



COUNCIL MINUTES

MINUTES OF AN ORDINARY MEETING OF WESTLAND DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA ON THURSDAY 26 SEPTEMBER 2019 COMMENCING AT 11.30 AM

PRESENT

Chairperson:	His Worship the Mayor	
Members:	Cr Martin (Deputy)	Cr Lash (Deputy)
	Cr Eatwell	Cr Neale
	Cr Routhan	Cr Olson
	Cr Havill ONZM	Cr Carruthers
	Kw Tumahai	

1. NGĀ WHAKAPAAHA APOLOGIES

Nil.

ABSENT

Kw Rochford and Kw Rasmussen.

STAFF PRESENT

T.A. Cook, Acting Chief Executive and Regulatory Services Manager; F. Scadden, Planning and Customer Services Manager; E. Bencich, Operations Manager; D.M. Maitland, Executive Assistant and Council Secretary.

2. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register was circulated and no amendments were made at the meeting.

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

There were no urgent items added to the Agenda.

4. NGĀ MENETI O TE HUI KAUNIHERA MINUTES OF COUNCIL MEETINGS

The Minutes of Council Meetings had been circulated separately to the Mayor and Councillors and were available on the Council Table as follows:

- **Ordinary Council Meeting – 22 August 2019**

Moved Cr Carruthers, seconded Deputy Mayor Martin and **Resolved** that the Minutes of the Ordinary Council Meeting, held on the 22 August 2019 be confirmed as a true and correct record of the meeting.

- **Extraordinary Council Meeting – 22 August 2019**

Moved Deputy Mayor Lash, seconded Cr Olson and **Resolved** that the Minutes of the Extraordinary Council Meeting, held on the 22 August 2019 be confirmed as a true and correct record of the meeting.

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

6. ACTION LIST

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

- **Responsible Camping Areas**
 - Report to **Council as part of this agenda.**
- **Speed Limits**
 - Report to Council as part of this agenda.
- **Transfer of Pensioner Housing to Destination Westland**
 - Initial discussions have been held with Destination Westland. The next steps are to be determined.
- **Climate Change**
 - Item concluded.
- **Fox Landfill**
 - Tenders for Fox River Landfill Rock Protection Work close on Friday 27 September 2019.
- **Whataroa Water Supply**
 - Deputy Mayor Lash thanked the Operations Manager for his communication to the Whataroa community regarding the Whataroa Water Supply.

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

7. PŪRONGO KAIMAHI STAFF REPORTS

- **Review of Speed Limits Bylaw**

The Transportation Manager spoke to this item and advised that the purpose of the report is to seek Council approval to carry out a formal review of the speed limits set within the Westland District roading network in order to update the schedules within the current Bylaw. Full public consultation would be undertaken on the speed limit review and would include roadshows.

Item 5.3 of the Council Report advised that public consultation would be extended over 3 months (November 2019, December 2019, January 2020) with October 2019 utilised for preparation of the full consultation documentation, February 2020 for hearing of any submissions and final ratification of any changes in March 2020.

Moved Cr Neale, seconded Cr Havill and **Resolved** that Council agrees to carry out a formal review on speed limits within the Westland District road network. This will involve full formal public consultation (in accordance with the timelines

set in item 5.3 of the Report to Council) and the receipt and hearing of submissions prior to formally adopting any speed limit changes into the revised bylaw.

- **Sunset Point - Hardfill Site**

The Operations Manager spoke to the report to Council with regard to Sunset Point fill activities. Earthworks to level and fill the surface of a section of Sunset Point had been undertaken since September 2018 and included filling a surface area of 2,800 m² with 5,635 cubic metres of cleanfill.

Golders Associates had been engaged to undertake some soil sampling of affected areas and one sample showed a negligible presence of asbestos and heavy metals, slightly above background measurement limits. The report from Golders Associates had been submitted to the West Coast Regional Council for discussion and review.

Moved Cr Havill, seconded Cr Olson and **Resolved** that Council receive this report as an informational update on the situation, with a subsequent update to be expected once West Coast Regional Council has had time to consider the information they have received.

- **Sunset Point – Project Update**

The Property and Special Projects Supervisor advised that the purpose of the report is to provide an update on the Sunset Point project. Council had proceeded with increasing rock protection works, raising the level of Sunset Point and accepted donated fill to elevate the base levels. The works to date and design developments had been outlined in the Report to Council.

Deputy Mayor Lash queried if Sunset Point and the Waterfront Development are in the Council's Long Term Plan.

Moved Cr Neale, seconded Deputy Mayor Lash and **Resolved** that the report from the Property and Special Projects Supervisor be received.

- **Projects and Carry-Forwards to 2019-20**

The Financial Reporting and Budgeting Accountant advised that the purpose of the report is to seek Council approval for:

- The carry-forward of funding for projects that were scheduled from previous financial years, but were not completed by 30 June 2019.
- Council approval for the future allocation of funds that were generated for specific purposes and were in surplus as at 30 June 2019.

There was a request that a completion timeline be added to the projects listing for future Reports to Council.

Moved Cr Olson, seconded Cr Eatwell and **Resolved** that Council approves the carry forward to 2019-20 of funds totalling \$4,941,079 for the projects itemised in **Appendix 1** as attached to the Agenda.

Cr Routhan recorded his vote against the motion.

- **Responsible Freedom Camping Working Group Update**

The Acting Chief Executive advised the purpose of the report is to provide Council with an update of the review of the 2018/2019 Freedom Camping Season by the Responsible (Freedom) Camping Review Working Group.

It was noted that two meetings held been held to date on 3 July and 6 September 2019, with the next meeting scheduled for mid-November, following the Inaugural Council Meeting, and appointment of three Council member representatives.

Moved Cr Carruthers, seconded Cr Olson and **Resolved** that Council receives the report 'Responsible (Freedom) Camping Working Group Update'.

- **Delegations to the Chief Executive during the Election period**

The Acting Chief Executive spoke to this item and advised the purpose of this report is to delegate to the Chief Executive (CE) the responsibilities, duties and powers of the Council, subject to limitations set out in Clause 32(1) of Schedule 7 of the Local Government Act 2002 to the CE during the election period until the swearing in of the new Council at its Inaugural Meeting.

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

- A) Council receives the report 'Delegations to the Chief Executive during the election period'.
- B) Council delegates all of its responsibilities, duties and powers to the Chief Executive, subject to the limitations set out in clause 32(1) of Schedule 7 of the LGA 2002, for the election period, and subject to the requirement that the Chief Executive may only exercise this delegation:
 - a. In consultation with the person elected to the position of Mayor,
 - b. By only attending to those matters that cannot reasonably wait until the first meeting of the new Council, and
 - c. By reporting and decisions made during the election period to the first meeting of Council.

The meeting adjourned for lunch at 12.53 pm for lunch reconvened at 1.30 pm.

5. NGĀ TĀPAETANGA PRESENTATIONS

- **Ute Muster**

Deputy Mayor Martin noted his interest as a Director of Destination Westland Ltd.

Melanie Anderson, Acting Chief Executive of Destination Westland (in attendance at the meeting), Ian Hustwick, Chair of Destination Westland (via Zoom) and Richard Benton (Via Zoom) provided an update on the Ute Muster held during Easter Weekend 2018. Chris Rea, Director of Westland Holdings Limited was also in attendance at the meeting.

The Acting CE of DW tabled a Ute Muster Report which highlighted the actual variances explained to what was presented to Council in 2018 and answered questions from Councillors with regard to the Event including sponsorship.

Ian Hustwick then provided background information relating to the concept of the Ute Muster and also answered questions in relation to sponsorship of the event.

The Acting CE DW advised that DW had been managing the loss of the Ute Muster for 18 months.

Moved Deputy Mayor Lash, seconded Cr Routhan that Council acknowledge the financial report provided by the Acting CE of Destination Westland of September 2019, and recommend to the incoming Council that a full and frank review be carried out into all aspects of the Ute Muster held at Easter 2018.

Deputy Mayor Lash, Cr Eatwell, Cr Neale and Cr Routhan voted for the motion.

*His Worship the Mayor, Cr Havill, Cr Carruthers,
Cr Olson voted against the motion.*

Deputy Mayor Martin, as a Director of Destination Westland abstained from voting on the matter.

The motion was lost.

8. ADMINISTRATIVE RESOLUTIONS

Nil.

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

(to consider and adopt confidential items)

Moved Deputy Mayor Martin, seconded Cr Olson 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 2.34 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 Council Minutes – 22 August 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)			
2.	CE'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 or withholding exists.
Section 48(1)(a)			
3.	Director Appointment of Westroads	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 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.	<p>Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a)); and</p> <p>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i)); and</p> <p>Maintain legal professional privilege (Schedule 7(2)(g); and</p> <p>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i).</p>
2. & 3.	Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a))

Moved Cr Olson, seconded Cr Havill 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 2.43 pm.

- **PRESENTATION TO RETIRING COUNCILLORS**

His Worship the Mayor presented gifts and a Certificate of Recognition to retiring Councillors Deputy Mayor Lash, Cr Routhan and Cr Havill for their service to Westland District Council as follows:

Elected Member	Years of Service to Council
Deputy Mayor Lash	Councillor 2016-2019
Cr Routhan	Councillor 2016-2019
Cr Havill	Mayor 1989-1998 Councillor 2016-2019

Deputy Mayor Lash, Cr Routhan and Cr Havill then thanked the Council and staff and provided a brief talk on their time on Council, and wished all the candidates in the forthcoming election the very best.

His Worship the Mayor wished all the candidates the very best for the forthcoming election.

MEETING CLOSED AT 3.05 PM

Confirmed by:

Mayor Bruce Smith
Chair

Date

Te Aroha Cook
Acting Chief Executive & Regulatory Services Manager

Date