



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 28 SEPTEMBER 2023 COMMENCING AT 1 PM

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

1. KARAKIA TĪMATANGA OPENING KARAKIA

The opening Karakia was read by Cr Neale.

2. MEMBERS PRESENT AND APOLOGIES

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

NGĀ WHAKAPAAHA APOLOGIES

No apologies received.

Also in attendance for part of the meeting:
Sally Cox, Senior Project Manager, Joseph & Associates Ltd (via zoom)
Paul Zaanen, Senior Project, and Development Manager, Joseph & Associates Ltd (via zoom)
Jason Mill, Architecture, Graphics and Project Management, Joseph & Associates Ltd (via zoom)
Tony Hart, Emergency Management Officer, West Coast Emergency Management
Claire Brown, Group Manager, West Coast Emergency Management

STAFF PRESENT

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

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated via Microsoft Teams.

There were no changes to the Interest Register noted.

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

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

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

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

- **Ordinary Council Meeting Minutes – 24 August 2023**

Cr Cassin advised that an “effective from date” needed to be added to his update to the Interest Register on the previous minutes of 24 August 2023 relating to the Te Tai O Poutini / West Coast Conservation Board, as well as a move from non-pecuniary to pecuniary.

Moved Cr Gillett, seconded Cr Baird and **Resolved** that the Minutes of the Ordinary Council Meeting held on the 24 August 2023 be confirmed as a true and correct record of the meeting, subject to the following amendments:

Interest Register detail:	Amendment to be made:
Te Tai O Poutini / West Coast Conservation Board	‘Effective from date’ of 24.08.23 to be added to the Interest Register.
Te Tai O Poutini / West Coast Conservation Board	To be changed from Non-pecuniary to Pecuniary on the Interest Register

The Chair **Approved** that their digital signature be added to the confirmed Amended Council Meeting Minutes of 24 August 2023.

MINUTES RECEIVED FROM STANDING COMMITTEES

- CE’s Review Committee Meeting Minutes – 08 December 2022
- CE’s Review Extraordinary Committee Meeting Minutes – 25 May 2023
- Hokitika Wastewater Treatment Plant – Project Oversight Sub-Committee Meeting Minutes – 12 July 2023

Moved Cr Cassin, seconded Cr Burden and **Resolved** that the CE’s Review Committee Minutes of the 8 December 2022, the CE’s Review Extraordinary Committee Minutes of the 25 May 2023 and the Hokitika Wastewater Treatment Plant – Project Oversight Sub-Committee Minutes of the 12 July 2023 be received.

6. ACTION LIST

Simon Bastion, Chief Executive spoke to the Action List and provided the following updates:

Item	Action	Update
Pakiwaitara Building & Council Offices	Business case and scope of work to be brought to Council after the structural elements of the work have	Another round of proposed discussion to be had at a workshop scheduled for the 17 th October 2023

	been identified, costed and timelines finalized.	
Hokitika Government Building		Report in the Public Excluded session of the meeting today as requested at the August Council Meeting
Hokitika Racecourse Development	Council to be keep abreast of the IAF Application	There is a paper on this agenda on the current status of the project from Joseph & Associates. This item can be removed from the action list.
Central Business District Maintenance	Workshop to be arranged to review how the CBD is maintained.	Workshop for the 4 th October 2023 is scheduled.
Waka Kotahi NZ Transport Agency	Westland District Council to compile a list of areas with speed issues and send through to Mr Caygill at Waka Kotahi NZ Transport Agency	Present List includes: Otira – SH73 through village, community have requested 50km/h zone. Hokitika – North End of town, extend 50km/h zone to include Glow Worm Dell parking Hokitika – South End of town extend 50km/h zone to encompass whole bridge. Require confirmation from Council of other areas for consideration. Workshop recently on 14 September 2023. This can now be removed from the action list.

Moved Cr Baird, seconded Cr Davidson and **Resolved** that the updated Action List be received, and items:

- Hokitika Racecourse Development be removed.
- Waka Kotahi NZ Transport Agency be removed.

7. NGĀ TĀPAETANGA PRESENTATIONS

- **West Coast Emergency Management Status Update**

Claire Brown, Group Manager, West Coast Emergency Management & Tony Hart, Emergency Management Officer, Westland, West Coast Emergency Management, provided a PowerPoint Presentation on the following topics:

- **Statistics – Financial Year 2022-2023**
- **Reduction, Readiness, Response, Recovery**
- **Community Response Plans**
- **Community Exercises**
- **Hokitika Community Response Group**
- **EOC Readiness & Capability**
- **Community Assessment Survey**

- **Successes**
- **Challenges**

Claire Brown advised that West Coast Emergency Management is a centralised team that sits within the West Coast Regional Council, and they have a responsibility to each of the District Councils, and their primary focus is supporting the Westland Communities to respond and recover.

Moved Cr Neale, seconded Cr Burden and **Resolved** that the presentation from Claire Brown, Group Manager, West Coast Emergency Management and Tony Hart Emergency Management Officer, Westland West Coast Emergency Management be received.

- **Hokitika Racecourse Development Project Update**

Paul Zaanen, Senior Project & Business Development Manager, Sally Cox, Senior Project Manager, and Jason Mill, Architecture, Graphics and Project Management from Joseph & Associates Ltd joined the meeting via zoom and provided Council with an update on the Working Group, their key tasks and proposed work packages for engagement and planning.

Timeline:

Date	Target Audience	Commentary
Late October 2023	General Public	Provide an update to the Community with changed design and outputs via email and online.
Late October 2023	Target Stakeholders	Opportunity to engage with stakeholders and provide an update on the work packages
26 October 2023	Council	Back to Council with the findings of the Working Group and the Community Broader outcomes that inform the private sector.
November	General Public	Open day – an opportunity for the wider community to engage with the process in relation to the recreation reserve, community space (super lot 4) and the public amenity.
November	Targeted Stakeholders	A design meeting for the recreational reserve will be initiated.
December	General Public	Go back to the Community showcase the feedback received in November, highlight key next steps and provide a timeline for consultation via the Long-Term Plan.
December	Targeted Stakeholders	A further meeting to provide the key stakeholders with an update on design and any final design considerations prior to the Long-Term Plan consultation.

Kw Madgwick requested that in regard to process, could the Working Group directly report back to the Council rather than via the Consultants.

Her Worship the Mayor advised that it was noted.

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

1. The Hokitika Racecourse Development Project Update from Joseph and Associates be received.

**8. PŪRONGO KAIMAHI
STAFF REPORTS**

• **Financial Performance – August 2023**

Cody Nabben, Financial Accountant spoke to this item and advised the purpose of this report is to provide an indication of Council’s financial performance of the month to 31 August 2023.

Cody Nabben advised of the following errors in the document:

Page #	Issue	
Page 44	The statement of Financial Position says 31 July 2023	Updated to 31 August 2023. The figures do represent August 2023.
Page 48	Financial Performance Report	Debt Position is now accurate (compared to last month’s report) and reflects the annual plan and the large amount of capital expenditure Council expects to have over the next year.
	Cr Phelps queried the \$1.884M Capital Expenditure figure and asked for further detail	The Group Manager, District Assets advised he would need to look into this and get back to Cr Phelps.

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

1. The amended Financial Performance Report for 31 August 2023 be received.

• **Projects and Carry Forwards to 2023-2024**

Lynley Truman, Finance Manager spoke to this item and advised the purpose of this report is to seek Council approval for the carry forward of funding of projects and operating costs and revenues that were scheduled from previous financial years but were not completed by 30 June 2023.

The Finance Manager advised the following:

Page #	Issue	
Page 55	Racecourse Development \$300k spent as at 30 June 2022	Another \$38k has been accrued to this figure.

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

1. The amended report be received.
2. Council approve the carry forward of funds for the projects and operational costs itemised in Appendix 1 and 2 to the financial year 2023-2024.
3. Council continue with the revision of Emergency Operations Centre, Hokitika Museum, Pakiwaitara Building, Cass Square Playground, The Racecourse Development Project, and Council Headquarters Building
4. Council approve the future allocation of funds for specific purposes as requested by Council.

The Group Manager, District Assets advised that he had received the breakdown of the \$1.884M Capital Expenditure figure as questioned earlier in the meeting and advised that a fair amount of it was Better Off Funding relating to Civil Defence Hubs, also some funds in relation to the Emergency Operations Centre which makes up the totality of the \$1.884M.

- **Hokitika Gorge Lower Swing Bridge**

Scott Baxendale, Group Manager, District Assets spoke to this item and advised the purpose of this report is to confirm the retrospective approval of the Council application for funding from the Tourism Infrastructure Fund Variation to fund the design and building of a new replacement bridge in the lower Hokitika Gorge (Hokitika Gorge Lower Suspension Bridge).

On 29 August 2023, confirmation was sought from Councillors to proceed to a new bridge solution through the Tourism Infrastructure Fund with 100% consensus. As the confirmation from Councillors was by email, the approach taken now needs a formal resolution of Council.

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

1. The report be received
2. Council confirm the retrospective approval of the application to the Tourism Infrastructure Fund to proceed to building a new bridge for the lower Hokitika Gorge.

- **Annual Dog Control Policies and Practices Report**

Te Aroha Cook, Group Manager, Regulatory, Planning & Community Services spoke to this item and advised the purpose of this report is to adopt the Annual Report on Dog Control Policies and Practices for the year ending 30 June 2023.

Her Worship the Mayor advised that the feedback received from the wider community has been excellent and people are appreciative of the way issues have been handled and advised that Claire Lomax is very highly regarded in the Community.

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

1. The report be received.
2. Council adopts the Annual Dog Control Policy and Practices Report 2022/2023.
3. The adopted Annual Dog Control Policy and Practices Report 2022/2023 is publicly notified, and made publicly available on Council's website, and
4. The Secretary for Local Government is advised that the Annual Dog Control Policy and Practices Report 2022/2023 has been published in accordance with Section 10A of the Dog Control Act 1996, and Section 5(1) of the Local Government Act 2002.

- **Motorhome Friendly District Status**

Helen Lash, Her Worship the Mayor spoke to this item and advised the purpose of this report is for Council to confirm if it wishes the Westland District to become a Motorhome Friendly District.

The Mayor advised that Westland District will be known as a Motorhome Friendly District specifically for signed up members of the NZ Motorhome Association and the Association will erect signs to notify motorhome users of this.

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

1. The report be received
2. Westland District Council apply to become an official Motorhome Friendly District for the Westland District.

Moved Cr Gillett, seconded Cr Burden and **Resolved** that the meeting be adjourned for afternoon tea at 3:00pm. The meeting reconvened at 3:11pm in the Confidential Section of the meeting.

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 Baird and **Resolved** that Council confirm that the public were excluded from the meeting in accordance with Section 48, Local Government Official Information and Meetings Act 1987 at 3:11 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.	Public Excluded Minutes – 24 August 2023	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
2.	Public Excluded Committee Minutes to be Received: <ul style="list-style-type: none"> • CE’s Review Committee Meeting Minutes – 08 December 2022 • CE’s Review Extraordinary Committee Meeting Minutes – 25 May 2023 	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

3.	District Licensing Commissioner	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
4.	Hokitika Government Building	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
5.	Chief Executive's Performance Review	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

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

Item No.	Interest
1, 3, 5	Protect the privacy of natural persons, including that of deceased natural persons (Schedule (7)(2)(a))
1, 3, 4	Protect information where the making available of the information: (i) would disclose a trade secret; and (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Schedule 7(2)(b)).
1, 2, 5	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))
3	<i>Other reasons for withholding official information</i> 1. Where this section applies, good reason for withholding official information exists, for the purpose of section 5 , unless, in the circumstances of the particular case, the withholding of that information is outweighed by other considerations which render it desirable, in the public interest, to make that information available.

3	Subject to sections 6, 8, and 17 , this section applies if, and only if, the withholding of the information is necessary to— (Schedule 7(2))
3	Maintain the effective conduct of public affairs through—

	<ul style="list-style-type: none"> (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 (ii) the protection of such members, officers, employees, and persons from improper pressure or harassment; (Schedule 7(2)(f))
4	Maintain legal professional privilege; or (Schedule 7(2)(g))
4	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or (Schedule 7(2)(h))

Moved Cr Gillett, seconded Cr Burden and **Resolved** that the business conducted in the 'Public Excluded Section' be confirmed and accordingly, the meeting went back to the open part of the meeting at 4.31pm.

**DATE OF NEXT ORDINARY COUNCIL MEETING – 26 OCTOBER 2023
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

MEETING CLOSED AT 4.31 PM

Confirmed by:

Mayor Helen Lash
Chair

Date: 26 October 2023