



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, 24 OCTOBER 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
Northern Ward Members:	Cr Neale, Cr Burden
Hokitika Ward Members:	Cr Baird, Cr Davidson, Cr Gillett (via zoom)
Southern Ward Members:	Cr Manera (part meeting)
Iwi Representatives:	Kw Madgwick

NGĀ WHAKAPAAHA APOLOGIES

Cr Phelps. Kw Tumahai

ABSENT

Cr Manera, for this part of the meeting.

Moved Cr Neale, seconded Cr Burden and **Resolved** that the apologies from Cr Phelps and Kw Tumahai be received and accepted.

STAFF PRESENT

S. Baxendale, Acting Chief Executive; L. Crichton, Group Manager Corporate Services and 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.

The following staff were in attendance for part of the meeting:

L. Truman, Finance Manager; V. Morris, Compliance Team Leader; A. Paulsen, Asset Strategy and Development Manager; C. Lomax, Animal Control Officer.

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated.
No changes were made to the Interest Register.

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

Moved Cr Baird, seconded Cr Davidson 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 Council's adopted Standing Orders, the following item be added as a Confidential (s(7(2)(a))) **Item of Business not on the Agenda** for Council's consideration:

- Road Name Adjustment
Due to the following reasons:
 - 1) **The reason the item is not on the agenda is –**
This item arose after the agenda was released.
 - 2) **The reason why the discussion of the item cannot be delayed until a subsequent meeting is –**
The Mayor would like this item to be addressed before the Memorial Service for former Mayor Bruce Smith on 2 November 2024.

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

The Minutes of the previous Meeting had been circulated.

○ **Ordinary Council Meeting Minutes – 26 September 2024**

Moved Cr Baird, seconded Deputy Mayor Cassin and **Resolved** that the Minutes of the Ordinary Council Meeting held on 26 September 2024 be confirmed as a true and correct record of the meeting.

The Chair **Approved** that their digital signature be added to the confirmed Council Meeting Minutes of 26 September 2024.

6. **ACTION LIST**

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

Item	Update
Pakiwaitara Building –	○ Council will be consulting the community as part of the Long Term Plan, for the sale of this building.
Council Headquarters	○ A report will be sent to the 28 November 2024 Council meeting to discuss the options and affordability of rates.
Lower Hokitika Gorge Swing Bridge	○ The bridge contractor has been delayed by weather issues on another project. ○ Contractors anticipate being on site by 10 November 2024 to start work. ○ The project completion date has not been changed (mid-February), the budget is still on track, and no new risks have been identified at this stage. ○ The supplier is resolving issues around resource consents.

Hokitika Museum Board Trust Formation	<ul style="list-style-type: none"> ○ Council resolved on the 26 May 2022 to endorse the establishment of a Museum Trust Board and develop a terms of reference accordingly which is still to be actioned. ○ This item will come back to a future Council meeting. Representation on the Committee will include the Community Services Manager in place of the Group Manager Regulatory and Planning.
Department of Conservation General Items	<ul style="list-style-type: none"> ○ Rubbish Bins - It was noted that rubbish facilities had been removed from the department's sites in Goldsborough, Mahinapua and Lake Kaniere. <ul style="list-style-type: none"> ▪ Council has no recourse on this, and it may result in more rubbish being placed in Council refuse bins, however this will be monitored by staff. ○ Feral Cat Programme– <ul style="list-style-type: none"> ▪ There has been a feral cat programme operating in South Westland, and the Department of Conservation will be invited to a future Council meeting to discuss this matter. ○ Lower Hokitika Gorge Swing Bridge ownership – <ul style="list-style-type: none"> ▪ Council staff are working with the Department of Conservation regarding this matter. ▪ Depreciation of the asset will be taken into consideration if the asset remains with Council.

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

7. NGĀ TĀPAETANGA PRESENTATIONS

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

- **Destination Westland Ltd - Annual Report**
Marie-Louise Tacon, Director and Melanie Anderson Chief Executive of Destination Westland Ltd spoke to this presentation.

Key items discussed included the following:

- Core strategic focus areas -
 - Managing core infrastructure.
 - Leveraging assets.
 - Attracting investment.
- Financial results.
- Non-financial results.
 - Employee satisfaction.
 - Health and Safety.
 - Communication.
- Aviation passenger numbers.
- Hokitika Wildfoods Festival
- Aged housing.
- Renaming of Destination Westland Limited will come back to Council.

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

1. The Annual Report from Destination Westland Ltd be received.

- **Westroads Ltd - Annual Report**
Mark Rogers, Chair of Westroads Ltd spoke to this presentation.

Key items discussed included the following:

- Core purpose –
 - Operate as a successful business.
 - Maximise shareholder value.
 - Providing positive community outcomes.
- Strategic priorities –
 - Invest in people and culture.
 - Care for community and environment.
 - Achieving outstanding results.
 - Building quality relationships and diversify.
- Values
 - Improvement and Innovation.
 - Performance Driven.
 - Team Commitment.
- Health and Safety.
- Donations.
- Financials.
- Training.
- Contracts.

Moved Cr Davidson, seconded Deputy Mayor Cassin and **Resolved** that:

1. The Annual Report from Westroads Ltd be received.

8. PŪRONGO KAIMAHI STAFF REPORTS

- **Financial Performance – September 2024**

Lynley Truman, Finance Manager spoke to this item and advised the purpose of this report was to provide an indication of the Council’s financial performance for the month to 30 September 2024.

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

1. The Financial Performance Report for 30 September 2024 be received.

- **Annual Dog Control Policy and Practices Report 2023/2024**

Vern Morris, Compliance Team Leader spoke to this item and advised the purpose of this report was to adopt the Annual Dog Control Policies and Practices Report for the year ending 30 June 2024.

- A correction to the date at items 8.1 and 8.2 of the 30 June 2024.
- Any increase in fees will be consulted on as part of the Long Term Plan process.
- There has been an increase in general complaints.

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

1. The report be received.
2. Council adopt the Annual Dog Control Policy and Practices Report 2023/2024 subject to the following amendments:
 - a. The removal of paragraph 2 in point 8, which introduces the suggested fee increases for the forthcoming financial year.
 - b. The removal of the supporting table in point 8, which describes the suggested fee increases for the forthcoming financial year.
3. The adopted Annual Dog Control Policy and Practices Report 2023/2024 be publicly notified and made available on the Council’s website.
4. The Secretary for Local Government be advised that the Annual Dog Control Policy and Practices Report 2023/2024 has been published in accordance with Section 10A of the Dog Control Act 1996, and Section 5(1) of the Local Government Act 2002.

- **Responsible Freedom Camping Bylaw**

Alicia Paulsen, Asset Strategy and Development Manager spoke to this item and advised the purpose of this report was to seek that the Council adopt the Statement of Proposal and draft Responsible Freedom Camping Bylaw. This would allow for public consultation to occur using the special consultative procedure as per Section 86 of the Local Government Act 2002.

Key items discussed included the following:

- Following the Council Workshop the Freedom Camping bylaw has been revised.
- The consultation period will be for one month followed by a hearing.
- Submissions must provide evidence as to why they do not want a site to be included in the bylaw.
- The area from Whataroa to the southernmost point of the Westland District is a World Heritage area.

Her Worship the Mayor queried the last allocation from Central Government which was \$375K, \$40K of which was allocated for the creation of the Freedom Camping Bylaw. The Acting CE will discuss this matter and report back to Council.

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

1. The report be received.
2. The list of prohibited sites from the 2018 bylaw be assessed by staff during the consultation period, along with reviewing the management terms around a world heritage area.
3. Staff add the enforcement options, that were provided at the Council workshop on 9 October 2024, into the Statement of Proposal.
4. Council determine under section 155(1) of the Local Government Act 2002 that the problem presented by freedom camping in the district is most appropriately and proportionately addressed by way of a bylaw under the Freedom Camping Act 2011.
5. In accordance with section 11 of the Freedom Camping Act 2011, Council adopt the proposed Statement of Proposal and Draft Responsible Freedom Camping Bylaw 2024 for public consultation, using the special consultative procedure under section 86 of the Local Government Act 2002.

- **Adoption of the draft Waste Management and Minimisation Plan Statement of Proposal**

Erle Bencich, Acting Group Manager District Assets spoke to this item and advised the purpose of this report was to present for adoption the draft Waste Management and Minimisation Plan Statement of Proposal.

- The Acting Group Manager District Assets had provided the Mayor and Councillors with an updated copy of the Statement of Proposal.
- The updated document will be included with the Waste Management and Minimisation Plan to go out for consultation.

Moved Deputy Mayor Cassin, seconded Cr Neale and **Resolved** that:

1. The report be received.
2. Council adopt the updated Statement of Proposal for the draft Waste Management and Minimisation Plan and West Coast Regional Waste Assessment document then proceed to public consultation.
3. The following engagement and consultation will be undertaken: The Statement of Proposal will be open for public submissions from 18 November – 20 December 2024.

Moved Cr Baird, seconded Cr Davidson and **Resolved** that in accordance with Standing Orders 4.2, the meeting extend beyond 2 hours.

Cr Baird left the meeting at 3.01 pm and returned to the meeting at 3.02 pm.

Cr Manera arrived at the meeting, 3.04 pm.

Cr Burden left the meeting at 3.19 pm and returned to the meeting at 3.22 pm.

- **West Coast Regional Council Consultation on the Regional Infrastructure Fund Grant for the Waiho River Stop Banks**

Scott Baxendale, Acting Chief Executive spoke to this item and advised the purpose of this report was to advise Council on the consultation letter received from the West Coast Regional Council (WCRC) regarding the Waiho river stop banks at Franz Josef, following an allocation of \$6m funding from Central Government, which is part of a \$10m Regional Infrastructure Fund (RIF) bid. Staff seek direction on the response to the WCRC letter which is required by the 8 November 2024.

Key items discussed included the following:

- Financial information and rates.
- Community relationships.

The Acting Chief Executive will be composing a letter of reply to WCRC on behalf of WDC, jointly signed by himself and Her Worship the Mayor, with items discussed as below in the resolution.

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

1. The report be received.
2. Council provide direction to staff to include in the response to the West Coast Regional Council the following:
 - a. All points noted in items 3.4 and 3.5 of the report as listed below -
 - i. Whether taking out loans for a period beyond the lifespan of the asset is prudent.
 - ii. Do the figures include interest and service charges?
 - iii. Is the interest fixed or floating?
 - iv. How will the asset be depreciated and is that contained within the figures?
 - v. What will be the maintenance cost of the period?
 - vi. WCRC have indicated verbally that the \$1.8m remaining funding from stage 1 has not been allocated to a specific part of the stage 2 project. If this funding is used to support the Franz Josef Rating District contribution it would significantly reduce the financial burden on ratepayers.
 - b. Any additional points required relevant to the discussion held at this meeting.

9. **ADMINISTRATIVE RESOLUTION**

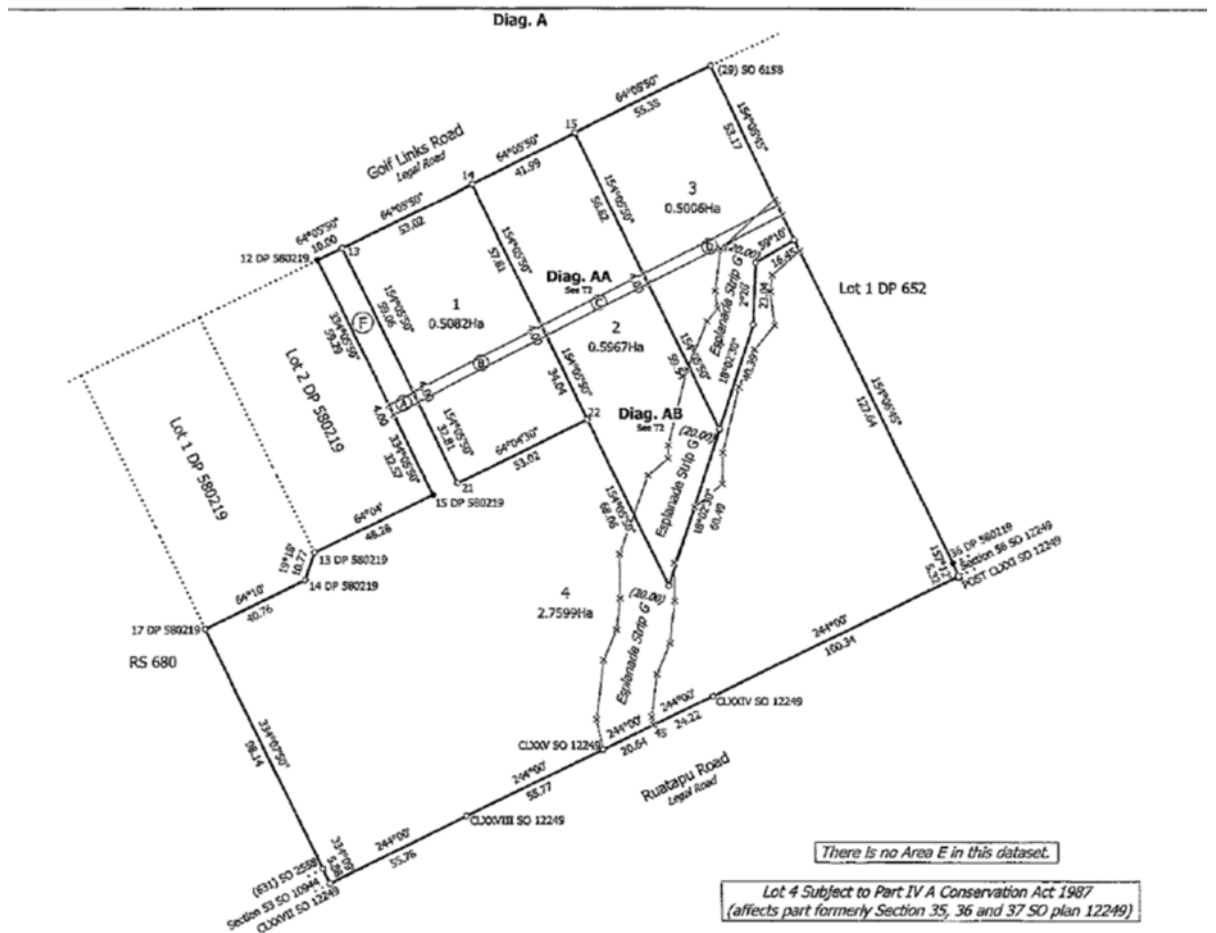
The Acting Chief Executive spoke to this item and provided clarification as follows:

- A correction to the title for the Instrument Creating Esplanade Strip, Sections 232 and 235, Resource Management Act 1991. ANA Investments (2022) Limited (Grantor) and Westland District Council (Grantee)
- The requirement to register an Esplanade Strip along Fishermans Creek is in accordance with Section 230 subsection 3 of the Resource Management Act 1991.
- There is no conflict of interest in this matter relating to any staff member.

Moved Deputy Mayor Cassin, seconded Cr Burden and **Resolved** that Council confirm its Seal being affixed to the following document:

- **Instrument Creating Esplanade Strip, Sections 232 and 235, Resource Management Act 1991. ANA Investments (2022) Limited (Grantor) and Westland District Council (Grantee)**

The Grantor creates in favour of the grantee an esplanade strip for the purposes of protection of conservation values as outlined below:



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

Moved Cr Baird, seconded Cr Neale 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 3.50pm.

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 – 26 September 2024	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.	Director Reappointment	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.	Late Agenda Item – Road Name Adjustment	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
2, 3	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) 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))
2	Maintain the effective conduct of public affairs through: (ii) The protection of such members, officers, employees, and persons from improper pressure of harassment (S. 7(2)(f))

Moved Cr Neale, seconded Cr Davidson 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.

INFORMATION RELEASED TO THE OPEN PART OF THE MEETING:

In accordance with Standing Orders 18.5, the following information was released to the open part of the meeting due to the grounds that the reason to withhold the information no longer exists:

- **Road Name Adjustment**

Erle Bencich, Acting Group Manager District Assets introduced this item and advised the purpose of this item is to name the section of road, from the Beach Street/Gibson Quay intersection along to the road end at Sunset Point, “Bruce Smith Drive” after former Mayor Bruce Smith.

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

1. The report be received.
2. Council resolves to rename the section of the road network, from the Beach Street/Gibson Quay intersection to Sunset Point, as “Bruce Smith Drive”.

**DATE OF NEXT ORDINARY COUNCIL MEETING – 28 NOVEMBER 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 28 November 2024.

Mayor Helen Lash
Chair

Date