



# ORDINARY COUNCIL MINUTES

**MINUTES OF THE ORDINARY COUNCIL MEETING OF WESTLAND DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA ON THURSDAY 12 DECEMBER 2019 COMMENCING AT 1.00 PM**

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## 1. MEMBERS PRESENT

| Chairperson    | His Worship the Mayor    |                       |
|----------------|--------------------------|-----------------------|
| <b>Members</b> | Cr Carruthers (Deputy)   |                       |
|                | Cr Davidson              | Cr Hart               |
|                | Cr Hartshorne (via Zoom) | Cr Kennedy (via Zoom) |
|                | Cr Keogan                | Cr Martin (apology)   |
|                | Cr Neale                 | Kw Madgwick           |
|                | Kw Tumahai               |                       |

His Worship the Mayor advised that due to the adverse weather event in Westland District from the 6-9 December 2019, the presentations on the agenda from the West Coast Wilderness Trust and the Citizenship Ceremony had been deferred.

### NGĀ WHAKAPAAHA APOLOGIES

Apologies had been received from Kw Madgwick and Cr Martin.

Moved Cr Keogan, seconded Cr Hart and **Resolved** that the apology from Kw Madgwick and Cr Martin be received and accepted.

### STAFF PRESENT

S.R. Bastion, Chief Executive; L. Crichton, Group Manager: Corporate Services, F. Scadden, Planning and Customer Services Manager; D.M. Maitland, Executive Assistant and Council Secretary, E. Rae, Strategy and Communications Advisor.

## 2. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

Cr Hartshorne – The Chief Executive advised that following the workshop with the Office of the Controller and Auditor-General (OAG), Council will be writing to the OAG in terms of Cr Hartshorne’s contracting work with the Council subsidiaries.

The Interest Register was circulated and no amendments were noted.

### **3. 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.

### **4. NGĀ MENETI O TE HUI KAUNIHĒRA MINUTES OF MEETINGS**

The Minutes of the meeting had been circulated to the Mayor and Councillors separately.

- **28 November 2019 – Council Minutes**

Moved Cr Davidson, seconded Cr Neale and **Resolved** that the Minutes of the Ordinary Meeting of Council held on the 28 November 2019 be confirmed as a true and correct record of the meeting.

### **5. NGĀ TĀPAETANGA PRESENTATIONS**

- **Fire and Emergency New Zealand**

Mark Boere, Area Commander, West Coast Fire Area attended the meeting and provided a presentation regarding the Local Advisory Committee.

- Under the Fire and Emergency New Zealand Act 2017, Fire and Emergency New Zealand is required to establish Local Advisory Committees (LACs) around the country.
- LACs will ensure communities' voices and interests are reflected in national and local planning.
- As well as providing advice from a local perspective, LACs will help and understanding of the communities' current and future risks and issues.
- This means the LAC can more effectively help communities prepare for, respond to, and recover well from emergencies, which is vital to building a safer and more resilient New Zealand.
- Nominations for 5-8 Committee Members opened on 2 December 2019 and close on 31 January 2020.

Councillors thanked Mr Boere for the presentation to Council and advised that they look forward to the formation of the Local Advisory Committee.

- **West Coast Wilderness Trust**

The presentation from representatives of the West Coast Wilderness Trust had been deferred to the 23 January 2020 Council Meeting.

- **Citizenship Ceremony**

Nine new Citizens were due to undertake their Citizenship Ceremony and confirm their Affirmation/Oath of Allegiance. Alternative dates have now been made for the Citizenship Ceremony.

## 6. ACTION LIST

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

- Kaniere School – concept has been developed and will be progressed in the New Year.
- Speed Limits – Consultation process will occur in 2020 and will lead into a Bylaw Review.
- Partnership Agreement – Agreement to be signed by the Chair of Te Rūnanga o Makaawhio. Plans to sign the agreement yet to be confirmed
- Cass Square – Community Development Committee.
- Haast Civil Defence and Community Development – proceeds of the sale of property on Marks Road to be finalised. Referred to the 23 January 2020 Council Meeting.
- Carnegie Building Project – work in progress.
- Fox Landfill – The CE has met with Ministry for the Environment in terms of next week and progressing what will be the long-term remediation of the landfill.
- Sunset Point Hardfill – resource consent has been completed. Continuing with the Project.
- Local Governance Statement – item completed.
- Delegations Manual – item completed.
- Recruitment for the Council Committee support – position is currently being job sized then the position will be advertised.
- Code of Conduct – Appointment of Independent Investigatory – letter has been completed.
- Letters to the Community Groups is underway.
- Audit Management Report on Council Website – completed.
- Marks Road – sale of land to FENZ – consultation process has been started and will be completed in the New Year.
- Hari Hari Complex Reserve Fund – letter is required. A purchase order has been raised.
- Tohu Whenua Pou – MOU to be developed for the installation on the 14 February 2020. Meeting held with Heritage Hokitika to discuss bringing the Heritage area up to standard.
- Iwi representation around the Council Table – The Mayor has drafted a letter. Feedback is currently being sought from the Iwi Chairs.

- Warrants of Appointments for staff – this item has been actioned.

The Council Building was then evacuated at 1.30 pm for a fire drill. The drill took 3 minutes and the Council meeting then resumed at 1.40 pm.

Moved Cr Keogan, seconded Cr Neale and **Resolved** that the updated Action List be received and that the following items be removed from the listing:

- Local Governance Statement
- Delegations Manual
- Fox Landfill
- Approval of Unbudgeted Expenditure – additional staff member
- Code of Conduct
- Confirmation of Appointments to Outside Organisations
- Audit Management Report
- Hari Hari Complex Reserve Fund
- Warrants of Appointments

## **7. PŪRONGO KAIMAHI STAFF REPORTS**

- **Reviewed Significance and Engagement Policy**

The Strategy and Communications Advisor advised that the purpose of the report is to provide comment and propose an amendment to the Significance and Engagement Policy adopted on 18 December 2014.

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

- A) Council receive the report.
- B) Council adopt the draft Significance and Engagement Policy.

- **West Coast Triennial Agreement**

The Chief Executive advised that the purpose of the West Coast Triennial Agreement was to adopt the 2019-2022 West Coast Triennial Agreement.

Section 15 of the Local Government Act 2002 requires all Councils to adopt a Triennial Agreement by 1 March after each triennial general election of members. All local authorities within each region must enter into an agreement under this section covering the period until the next triennial general election of members.

Moved Cr Hart, seconded Cr Davidson and **Resolved** that Council adopts the 2019-2022 West Coast Triennial Agreement and endorse the Mayor signing the agreement on behalf of Westland District Council.

- **Westland Racing Club - Purchase of land.**

Cr Neale declared an interest in this matter for West Coast Riding for the Disabled.

A revised Report to Council had been prepared by the Chief Executive and was circulated to the Mayor and Councillors in advance of the meeting.

The purpose of the report is to consider the purchase of the Westland Racing Club (Westland Racing Club) land in Hokitika.

A request had been received from the Westland Racing Club Committee to transfer the ownership of their property into Westland District Council ownership.

Moved Cr Davidson, seconded Cr Keogan and **Resolved** that Cr Neale be asked to remain in the meeting for this discussion due to Cr Neale's background knowledge the West Coast Riding for the Disabled group which leases a portion of land at the Westland Racing Club.

Moved Deputy Mayor Carruthers, seconded Cr Keogan and **Resolved** that:

- A) Council proceed with due diligence as outlined in the conditional Sale and Purchase Agreement.
- B) Council authorise the Chief Executive to proceed to an unconditional Sale and Purchase Agreement once satisfied with due diligence.
- C) Council accept the transfer of Westland Racing Club funds less \$75,000 to go into a reserve account for the purpose of improvements to the procured land and to ensure sustainability of the asset for future generations.
- D) Council proceed to negotiate terms for Riding for the Disabled for land tenure post successful purchase.

*Cr Neale declared an interest in the matter and did not vote.*

## **9. ADMINISTRATIVE RESOLUTIONS**

Nil.

### **WESTLAND CIVIL DEFENCE ACTIVATION**

An informal discussion was held regarding the civil defence activation for the severe rain event on the 6-8 December 2019. The Chief Executive advised that there will be a series of debriefings from the event which will provide the opportunity for the various communities and agencies to provide feedback.

### **ASPIRATIONS FOR THE NEW YEAR**

Councillors then took the opportunity to provide their aspirations for the New Year.

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

(to consider and adopt confidential items)

Moved Deputy Mayor Carruthers, 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 2.38 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 – 28 November 2019         | 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 or 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 information where the making available of the information: <ul style="list-style-type: none"> <li>(i) would disclose a trade secret; and</li> <li>(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)).</li> </ul> |
|          | Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))   |
|          | Maintain legal professional privilege (Schedule 7(2)(g))  |
|          | Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a))  |

Moved Cr Hart, seconded Cr Keogan 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 2.50 pm.

**DATE OF NEXT ORDINARY COUNCIL MEETING – 23 JANUARY 2020  
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA**

**MEETING CLOSED AT 2.50 PM**

Confirmed by:

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**Mayor Bruce Smith**  
**Chair**

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**Date**