



# 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 25 AUGUST 2022 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 Cr Neale

### 2. MEMBERS PRESENT AND APOLOGIES

Chairperson	Acting Mayor Carruthers	
Members	His Worship the Mayor (Zoom)	
	Cr Davidson	Cr Hart
	Cr Martin	Cr Neale
	Cr Keogan	Kw Madgwick

### NGĀ WHAKAPAAHA APOLOGIES

Kw Tumahai  
Cr Hartshorne

Moved Acting Mayor Carruthers seconded Cr Keogan and **Resolved** that the apologies from Kw Tumahai and Cr Hartshorne be received and accepted.

### STAFF PRESENT

L. Crichton, Acting Chief Executive; S. Baxendale, Group Manager District Assets; D. Maitland; Executive Assistant, E. Rae, Strategy and Communications Advisor; S. Johnston; Governance Administrator.

### 3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated via Microsoft Teams and available on the Council table. 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 KAUNIHERA MINUTES OF MEETINGS

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

- **Ordinary Council Meeting Minutes – 28 July 2022**

Moved Acting Mayor Carruthers seconded Cr Martin and **Resolved** that the Minutes of the Ordinary Council Meeting held on the 28 July 2022 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 28 July 2022.

### COMMITTEE MINUTES RECEIVED:

- **Audit & Risk Committee Meeting – 12 May 2022**

Moved Acting Mayor Carruthers seconded Cr Davidson and **Resolved** that the Minutes of the Audit & Risk Committee Meeting held on the 12 May 2022 be received.

- **Cycling & Walking Sub-Committee Meeting – 19 May 2022**

Moved Acting Mayor Carruthers seconded Cr Davidson and **Resolved** that the Minutes of the Cycling & Walking Sub-Committee Meeting held on the 19 May 2022 be received.

- **CE's Review Committee Meeting – 23 June 2022**

Moved Acting Mayor Carruthers seconded Cr Davidson and **Resolved** that the Minutes of the CE's Review Committee Meeting held on the 23 June 2022 be received.

### COMMITTEE MINUTES TO BE CONFIRMED DUE TO THE COMMITTEE NOT MEETING AGAIN BEFORE THE END OF THE TRIENNIUM

- **Extraordinary Capital Projects & Tenders Committee Meeting – 14 June 2022**

Moved Acting Mayor Carruthers seconded Cr Davidson and **Resolved** that the Extraordinary Capital Projects & Tenders Committee Meeting Minutes from 14 June 2022 be confirmed.

- **Audit & Risk Committee Meeting – 11 August 2022**

Moved Acting Mayor Carruthers seconded Cr Davidson and **Resolved** that the Audit & Risk Committee Meeting Minutes from 11 August 2022 be confirmed.

- **CE's Review Committee Meeting – 15 August 2022**

Moved Acting Mayor Carruthers seconded Cr Davidson and **Resolved** that the CE's Review Committee Meeting Minutes of 15 August 2022 be confirmed.

- **Cycling & Walking Sub-Committee Meeting – 18 August 2022**

Moved Acting Mayor Carruthers seconded Cr Davidson and **Resolved** that the Cycling & Walking Sub-Committee Meeting Minutes of 18 August 2022 be confirmed.

## 6. ACTION LIST

The Group Manager, District Assets, Scott Baxendale spoke to the Action List and provided the following updates:

- **Speed Limit Register Review – Stage 2**

Now halfway through the consultation process. Feedback has been mixed and slow. There is large support for speed reductions around schools which is being planned as part of the latest Waka Kotahi rule changes. Full report back to council.

Cr Keogan requested a summary of the feedback received once submissions have closed.

- **Ross Chinese Gardens – Flooding issues**

Work is nearing completion and the outlet is in place. Due to be completed in September. Lake level has risen of late due to the impact of weather conditions. Staff member to out tomorrow (26.08.22) to have a further look at what is happening. To remember this is a community project and council not directly leading.

- **Pakiwaitara Building – Investigate costs to bring up to building standards**

No further movement since last meeting. Parked and postponed for the time being.

- **Pakiwaitara Building – Business Case Timeline**

As per previous action - no further movement since last meeting. Parked and postponed for the time being.

- **Racecourse Development Submission Bid**

There was a presentation in the confidential section at the last Council meeting. Continuing to work on this. Need to do some final negotiations and discussion regarding funding agent towards end of October/November.

There will be a more detailed, outlined proposal brought back to September Council meeting for Council to make a decision.

- **Gambling Policy**

There is a report on the agenda for discussion today.

- **Hokitika Beach Sign**

No further movement on this at the present.

The sign had blown over in a recent weather event, but it has since been re-erected.

- **Otira Toilet**

Temporary toilets were reinstalled in the community from 1 August 2022. Further discussions are being had internally on how to put together a more permanent solution. Alternative funding will need to be sought – which is part of the discussion happening internally. This will be brought back to Council to discuss.

Cr Martin requested a timeline regarding permanent toilets and added to the LTP.

- **Reseals 2022/2023**

At the previous Council meeting there was a request for an information breakdown of bitumen component of the reseal cost. Bitumen makes up approx. 50% of total reseal costs. In October 2021, bitumen was \$990 per tonne, March 2022 \$1165 per tonne and August 2022 is presently \$1355 per tonne which equates to a 37% increase for bitumen alone since 2021.

Councillors queried whether this would mean Council will do less reseals, and if so, who decides what roads are priorities.

District Assets Manager advised that Council will be staying within budget which will mean doing less. The Transportation manager will come back to Council with a paper regarding the impacts of this and timelines.

- **Bollards at Kaniere Crossing**

This has been discussed internally on how to best produce something for council to help inform in the decision-making process. Council's view was to produce a report outlining the approach to road safety design and safety parameters Council operate within. This to be produced for early next year due to the scale of work involved.

Some councillors expressed strong views on the visual appearance of the bollards, stating they were an eyesore, a waste of time, unnecessary, and were requesting for the bollards to be completely removed, whilst other Councillors felt the bollards provided a good safety measure for children and cyclist and felt safety should be the first priority.

District Assets Manager advised that the bollards are a visual deterrence & there may be a way to minimise the visual impact of them. There is a risk associated with completely removing the bollards, and Councillors need to have clarity on what the public safety position is first, then, if there is a lesser requirement, Council can decide from there. A discussion will be had with the Transportation manager on what is allowed/not allowed on that piece of road – balance road safety with aesthetics. This information will be circulated to Councillors.

**Cass Square Fence was raised (not on the action list)**

Councillors raised the issue of the fence being erected around Cass Square and queried why and how this fence came to be, and why Councillors did not know about the proposed fence, and discussion not had. Who made the decision and was it budgeted for.

The Acting Chief Executive advised that this was previously mentioned at meetings regarding the revitalisation of Cass Square. There was no specific proposal as it was part and parcel of the whole revitalisation and advised that the Chief Executive may have more information regarding this.

The concept plan of Cass Square to be circulated to Councillors and the Acting Chief Executive will discuss with the Chief Executive about this when he returns.

- **Old Christchurch Road Culvert Replacement**

Transportation Manager was asked to advise councillors of the costings, budget, and approximate timeframe for this replacement and to outline the position regarding external funding. \$250K for this culvert this was declined by Waka Kotahi. Proposed to include this in next LTP 2023 for the funding 2024-2027 NLTF.

Cr Martin queried the estimated amount of \$250k for one culvert and requested a breakdown of the costs of works of that \$250k.

District Assets Manager advised that the transportation manager is currently away, and will discuss this with him, and get back to Councillors with this costing.

- **Berm Mowing**

There is a paper that has been brought today for discussion.

- **Better Off Funding Package**

A workshop was held with Councillors on 15 August 2022 to look at allocation of funding towards individual projects and comprehensive discussion was had. There were some actions taken away from this with a further workshop planned for 12 September 2022 for councillors to come back. From here a report will be produced for September's Council meeting.

Cr Keogan requested specific detail on how many applications from the Community have come in to Council since the Workshop on the 15<sup>th</sup> August. District Assets Manager to source this information and circulate to the Councillors.

Moved Acting Mayor Carruthers, seconded Cr Neale and **Resolved** that the updated Action List be received with the above amendments/actions.

## 7. NGĀ TĀPAETANGA PRESENTATIONS

Nil Presentations

## 8. PŪRONGO KAIMAHI STAFF REPORTS

- **Financial Report**

Finance Manager, Lynley Truman spoke to this report and advised that the purpose of this report is to provide an indication of Council's financial performance for the month to 31 July 2022.

Cr Hart queried the figure amount of \$745k in 60-90 days and what that was in relation to.

The Finance Manager advised that it was potentially regarding grants and would need to get back to her to confirm.

Cr Martin queried page 5 note 2 regarding grants and subsidies with a significant variation to budget, and asked if this was a phasing or timing issue?

The Finance Manager advised that it is a timing issue.

Cr Martin requested a review of the quantum of grant funding and subsidies in detail and to be circulated to Councillors.

Cr Martin requested Capital Projects – to be listed like the Traffic Light System.

September Council Meeting – CE to give a Breakdown of external funding from over the past 7 years.

Moved Cr Hart seconded Cr Neale and **Resolved** that:

1. The Financial Performance Report for 31 July 2022 be received.

- **Community Funding**

Acting Chief Executive, Lesley Crichton spoke to this report and advised that the purpose of this report is to provide Council with a Draft Community Funding Policy for consideration and adoption.

The Acting Chief Executive advised that this report was brought to the last Council meeting but required updates: regarding Iwi involvement, seeing them as a treaty partner and acknowledging that. Kw Madgwick was involved in the update of the wording of this Policy.

Acting Chief Executive reminded Councillors that this policy is purely about the framework for staff to decide on how funding is allocated to groups

Councillors commented on the wording in section 1.2 of the report and felt the wording too heavy/detailed and unnecessary and should be amended to broader terms.

Moved Acting Mayor Carruthers seconded Cr Neale and **Resolved** that:

- The Community Funding Report be received.
  - Council approves the Westland District Council Community Funding Policy as is.
- **Otira Community – Request for a Community Board**  
Acting Chief Executive and Group Manager, Corporate Services, Lesley Crichton spoke to this report and advised that the purpose of this report is to respond to the Otira Community regarding their request to formalise an Otira Community Board.

The recommendation is that they do not become a Community Board, but suggest they become an Incorporated Society, that way they can seek external funding as well as through Council. A community board requires remuneration, formal meetings & costs associated with those meetings.

Moved Acting Mayor Carruthers seconded Cr Keogan and **Resolved** that:

1. The Report be received.
2. That Council encourage the Otira Community Group to become a legal entity by applying to become an Incorporated Society.
3. That Council appoint a Northern Ward Councillor as a liaison with the Otira Community. Cr Neale advised she is happy to do this in the interim.

- **Social Impact Assessment – Class 4 and TAB Venue Gambling**  
Acting Chief Executive and Group Manager, Corporate Services, Lesley spoke to this report and advised that the purpose of this report is to provide Council with a Social Impact Assessment of Class 4 and TAB Venue Gambling in the Westland District: Social Harms and Benefits.

*Cr Martin left the chambers at 2:59pm and returned at 3:01pm*

Moved Acting Mayor Carruthers seconded Cr Keogan and **Resolved** that:

1. The Report be received.
2. The Social Impact Assessment of Class 4 and TAB Venue Gambling in the Westland District: Social Harms and Benefits report as prepared by Social Research and Evaluation be received subject to the following amendment:
3. That the contradictory wording between law and policy be tidied up.

- Wording in Clause 3.6 changed from:  
“New venues must provide **an open area for Class 4 Gambling**” to  
“All venues must provide **a restricted area for Class 4 Gambling**”.

*Council adjourned for an afternoon tea break at 3:05pm and reconvened the meeting at 3:17pm.*

- **Berm Mowing Policy Review**  
Group Manager District Assets, Scott Baxendale spoke to this report and advised that the purpose of this report is to reconsider the present mowing frequency options within the Urban Berm Mowing Policy.

This policy was asked to be brought back to council for review whether to continue with the policy as is or change the policy with recommendations.

Councillors commented that the Policy doesn't give staff clear enough guidance as to what triggers berm mowing and would like this clarified at a policy level. The intent here is to provide guidance to staff to support them in their operational work.

The District Assets Manager advised that the District Asset Team could come back to council with a proposal to look at the most cost-effective way to regularly mow the berms, but it is not budgeted for in the annual plan.

Moved Cr Davidson seconded Cr Martin and **Resolved** that:

1. The Report be received.
2. An immediate berm clearance of non-residential areas be done.
3. A report be brought to the September Council meeting outlining a proposal for properties where berms that are not being mowed to be mowed regularly (as needed).

*Cr Martin left the chambers at 3:41pm and returned to the chambers at 3:42pm*

- **Hokitika Beachfront Access Project Report**

Group Manager, District Assets, Scott Baxendale spoke to this item and advised that:

- 1.1 The purpose of this report is to provide an update for Council on the Hokitika Beachfront Access Project.

Councillors commented that discussions appeared to have happened at an operational level but were not discussed at a Governance level.

The Mayor advised that he had been in contact with an ex-<sup>1</sup>West Coast Regional Council staff member who was able to confirm verbal discussions had taken place with the Chief Executive of the West Coast Regional Council, and that he was happy to confirm this in writing.

Moved Cr Davidson seconded Cr Martin and **Resolved** that

1. The report and appendices be received.
2. Acting CE to raise this issue with Chief Executive on his return to work and Acting Mayor Carruthers and Chief Executive have further discussion on moving this forward.

- **Road Naming –Norwest Estate, Hokitika and Boundary Road, Kumara.**

Group Manager, District Assets, Scott Baxendale spoke to this item and advised that:

- 1.1. The purpose of this report is to approve the naming proposals for Norwest Estate Limited Subdivision and an unnamed road at the Eastern end of Kumara Township.

Moved Cr Keogan seconded Cr Hart and **Resolved** that:

1. That the report be received.
2. Council resolves to adopt and accept the following road names of: Mandl Rise, Ellis Terrace, Manson Place and Boundary Road as submitted by the applicants for the new roads at Norwest Estate, Hokitika and Boundary Road at Kumara.

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<sup>1</sup> Amended by Council on 22 September 2022 Council Meeting

## 9. ADMINISTRATIVE RESOLUTION

**Council is required to confirm its Seal being affixed to the following document:**

Moved Acting Mayor Carruthers seconded Cr Keogan and **Resolved** that Council confirm its seal being affixed to the following document:

Deed of Variation of Lease between Westland District Council (Lessor) and Destination Westland Limited (Lessee). Local purpose reserve for aerodrome and associated purposes subject to the Reserves Act 1977.

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

(to consider and adopt confidential items)

Moved Acting 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 4:12 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.	<b>Confidential Minutes – 28 July 2022</b>	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.	<b>Confidential Committee Minutes to be Received:</b>  12 May 2022 Audit & Risk Committee Minutes  19 May 2022 Cycling & Walking Sub- Committee Minutes  23 June 2022 CE's Review Committee Minutes	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.	<b>Confidential Committee Minutes to be Confirmed due</b>	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



<p><b>to the Committee not meeting again before the end of Triennium</b></p> <p>14 June 2022 – Extraordinary Capital Projects &amp; Tenders Committee Minutes</p> <p>11 August 2022 - Audit &amp; Risk Committee Minutes</p> <p>15 August 2022 – CE’s Review Committee Minutes</p> <p>18 August 2022 – Cycling &amp; Walking Sub-Committee Minutes</p>	<p>of information for which good reason for withholding exists. Section 48(1)(a)</p>
<p><b>4. Risk Report Independent Chair, Audit &amp; Risk Committee, Rachael Dean</b></p>	<p>Good reasons to withhold exist under Section 7</p> <p>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)</p>

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
1,2,3	Protect the privacy of natural persons, including that of deceased natural persons (i)
1, 2,3	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 (Schedule 7(2)(b)).
1, 2,3	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))
4.	The withholding of the information is necessary to maintain legal professional privilege. (Schedule 7(2)(g))
4.	The withholding of the information is necessary to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities. (Schedule 7(2)(h)).

Moved Acting Mayor Carruthers seconded Cr Hart 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 5:03pm.

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

**MEETING CLOSED AT 5:03 PM**

Confirmed by:

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

**Date: 22 September 2022**