



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, 29 AUGUST 2024 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 Her Worship the Mayor.

2. MEMBERS PRESENT AND APOLOGIES

Chairperson	Her Worship the Mayor
Deputy and Southern Ward Member:	Cr Cassin (via zoom)
Northern Ward Members:	Cr Neale, Cr Burden, Cr Phelps
Hokitika Ward Members:	Cr Baird, Cr Davidson, Cr Gillett
Southern Ward Members:	Cr Manera
Iwi Representatives:	Kw Madgwick

NGĀ WHAKAPAAHA APOLOGIES

Kw Tumahai.

Moved Cr Burden, seconded Cr Manera and **Resolved** that the apology from Kw Tumahai be received and accepted.

STAFF PRESENT

S. Baxendale, Acting Chief Executive; L. Crichton, Group Manager: Corporate Services, Risk & Assurance; E. Bencich, Acting Group Manager District Assets; D. Maitland; Executive Assistant; E. Rae, Strategy and Communications Advisor (via Zoom); P. Coleman, Governance Administrator.

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated.
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

Moved Cr Burden, seconded Cr Baird and **Resolved** that in accordance with section 46A(7) of the Local Government Official Information and Meetings Act (LGOIMA) and under section 9.12 of Councils

adopted Standing Orders, the following item be added as an **Urgent Item Not on the Agenda** for Council's consideration:

- **Christmas lights**

Due to the following reasons:

- i) **The reason the item is not on the agenda is –**

The need for this agenda item arose after the agenda was released.

The issue arises from the Elected Members requesting that alternate means be sought to fund the new Christmas Lights for the Hokitika Central Business District.

- ii) **The reason why the discussion of the item cannot be delayed until a subsequent meeting is –**

To enable the Christmas Lights and the infrastructure for the lights to be organised before the Christmas period.

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

The Minutes of the previous Meetings were circulated.

- **Ordinary Council Meeting Minutes – 25 July 2024**
- **Extraordinary Council Meeting Minutes – 6 August 2024**

Moved Cr Baird, seconded Cr Gillett and **Resolved** that the Minutes of the Ordinary Council Meeting held on 25 July 2024 and the Minutes of the Extraordinary Council Meeting held on 6 August 2024 be confirmed as a true and correct record of the meeting.

The Chair **Approved** that their digital signature be added to the confirmed Ordinary Council Meeting Minutes of 25 July 2024 and the Extraordinary Council Meeting Minutes of 6 August 2024.

Minutes to be Received from Standing Committees.

- Risk and Assurance Committee Meeting Minutes – 9 May 2024
- Cycling and Walking Subcommittee Meeting Amended Minutes – 15 February 2024

Moved Cr Gillett, seconded Cr Burden and **Resolved** that the Minutes of the Risk and Assurance Committee Meeting held on 9 May 2024, and the Minutes of the Cycling and Walking Subcommittee Meeting held on 6 August 2024 be received.

6. **ACTION LIST**

Scott Baxendale, Acting Chief Executive spoke to the Action List and provided the following updates:

- Pakiwaitara –
 - The geotech results are included on the Council Agenda.
- Council Headquarters –
 - Options are being investigated regarding this item.
- Hokitika Gorge Lower Swing Bridge –
 - The Department of Conservation presented at last meeting of Council. There is a confidential tender paper on the agenda for this Council meeting.
- Community Housing Trust –
 - This item has not been progressed to date.

Moved Cr Davidson, seconded Cr Gillett and **Resolved** that the updated Action List be received.

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

7. NGĀ TĀPAETANGA PRESENTATIONS

- **Poutini Puāwai Education and Research Project**

Laura Neale and representatives from Poutini Puāwai provided a presentation for Council.

The following topics were discussed:

- The project would provide an inclusive community garden project aimed at the entire community and would aim to provide education in a practical way, which can build skills, independence and confidence.
- Poutini Puāwai would apply to become NZQA accredited
- Project components would include a cafe for fresh meals, solar and rain collection, composting, a native nursery and food forest.
 - The total cost of the project is approximately \$650K and funding will be sought from external providers. An area of 1.5 ha of land is sought from Council.

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

1. The Poutini Puāwai Education and Research Project presentation from Laura Neale be received.

8. PŪRONGO KAIMAHI STAFF REPORTS

- **Better Off Funding Update – Tranche One Projects**

Jan Visser, Facilities and Properties Manager spoke to this item and advised the purpose of the report is to provide an update on the status of the Better Off Funding – Tranche One projects. A final report will be presented to Council at the November Council meeting.

The following items were discussed:

- Civil Defence projects:
 - Hari Hari will be completed by October 2024.
 - Otira and Kumara have been completed
 - Whataroa will be completed by September 2024.
- There was an administrative error on the report for the Lake Kaniere project, as this project is on budget.
- The Hokitika Regent Theatre project will be completed by the end of September 2024.
- Hokitika Town Clock. The seismic reports indicated that the building is earthquake prone and will require an engineering design if work is to be done.
- Franz Josef Hall, a seismic assessment was completed alongside a Geotech and structural design report, the results of which show that the hall is earthquake prone and not feasible for strengthening.
- Ross Hall has had asbestos removed.
- Haast Hall and Okuru Hall, the engineering design will be completed in September 2024.
- The Kokatahi, Franz Josef, Haast and Okuru Halls are all earthquake prone.
- A report will be tabled at the November Council Meeting.

Further information on the repair of the Hokitika Cenotaph, and the Hokitika Town Clock to be circulated to the Mayor, Councillors and Iwi representatives.

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

1. The report be received.

- **Projects and Carry Forward to 2024-25**

Lynley Truman, Finance Manager spoke to this item and advised the purpose of the report is for approval of the carry forward of funding of projects, operating costs and revenues that were scheduled from previous financial years but were not completed by 30 June 2024.

The following items were discussed:

- The Franz Josef Wastewater protection wall and the Hokitika Gorge Swing bridge were not listed in the report.
- The Ross community pole shed, and land project will be progressed.

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

1. The report be received.
2. Council approve the carry forward of funds for the projects itemised in Appendix 1 and operational costs or \$104,000 for audit fees for the deferred Long-Term Plan to the financial year 2024-25.
3. Council approve the future allocation of funds for specific purposes.

- **Acting Chief Executive's Quarterly Report**

Scott Baxendale, Acting Chief Executive spoke to this item and advised the purpose of the report is to provide an update on all aspects of what is happening in the Westland District and provide an update on any matters of significance and priority.

The following items were discussed:

- Custom House, a meeting will be scheduled with Heritage Hokitika
- Transportation – This item will be tabled at the October Council Meeting regarding the allocation of funding.
- Tonkin+Taylor 3 Waters Report. The Mayors from the West Coast Councils will meet in September and see what, if anything, can be done collaboratively.
 - Council has some very good freshwater treatment plants, but there is some aging underground infrastructure, and the upcoming wastewater treatment plants.

Road Safety Coordinators Role – further clarification on this role and responsibilities is required to be circulated to the Mayor, Councillors and Iwi representatives.

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

1. The Quarterly Report from the Acting Chief Executive dated 29th August 2024 be received.

PRESENTATION

- **Pounamu Pathway Presentation**

Toko Kapea, Chief Executive of Pounamu Pathway spoke to this presentation via zoom.

- Mawhera Pounamu Pathway opened in 2023.
- Kawatiri Westport Pounamu Pathway opened in February 2024, and this location is combined with the isite.
- The project that was to be in Haast will now be located in Franz Josef and will open mid 2025 with Ngai Tahu tourism.
- The Hokitika Pounamu Pathway will be in Weld Street on the existing site of Ngai Tahu Pounamu. This project will open in 2026. The creative concept drawings are complete, and a demo of the existing building on site is to come.
- A further presentation to Council is envisaged before Christmas.

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

1. The Pounamu Pathway presentation from Toko Kapea be received.

- **Geotech Summary Report – Pakiwaitara Building**

Jan Visser, Facilities and Properties Manager spoke to this item and advised the purpose of the report is to provide Council with the geotechnical report and seismic strengthening concept design for the Pakiwaitara building at 41 Weld Street, Hokitika.

The following items were discussed:

- Liquefaction is not a big concern for the building.
- The report was requested before the decision was made to put the building up for sale.

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

1. The report and appendices be received.

LATE AGENDA ITEM

- **Hokitika Central Business District Christmas Lights**

Jan Visser, Facilities and Properties Manager spoke to this item and advised the purpose of the report was to provide an update on the Christmas lights and the options for installation.

The following items were discussed:

- At the July Council meeting a funding request was made for Christmas lights, and Council resolved that the request go out to Destination Hokitika and wider community groups for interest in funding or fundraising for the Christmas lights, with Council installing the lights each year as per the former agreement, if such funding is successful.
- The Community groups have asked that Council assist in the infrastructure required for these new Christmas lights.
- The Community groups will fund the cost of the new Christmas lights.

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

1. The report be received.
2. Council purchase 4x new engineered support frames at a cost of \$14,528 for the Christmas lights supplied by the community groups and install and remove them for the festive period.

Cr Neale and Cr Phelps recorded their votes against the motion.

Cr Manera left the meeting at 2.51pm and returned at 2.52pm.

- **West Coast Wilderness Trail - Totara Bridge – Options Report**

Erle Bencich, Acting Group Manager District Assets spoke to this item and advised the purpose of the report was to seek Council directive on the future of the West Coast Wilderness Trail (WCWT) crossing structure of the Totara River in Ross.

The following items were discussed:

- The swing bridge option would involve removing large sections of the trellis to allow for anchor points.
- When Council agreed in 2010 to take on a rail bridge, there had been no maintenance for 30 years after it originally closed for rail use. The structural integrity of the bridge is poor and is now at end-of-life status.
- There are two other bridges of question along this section of the West Coast Cycle Trail, and these may cost around \$150k each in repairs but are not due for 2-3years.
- The decision to close the bridge does not have anything to do with the weight of cyclists or pedestrians, the bridges main load is its own weight. The truss section has loss of structural integrity.

- The West Coast Wilderness Trail is classified as a strategic asset hence the Totara Bridge will need to be consulted on in the future as part of the LTP.

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

1. The report be received.
2. The West Coast Wilderness Cycle trail remain closed at the northern and southern ends of the Totara Bridge.
3. A business case be prepared with minimal cost to the ratepayer.
4. Staff to investigate if an external funding source can be found to explore alternative options for the Totara bridge or alternate routes for the Cycle Trail.

Cr Phelps recorded his vote against the motion.

Cr Burden left the meeting at 3.10pm and returned at 3.12pm.

Kw Madgwick left the meeting at 3.15pm and returned at 3.16pm.

Moved Cr Baird, seconded Cr Davidson and **Resolved that the meeting be adjourned** for a break at 3.17pm, the meeting reconvened at 3.25pm.

9. ADMINISTRATIVE RESOLUTIONS

Moved Deputy Mayor Cassin, seconded Cr Baird and **Resolved** that Council confirm its seal being affixed to the following Warrant of Appointments amendments.

<p>WARRANT OF APPOINTMENT – Amendment to add to the following warrants:</p> <ul style="list-style-type: none"> • Wayne Knightbridge - Environmental Health / Regulatory Officer. • Yolanda Knoetze – Alcohol Licencing Inspector. • Clare Lomax – Animal Control Officer. • Lee Buchanan – Health and Safety & Compliance Officer. • Vern Morris – Compliance Team Leader. • Erle Bencich – Acting Group Manager. • Jan Visser – Facilities and Properties Manager. • David Louw – Project Manager, Operations. • Martin Ross – Engineer 3 Waters. • Darcy Lucas – Facilities and Property Coordinator. • Karl Jackson – Transportation Manager. • John Bainbridge – Transportation Officer. 	<p>Litter Control Officers Under Section 5 of the Litter Act 1979</p> <p>(1) Every public authority may from time to time, either alone or jointly with another public authority or other public authorities, appoint any suitable person or persons (whether already employed by an authority or not) to be a Litter Control Officer to exercise the powers and duties conferred on the Officer by this Act—</p> <p>(a) within the district or districts of the public authority or public authorities which appointed him and within any other area or place under the control of that authority or those authorities; or</p> <p>(b) if the appointing authority or authorities think fit, within such part or parts of their district or districts or other areas or places under their control as they may specify in his warrant of appointment supplied under subsection (3).</p> <p>(2) Every such appointment shall be on such terms concerning remuneration and other conditions of employment as the appointing authority or authorities may determine.</p> <p>(3) The authority shall supply to every Officer appointed by it a written warrant evidencing the appointment, and the production of that warrant shall be sufficient proof of the appointment.</p> <p>(4) Every Officer shall, on the termination of his appointment, whether by removal from office or by resignation, surrender to the authority employing him his warrant of appointment.</p> <p>Under Section of the Litter Amendment Act 1990</p> <p>(1)This subsection substituted section 5(3) of the principal Act.</p> <p>(2)This subsection amended section 5(4) of the principal Act.</p>
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<ul style="list-style-type: none"> Christy George – Assistant Transportation Engineer. 	<p>(3)Every Officer appointed under section 5 of the principal Act who, at the commencement of this section, has in his or her possession an insignia of office issued under the principal Act shall surrender it on demand to the employing authority.</p>
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10. KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI

RESOLUTION TO GO INTO PUBLIC EXCLUDED

(to consider and adopt confidential items)

Moved Cr Burden, seconded Cr Gillett 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 3.26 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 – Council Meeting - 27 June 2024	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 – Extraordinary Council Meeting - 6 August 2024	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.	Minutes to be received: Confidential Risk and Assurance Committee Meeting - 9 May 2024	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.	Confidential Risk Report	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.	Confidential Lower Hokitika Gorge Suspension Bridge 2024-25-03 – 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.	Confidential Hokitika Racecourse Development Report	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
1	Protect the privacy of natural persons, including that of deceased natural persons (S. 7(2)(a))
1, 2, 5, 6	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 (S. 7(2)(b))
1	Avoid prejudice to measures that prevent to mitigate material loss to members of the public. (S. 7(2)(e))
1	Maintain the effective conduct of public affairs through: (i) The protection of such members, officers, employees, and persons from improper pressure of harassment (S. 7(2)(f))
1, 4	Maintain legal professional privilege; or (S. 7(2)(g))
1, 4	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or (S. 7(2)(h))
1, 2, 5, 6	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (S. 7(2)(i))
1, 2, 5, 6	Prevent the disclosure of use of official information for improper gain or improper advantage. (S. 7(2)(j))

Moved Cr Burden, seconded Cr Baird 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 4.25 pm.

**DATE OF NEXT ORDINARY COUNCIL MEETING – 26 SEPTEMBER 2024
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

MEETING CLOSED AT 4.25 PM

Confirmed by Council at their meeting held on the 26th September 2024.

Mayor Helen Lash
Chair

Date