibition relating to alcohol under paragraphs (a) to (c) of this clause 5.2, the presence or use of a vehicle in a public place.

6 ALCOHOL CONTROL RESOLUTION

6.1 The Council may from time to time make a resolution:

- (a) prohibiting or otherwise regulating or controlling, either generally or for one or more specified periods:
 - (i) the consumption of alcohol in a public place; or
 - (ii) the bringing of alcohol into a public place; or
 - (iii) the possession of alcohol in a public place; or
 - (iv) in conjunction with a prohibition relating to alcohol under paragraphs (i) to (iii), the presence or use of a vehicle in a public place; or
- (b) varying existing specified places; or
- (c) varying existing specified periods.

- 6.2** Every resolution made pursuant to this clause shall be publicly notified at least 14 days before it shall take effect.

7 EXCLUSIONS

- 7.1** Notwithstanding any other provision in this Bylaw, in the case of alcohol in an unopened bottle or other unopened container, this Bylaw does not prohibit, regulate or control and no alcohol control resolution made pursuant to this Bylaw shall have the effect of prohibiting, regulating or controlling the transport of that alcohol:

(a) from outside a public place for delivery to licensed premises next to the public place; or

(b) from licensed premises next to a public place, provided the alcohol was lawfully bought on those premises for consumption off those premises, and is promptly removed from the public place; or

(c) from outside a public place to premises next to a public place by, or for delivery to, a resident of those premises or his or her bona fide visitors; or

(d) from premises next to a public place to a place outside the public place by a resident of those premises, provided the alcohol is promptly removed from the public place.

8 POWERS OF ARREST, SEARCH AND SEIZURE

- 8.1** This Bylaw authorises a member of the Police to exercise the power of search, seizure and arrest under section 169(2) and section 170(2) of the Act.

9 PENALTY

- 9.1** Any person who commits a breach of this bylaw is liable to an infringement of \$250, as prescribed in the Local Government (Alcohol Ban Breaches) Regulations 2013.

10 APPENDIX

- 10.1** Appendix 1 - Schedule
- 10.2** Appendix 2 - Map A
- 10.3** Appendix 3 - Map B
- 10.4** Appendix 4 - Map C

THE COMMON SEAL of the WESTLAND DISTRICT COUNCIL

was affixed in the presence of:

Mayor

SCHEDULE

1. Subject to the exceptions listed in Clause 7 (above), the specified places and specified periods relating to those specified places are:

Place	Period
<p>All that area consisting of public places, including legal roads and public reserves, more particularly described as bounded by the following:</p> <p>(1) Commencing at a point on the Mean High Water Mark at Sunset Point, then in a northerly direction along the Mean High Water Mark to a point in line with the northern boundary of RS 6659 (Walker Park) then south-easterly to a point that meets with a line which is the extension of the east side of Brittan Street, then south-westerly along that line and along the eastern side of Brittan Street to the true right bank of the Hokitika River thence westerly generally along the true right bank of the Hokitika River to the Mean High Water Mark to the point of commencement, as delineated and shown on the attached map marked "A".</p> <p>(2) All that area of public reserve described as RES 495 (Cass Square) and shown on the attached map marked "A".</p> <p>(3) Commencing at a point on the Mean High Water Mark in line with the north side of Richards Drive, then in a south-easterly direction along the north side of Richards Drive and its continuation across Fitzherbert Street to the western boundary of the Hokitika Cemetery, then south-westerly then south-</p>	<p>From 8.00 pm on any day till 6.00am the following day.</p>

<p>easterly along the boundary of the Hokitika Cemetery to the western boundary of the Hokitika Airport, thence generally south-westerly and south-easterly along the boundary of the Hokitika Airport to the northern boundary of the Hokitika Racecourse, then south-westerly, north-westerly, south-westerly and south-easterly generally along the boundary of the Hokitika Racecourse to a point in line with the eastern side of Town Belt East, thence south-westerly along the eastern side of Town Belt east and its continuation to the true right bank of the Hokitika River, thence westerly generally along the true right bank of the Hokitika River to the Mean High Water Mark, thence northerly generally along the Mean High Water Mark to the point of commencement as delineated and shown on the attached map marked "B".</p>	<p>24 hours each day on every day of the week.</p> <p>From 6.00 pm on the Friday before the Hokitika Wildfoods Festival till 8.00 am on the Sunday thereafter.</p>
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2. The specified places do not include:

- (a) any public place which is also a licensed premises or part of a licensed premises during any period in which the licensee is serving or allowing consumption of alcohol on those licensed premises; and
- (b) any public place or part of a public place during any period in which that public place or part of a public place is the subject of a special licence granted pursuant to the provisions of the Sale and Supply of Alcohol Act 2012; and
- (c) the controlled campground areas of Sunset Point, as shown in the attached map marked "C", from 6pm on the Friday before the Hokitika Wildfoods Festival until 8am on the Sunday thereafter (note: any of those two areas not hosting a controlled campground area will still be subject to the alcohol ban).

Appendix 2 - Map A



The Map Referred to in the Schedule as Map "A"

 Liquor Ban Area





Appendix 3 - Map B



The Map Referred to in the Schedule as Map "B"

Legend

-  Alcohol Ban Area
-  Public Parks and Reserves



Appendix 4 - Map C



**The Map
Referred to in
the Schedule
as Map "C"**

Legend

 Controlled Campgrounds



Appendix 2



Statement of Proposal

under Special Consultative Procedure as per
Section 83 of Local Government Act 2002

PROPOSED ALCOHOL RESTRICTION BYLAW 2026

This proposal is now open for public consultation 24 December 2025 to 30 January 2026

Submit online at www.westlanddc.govt.nz

**PLEASE ENSURE YOUR SUBMISSION IS WITH COUNCIL BY 5.00PM ON 30
JANUARY 2026**

Reason for the Proposal

The Alcohol Control Bylaw 2018 was adopted by Westland District Council on 2 July 2018 and was due to be reviewed by July 2023.

Section 158 of the Local Government Act 2002 (**the Act**), requires a bylaw to be reviewed within five years of being adopted.

Following s.160A of the Act, if a bylaw is not reviewed within two years following the expiry of the five-year review period, the bylaw is revoked.

A review of the Alcohol Control Bylaw 2018 was not undertaken within the specified time and was consequently revoked on 2 July 2025.

A proposed new Alcohol Restriction Bylaw 2026 is attached to this Statement of Proposal and available at www.westlanddc.govt.nz.

Appropriateness of the bylaw approach

Council is required to determine if the adoption of a bylaw (including the review of any bylaw) is the most appropriate way of addressing what Section 155 of the Local Government Act 2002 refers to as a perceived problem.

In relation to alcohol restriction bylaws, Section 147A of the Act also says that Council must be satisfied that:

(a) the bylaw can be justified as a reasonable limitation on people's rights and freedoms; and

(b) a high level of crime or disorder (being crime or disorder caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made; and

(c) the bylaw is appropriate and proportionate in the light of that likely crime or disorder.

There has been an alcohol control bylaw or liquor ban bylaw in place in Westland since 2002.

In most cases the bylaw has been previously reviewed and assessed by Council as being an appropriate way of addressing real or perceived problems, and Council assessed it as appropriate when initially implementing these bylaws.

In the case of the proposed Alcohol Restriction Bylaw, the previous Alcohol Control Bylaw has been utilised with minor amendments for clarity.

The Council is satisfied that the proposed Alcohol Restriction Bylaw meets the tests of Section 147 and 174A of the Act, limiting people's rights and freedoms in a reasonable way to ensure that a high level of crime and disorder does not arise as a result of alcohol consumption in certain areas at certain times.

In general, the proposed bylaw provides Council a useful tool to raise awareness and foster communications on various issues, regardless of whether enforcement action is taken in any given case.

In the event that education is unsuccessful and enforcement action is required in a particular case, the bylaw is the only method of providing Council with the necessary powers to take such action i.e. infringements.

Is the bylaw the most appropriate form of bylaw?

Section 155(2) of the Act requires Council to determine that each proposed or reviewed bylaw is the most appropriate form of bylaw, essentially whether the bylaw contains the appropriate content.

Council has considered, in forming this proposal, the need for a new alcohol restriction bylaw to ensure that high levels of crime or disorder do not eventuate as a result of alcohol consumption in public places. Council is satisfied that the bylaw is the most appropriate form of bylaw for Westland at this time.

Options Considered by Council

In developing the current proposal, the Council considered two options:

- **A new bylaw:** This option allows the proposed alcohol restriction bylaw to reflect best practice in local government and to incorporate minor amendments for clarity. It will also allow for further amendments to be made (or proposed amendments to be altered or deleted), following consideration of submissions received in response to this proposal.
- **No bylaw:** This option would mean that Council has determined that there is no longer a need for an alcohol restriction bylaw, in which case no further action would be taken as the bylaw has been revoked. The Council considers that an alcohol restriction bylaw is required for reasons explained above.

How will the bylaw be monitored and enforced?

The proposed bylaw will continue to be monitored and enforced as required by council officers and, in particular instances, police officers. The existence of any bylaw or any particular provisions within a bylaw does not mean that an intensive monitoring regime will occur; however, if a matter comes to Council's attention that requires enforcement action, the proposed bylaw allows this action to occur. In some cases, a discussion regarding the potential penalties (i.e. a warning) will resolve the situation and remove the bylaw breach.

New Zealand Bill of Rights Act 1990

The Council must determine whether this proposed bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990. The proposed bylaw has come under different forms of scrutiny in the past and is very similar to bylaws used by other territorial local authorities, and there is no legislative commentary reviewed that would suggest any Bill of Rights implications.

The proposed bylaw content is considered to reflect a suitable balance between personal freedoms and community protection and is not considered to have discriminatory effects.

What amendments have been proposed?

The following is a summary of the key changes proposed to this bylaw as part of this review.

Alcohol Control Bylaw 2018 (proposed to be retitled Alcohol Restriction Bylaw 2026)

- Minor changes to formatting and the addition of a “purpose” of the bylaw as well as a “contents section”
- Dates amended
- Addition of the definition of “vehicle” under the Land Transport Act 1998
- There are no changes to specified places or periods
- References to the Wildfoods Festival remain unchanged
- Map B remains unchanged showing the correct legal extent of the alcohol ban over Wildfoods weekend
- Map C remains unchanged to show the controlled campground areas that are exempt from the alcohol ban over Wildfoods weekend

How to make a submission

Any interested person or body is invited to make a submission or comments on the proposed bylaw, the other options that have been considered, and on any aspect of, or omission from, this bylaw.

Council will take into account all of the submissions made when making decisions on the proposed bylaw. There will be a Council hearing in February 2026 for those submitters who indicate they wish to speak in support of their submission.

Please submit your feedback to Council by:

- (1) Delivery to the Customer Service desk, 36 Weld Street, Hokitika
- (2) Post to General Manager Regulatory and Compliance (Attn: Proposed Alcohol Restriction Bylaw), Private Bag 704, Hokitika
- (3) Email to bylaws@westlanddc.govt.nz
- (4) You can also complete submissions at www.westlanddc.govt.nz

All submissions, including the name and contact details of the submitter, will be made available to the public and media on Council's website, unless you specifically request that your contact details are kept private.

All enquiries (not submissions) should be directed to the Compliance Team Leader - Regulatory at 0800 474 834.

Timetable

Submissions open:	24 December 2025
Submissions close:	30 January 2026
Hearing of submissions:	19 February 2026
Extraordinary Council meeting:	5 March 2026

Don't forget, get your submission to Council by 5:00pm on 30 January 2026