



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 20 JULY 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 sung by Cr Neale

2. MEMBERS PRESENT AND APOLOGIES

| Chairperson | Her Worship the Mayor | |
|-------------|-----------------------|---|
| Members | | |
| | Cr Cassin (Deputy) | Cr Baird (via zoom for part of the meeting) |
| | Cr Burden | Cr Davidson |
| | Cr Gillett | Cr Manera |
| | Cr Neale | Cr Phelps |

NGĀ WHAKAPAAHA APOLOGIES

Kw Madgwick

Moved Cr Gillett, seconded Cr Neale, and **Resolved** that the apology from Kw Madgwick be received and accepted.

Kw Tumahai was absent until an apology was received at 3.35pm

STAFF PRESENT

S.R. Bastion, Chief Executive; S. Baxendale, Group Manager District Assets; T. Cook, Group Manager, Regulatory, Planning & Community Services (for part of the meeting); D. Maitland; Executive Assistant, E. Rae, Strategy and Communications Advisor (via zoom); S. Johnston; Governance Administrator.

Also in Attendance:

Paul Zaanen, Senior Project, and Business Development Manager - Joseph & Associates
Jason Mills, Architecture, Graphics & Project Management Associate – Joseph & Associates

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 KAUNIHĒRA
MINUTES OF MEETINGS**

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

- **Ordinary Council Meeting Minutes – 22 June 2023**
- **Extraordinary Council Meeting Minutes – 30 June 2023**

Moved Cr Burden, seconded Cr Manera and **Resolved** that the Minutes of the Ordinary Council Meeting held on the 22 June 2023 and the Minutes of the Extraordinary Council Meeting held on the 30 June 2023 be confirmed as true and correct records of the meetings.

The Chair **Approved** that their digital signature be added to the confirmed Council Meeting Minutes of 22 June 2023 and Extraordinary Council Meeting Minutes of 30 June 2023.

MINUTES TO BE RECEIVED FROM STANDING COMMITTEES:

- **Hokitika Wastewater Treatment Plant Oversight Sub-Committee Minutes – 8 February 2023**

Moved Deputy Cassin, seconded Cr Gillett and **Resolved** that the Minutes of the Hokitika Wastewater Treatment Plant Project Oversight Sub-Committee of 8 February 2023 be Received.

6. ACTION LIST

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

| Item | Action | Update |
|--|--|---|
| Pakiwaitara Building & Council Offices | Business Case & scope of work to be brought back to Council | The review is still being undertaken. Workshop with Councillors to be held on the 10 th August 2023 to discuss further. |
| Hokitika Government Building | Workshop to be held with council to review numbers. | The review is still being undertaken. A workshop has been set with Councillors for the 10 th August 2023 to discuss further. |
| Hokitika Racecourse Development | Further update from Joseph & Associates at July Council Meeting. | A report is on this agenda for consideration. |
| Financial Performance | Summary of subsidies & grants received & what this has been spent on. | Included as part of the Chief Executive's report on the agenda. |
| Stafford Cemetery | Memorandum Of Understanding for ground maintenance to be signed. Scoping work being done | Memorandum Of Understanding has been drafted and is sitting with Heritage Hokitika for signing. |

| | | |
|---------------------------------------|--|--|
| Central Business District Maintenance | Workshop to be arranged to review how Hokitika Central Business District is maintained | Council staff are working on a date. To understand what the contract looks like and what is involved with the Hokitika Central Business District maintenance as part of the workshop. Discussion to also include parking strategies. |
| Waka Kotahi NZ Transport Agency | List of areas with speed issues to be sent to James Caygill at Waka Kotahi NZ Transport Agency | Items have been identified and any feedback is welcome on this. Items can be sent directly to the Chief Executive who will pass onto the Transportation Manager. |

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

7. NGĀ TĀPAETANGA PRESENTATIONS

• Te Tai Poutini Kai Puku - Food Rescue Hub

Jade Winter, Project Lead at Te Tai Poutini Kai Puku spoke to the presentation and provided the following information:

Te Tai Poutini Kai Puku is the first food rescue organisation on the West Coast, which started in August 2022 and within 9 months rescued 36 tonne of kai that would have otherwise gone into landfill have gone into the community.

The following topics were discussed:

- Definitions
- Lack of food security and sovereignty
- Voices of people experiencing food insecurity on the West Coast
- Video: <https://www.facebook.com/MSDNewZealand/videos/784867262765852/>
- Improve Community & Individual Food Security
- Annual Plans / Long Term Plans in Local Government
- Christchurch Community Garden
- Call for Support

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

1. Council supports Te Tai Poutini Kai Puku and work towards identifying a piece of land that could be suitable for this project.

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

2. The presentation from Jade Winter of Te Tai Poutini Kai Puku be received.

• West Coast Road Safety Coordinating Committee

Glenys Byrne, West Coast Road Safety Coordinator spoke to the presentation and provided the following information:

Topics Discussed:

- Introduction
- History
- Road to Zero Video:

<https://nzta.govt.nz/safety/what-waka-kotahi-is-doing/nz-road-safety-strategy/our-vision/>

- Road Safety Coordinators Role
- Photos of events
- History of Road Safety in New Zealand
- Questions

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

1. The presentation from Glenys Byrne, Road Safety Coordinator be received.

- **Hokitika Racecourse Infrastructure Acceleration Fund – Development Options**

Deputy Mayor Cassin declared that he had a conflict of interest, had sought advice from the ¹Office of the Auditor General Auditor General and accordingly left the Council Chambers while this matter was discussed.

Cr Neale also advised that she had listened to advice regarding her potential conflict of interest with her involvement in the Riding for the Disabled Association (RDA) and advised that she did not want to declare a conflict of interest and advised that her intention was to be involved in the discussion and voting options provided due to the fact that RDA is only a portion of the bigger picture regarding the Racecourse Development Options.

The Mayor advised that as a Council it is important to make the decision on behalf of the rate-payer, and that she relied heavily on Councillors integrity and ability to discuss and make decisions with no pre-determination and from a neutral position.

The Chief Executive advised that if there is a decision to be made and an elected member voting on that decision had an outcome that went in their favour, there is potential that someone could challenge the decision, which would require a judicial review and Council would pay for that review.

The Chief Executive proposed a compromise, that Cr Neale provide the last vote, so that if there is a majority, Cr Neale wouldn't need to vote.

After further discussion with Councillors, Cr Neale advised that she would rescind her right to vote if that made Councillors more comfortable but would not rescind her right to be involved in the discussion.

Simon Bastion, Chief Executive spoke to this item and advised that the purpose of the report is to feed back to Council the outcomes of the public engagement exercise requested by Council on the 23rd March 2023. The report also supplies detailed infrastructure costings regarding the provision of trunk infrastructure to Hokitika Racecourse.

The Chief Executive invited Mr Paul Zaanen and Jason Mills from Joseph & Associates to support the discussion on the report.

Cr Burden left the chambers 2:24pm and returned at 2:25pm

Her Worship the Mayor left the chambers at 2:28pm and returned at 2:29pm

Moved Cr Phelps, seconded Cr Davidson and **Resolved** to extend the meeting time beyond 2 hours before taking a break as per clause 4.2 of Standing Orders.

¹ Amended at the Ordinary Council Meeting 24 August 2023

Moved Cr Davidson, seconded Cr Manera that:

- **Option 3** is the preferred Option:
'Council continues with the Funding Agreement works but looks to ascertain an appropriate build partner of the site in either a series of super lots or one large development block. A well-articulated Expression of Interest/Request for Proposal process will seek to bring a development partner or partners to the table who will be capable of building out the lots or as part of a larger development.'

The motion was not put to the meeting and was not carried.

The amendments numbered 2 and 3 below replace the above resolution that was not carried.

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

1. The report be received

Carried

Moved Cr Manera, seconded Cr Burden and **Resolved by way of amendment** that:

2. Council continues with the Infrastructure Acceleration Funding Agreement works and seeks a development partner or partners through the creation of one or more super lots.

Cr Phelps recorded his vote against the motion.

Cr Neale did not vote on this matter.

Deputy Mayor Cassin was not in attendance for this part of the meeting and did not vote.

The amendment was put to the meeting and was carried.

The amendment became the substantive motion, was put to the meeting, and was carried.

Moved Cr Davidson, seconded Cr Gillett and **Resolved by way of amendment** that:

3. Council initiates an 'Expression of Interest and Request for Proposal' (EOI/RFP) process for the Hokitika Racecourse Development, to ascertain best-fit build partner or partners for the project and the community based on the outcomes of the engagement process.

Cr Phelps recorded his vote against the motion.

Cr Neale did not vote on this matter.

Deputy Mayor Cassin was not in attendance for this part of the meeting and did not vote.

The amendment was put to the meeting and was carried.

The amendment became the substantive motion, was put to the meeting, and was carried.

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

4. Expression of Interest / Request For Proposal is developed for further council consideration and that the Chief Executive will bring that back to Council at a future date.

Carried

Cr Phelps recorded his vote against the motion.

Cr Neale did not vote on this matter.

Deputy Mayor Cassin was not in attendance for this part of the meeting and did not vote.

PRESENTATIONS CONTINUED:

Her Worship the Mayor officially recognised Mr Ben Nilson and congratulated him on achieving 25 years of service given to the Kokatahi Kowhitirangi Rural Fire Service and commented that it was a mark of respect of his devotion to not just the community, but the people within it.

The Councillors adjourned for afternoon tea at 3:23pm and reconvened at 3:35pm

Her Worship the Mayor advised that an apology from Kw Tumahai had been received;

Moved Cr Phelps seconded Cr Cassin and **Resolved** that the apology from Kw Tumahai be received and accepted.

Cr Baird was not in attendance for this part of the meeting.

8. PŪRONGO KAIMAHI STAFF REPORTS

- **Chief Executives Report**

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

Cr Baird re-joined the meeting via zoom at 3:42pm

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

1. The Quarterly Report from the Chief Executive dated 20 July 2023, be received.

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

Scott Baxendale, Group Manager, District Assets spoke to this item and advised that the purpose of the report is to provide an update to Council on the status of the Three Waters Reform, Better Off Funding Tranche One projects

- Councillors noted that the spelling of 'Lazar Park' was incorrect in the report to Council.

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

1. The report be received.

- **Elected Member Policies**

Simon Bastion, Chief Executive spoke to this item and advised that the purpose of the report was for Council to adopt the Elected Members Allowances Policy and Elected Member Parental Leave of Absence Policy and noted the following clauses in the Elected Members Allowance Policy needed further amendment as follows:

- ‘That reference to the Audit & Risk Committee in Clause 3.3 of the Elected Members Allowances Policy be amended to Risk & Assurance Committee’

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

1. The report be received.
 2. Council adopt the Amended Elected Members Allowances Policy with the following minor change:
 - Clause 3.3 be amended from “Audit and Risk Committee” to “Risk and Assurance Committee”.
 3. Council adopt the Elected Members Parental Leave of Absence Policy.
- **Creation of Loading Zone in Revell Street, Hokitika**
Karl Jackson, Transportation Manager spoke to this item and advised that the purpose of the report was to seek Council’s approval for a designated loading zone outside the St Vincent de Paul shop at 80 Revell Street, Hokitika.

Cr Manera left the chambers at 4:23pm and returned at 4:23pm

- Councillors noted that the reference to ‘Petrie Lane’ in the report to Council was incorrect and should read ‘Perry Lane’.

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

1. The report be received.
 2. The Council resolves to accept Option 1 and designate the carpark space outside 80 Revell Street, Hokitika as a Loading zone in accordance with the Traffic and Parking Bylaw 2013 Section 3.2, part (b), subpart (i). and request that Councils Transportation Manager then arrange for signage and appropriate pavement markings to be installed as required.
- **Road Naming for Unnamed Road at Ruatapu**
Karl Jackson, Transportation Manager spoke to this item and advised that the purpose of the report was to obtain a Council resolution on the naming of an unnamed legal road off State Highway 6, Ruatapu.

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

1. The report be received.
2. That the Council resolves to adopt Bittern Creek Road as the new name for this unnamed section of road at Ruatapu as identified in red on the location map as attached to the agenda.

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 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 4:32 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 22 June 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) |

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 |
| 1 | Protect information where the making available of the information: <ul style="list-style-type: none"> (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 | Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i)) |

Moved Cr Burden, seconded Cr Phelps 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 4:33pm.

**DATE OF NEXT ORDINARY COUNCIL MEETING – 24 AUGUST 2023
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

MEETING CLOSED AT 4:33 PM

Confirmed by:

**Mayor Helen Lash
Chair**

Date: 24 August 2023