



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 JULY 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.

Before the Council meeting commenced, Kw Madgwick, Kw Tumahai, Her Worship the Mayor and Acting CE Scott Baxendale signed the Manatu Whakaaetanga Partnership Agreement.

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, Cr Phelps
Hokitika Ward Members:	Cr Baird, Cr Davidson, Cr Gillett
Southern Ward Members:	Cr Manera
Iwi Representatives:	Kw Madgwick, Kw Tumahai

NGĀ WHAKAPAAHA APOLOGIES

Nil.

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: J. Visser, Facilities and Properties Manager; K. Jackson, Transportation Manager; A. Coleman, Building Control Manager; L. Sadlier, Museum Director.

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated with one amendment noted from Deputy Mayor Cassin relating to the Hokitika Cycling Club, committee member.

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.

- **Ordinary Council Meeting Minutes – 27 June 2024**

Moved Cr Baird, seconded Cr Gillett and **Resolved** that the Minutes of the Ordinary Council Meeting held on 27 June 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 27 June 2024.

6. ACTION LIST

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

- Pakiwaitara Building –
 - The Geotech report for the Pakiwaitara building has been delayed and will be available for the August Council Meeting.
- Lower Swingbridge, Hokitika Gorge
 - There is a presentation today from the Department of Conservation representatives.
- Housing Trust –
 - A meeting has been held with Whare Iraia from Development West Coast regarding the Housing Trust.

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

7. NGĀ TĀPAETANGA PRESENTATIONS

- **Hokitika Lower Gorge Swing Bridge Project Update**

Tim Shaw, Acting Operations Manager; Cameron Jones, Senior Works Officer; and Jason Davidson, Regional Based Engineer from the Department of Conservation spoke to the presentation.

- The Department of Conservation (DOC) have a long history of a shared partnership with Westland District Council (WDC) at the Hokitika Gorge site.
- A Memorandum of Understanding (MOU) was signed late in 2023, creating a partnership between Council and DOC for the purpose of replacing the original swing bridge at the Hokitika Gorge.
 - WDC have secured funding for the replacement of the Lower Hokitika Gorge Suspension bridge through the Tourism Infrastructure Fund (TIF) with the support of DOC.
 - DOC are responsible for the bridge design, construction monitoring, and project management.
- The tender is currently out and will close on 15 August, 2024.
- Construction works should start before Christmas 2024 and are proposed to be completed before February 2025.
- The suspension bridge design will be very similar to the second suspension bridge at the Hokitika Gorge.

Moved Cr Neale, seconded Cr Burden and **Resolved** that the presentation from Department of Conservation representatives be received.

- **Road Network and Speed Changes Verbal Update**

Karl Jackson, Transportation Manager gave a verbal update which included the following:

- Setting of Speed Limits 2024 (the draft Speed Rule) from Central Government has just closed for public consultation.
 - West Coast Councils have sent a combined submission with their concerns on the proposed changes, as has Westland District Council.
- These proposed changes could be costly to the Council if they are to go ahead.
 - Cost-benefit analysis.
 - Proposed changes to school zones.
 - Reversal on recent speed changes.
 - Strengthening of the consultation process.
 - Ministerial speed objective.
 - Change to the classification ranges of speed limits.

Moved Cr Gillett, seconded Cr Baird and **Resolved** that the verbal update from the Transportation Manager be received.

8. PŪRONGO KAIMAHI STAFF REPORTS

• Rates Write-offs and Remissions 2023-24

Lynley Truman, Finance Manager spoke to the amended report which had been circulated to the Mayor and Councillors, and advised the purpose of this report was to request Council approval to write off rates debts deemed uncollectable, and to apply remissions, for the financial year ended 30 June 2024.

The amendments to the report were noted as follows:

3.3 The total has reduced compared to ~~2021-22~~ 2022-23, due to review of the rating information database in the previous year. ~~Special arrangements as per the LGRA and WDC Remissions Policy have increased as they have been reviewed in full and adjusted in this financial year.~~

3.4 The budget for rates write-offs and remissions for financial year ~~2022-23~~ 2023-24 is \$200,000 excluding GST. The total write-offs and remissions are \$198,668 excluding GST resulting in a variance of -\$1,332. This is due to adjustments which were unknown when preparing the Annual Plan budgets.

4.1 Option 1: Approve the write-offs and remissions amounting to ~~\$282,037~~ \$225,779 including GST.

8.1 Provides for a variance of ~~\$45,250~~ -\$1,332 against budget.

- The rates remission on Māori reserve land – this is for unoccupied Māori reserve land.
- Any abandoned land will follow the legal process to recover funds from the sale.
- The rates modelling process is reviewed each annual plan and long term plan.

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

1. The amended report from the Finance Manager be received and noted.
2. Council approves the total proposed rates write-offs and remissions of \$225,779 including GST.

• Cass Square Playground Feedback

Jan Visser, Facilities and Properties Manager spoke to the item and advised the purpose of this report was to provide feedback on the Cass Square Playground project.

- A thank you book from the children in the Rūma kotuku, Ruru and Tauhou classes from Hokitika Primary School had been circulated.
- The new playground has been very well received and is well used.

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

1. The report and appendix be received.

Cr Burden left the meeting at 2.20 pm, returning at 2.22 pm.

- **Hokitika Central Business District Christmas Lights**

Jan Visser, Facilities and Properties Manager spoke to this item and advised the purpose of the report was to provide the Council with the costs involved with the replacement of the current Christmas lights and provide a list of the lights available for selection.

- This is to lower the cost of maintenance and installation of the Christmas lights each year.
- There is an operational budget to put up the Christmas lights each year within Council.

Moved Cr Phelps, seconded Cr Neale that Council does not install any Christmas lights this festive season.

Voted for the Motion:

Cr Phelps, Cr Neale, Cr Gillett

Voted against the Motion:

Deputy Mayor Cassin, Cr Baird, Cr Davidson, Cr Burden

The motion was put to the meeting and was lost on a show of hands.

Moved Cr Manera, seconded Cr Baird and **Resolved by way of Amendment** that:

1. The report be received.
2. The request go out to Destination Hokitika and wider Community Groups for interest in funding or fundraising for the Christmas lights, with Council installing the lights each year as per the former agreement, if such funding is successful.

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

Cr Phelps, Cr Gillett and Cr Neale recorded their votes against the Motion.

- **Change to Building Levy**

Ana Coleman, Building Control Manager spoke to this item and advised the purpose of the report was to update the Council on a legislative change effective 1 July 2024.

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

1. The report be received.
2. Council adopt the amended Fees and Charges for 2024/2025.

- **Ngā Whakatūranga – Hokitika Museum Redevelopment**

Scott Baxendale, Chief Executive introduced this item and spoke to the background of the Hokitika Museum project.

Jan Visser, Facilities and Properties Manager spoke to the current project and budget of works.

Lauren Sadlier, Museum Director spoke to the unbudgeted expenditure for opening the Hokitika Museum with a temporary exhibition prior to the official opening in June 2025.

- Background and oversight arrangements:
 - At the June Council Meeting, Council adopted to undertake an internal fitout of the Hokitika Museum at a \$600,000 budget.
 - The overall Museum project is overseen by a project working group with members including – Acting Chief Executive, Acting Group Manager District Assets, Facilities and Properties Manager, Museum Director and Community Services Manager
 - The Museum displays are the responsibility of the Museum Director.

- The heritage impact assessment and resource consent are included in the new cost breakdown.
- The temporary exhibition, Kura Pounamu is to open in December 2024 and close in April 2025, with the official opening of the Museum in June 2025.
- The exhibition will use the two front galleries which will enable staff to carry on with the displays and set up in the rest of the Museum.
- Kw Madgwick offered his services to the Hokitika Museum as Māori Researcher.

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

1. The report be received.
2. Council approves the opening of the Hokitika Museum in December 2024 with “Kura Pounamu – Our Treasured Stone”, subject to support from local Iwi partners.

The cost of the Kura Pounamu temporary exhibition is to be covered within the already allocated \$600,000 budget for the Hokitika Museum project.

Moved Cr Baird, seconded Cr Burden and **Resolved** that in accordance Clause 4.2 of Council’s Adopted Standing Orders, the meeting continue beyond 2 hours at 3.08 pm.

- **Council Headquarters Structural Upgrade**

Scott Baxendale, Acting Chief Executive spoke to this item and advised the purpose of the report was to seek approval to defer the \$8,400,000.00 seismic strengthening project of the Council Headquarters building.

- This has been a long-standing project on Council’s radar.
 - Staff need a safe and healthy working environment.
 - There are issues that must be addressed with the current Council Headquarters building – healthy air flow and mould growth are areas of concern.
 - There will be a future report coming to Council for works that must be done in the interim to make the working environment healthier and safer.
- There are many equations to be analysed before decisions can be made.
 - The wastewater treatment plant will be an expensive investment (upward of \$20M) which will be adding to the cost of rates.
 - There may be other options that have not yet been considered for housing council staff.
- Rates affordability in our district is an increasing concern that must be looked into.
- Staff will work to create a timeline of detailed expenses, which will be a totality of impact for capital expenditure which will, in turn, allow future decisions to be made by Council with more clarity and confidence, knowing the impact of such decisions on the rate payer.

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

1. The report be received.
2. Council defers the \$8,400,000 Westland District Council Headquarters Structural Upgrade by up to 4 years, in line with the expected determination by Government in the earthquake-prone building review.
3. A proposal be brought back to the Council for minor building works to address some of the building problems currently being experienced.

Cr Davidson left the meeting at 3.20 pm and did not return for the remainder of the meeting.

9. ADMINISTRATIVE RESOLUTION

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

- **Warrant of Appointment –**

**Warrant Of
Appointment –
COMPLIANCE TEAM
LEADER**

STATUTORY APPOINTMENT

1. An Authorised Officer pursuant to Section 174 of the Local Government Act 2002
2. An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002
3. An Enforcement Officer pursuant to Section 38 of the Resource Management Act 1991
4. An Enforcement Officer pursuant to Section 229 of the Building Act 2004
5. Where qualified in terms of the Hazardous Substances and New Organisms (Enforcement Officer Qualifications) Notice 2015, an Enforcement Officer pursuant to Sections 98(1)(a) and 100 of the Hazardous Substances and New Organisms Act 1996
6. A Dog Control Officer pursuant to Section 11 of the Dog Control Act 1996
7. A Dog Ranger pursuant to Section 12 of the Dog Control Act 1996
8. A Deputy Pound keeper pursuant to Section 9 of the Impounding Act 1955

STATUTORY DELEGATIONS AND ENFORCEMENT

1. Authority pursuant to the Local Government Act 2002 to carry out the functions, powers and duties of an Enforcement Officer.
2. Authority pursuant to the Resource Management Act 1991 to carry out the functions, powers and duties of an Enforcement Officer.
3. Authority pursuant to the Building Act 2004 to carry out the functions, powers and duties of an Enforcement Officer.
4. Authority to carry out and undertake the functions, powers and duties of an Environmental Health Officer pursuant to the Health Act 1956 (excluding those that are required to be undertaken by and Environmental Health Officer appointed pursuant to the Environmental Health Officers Qualifications Regulations 1993)
5. Authority pursuant to the Hazardous Substances and New Organisms Act 1996 to carry out the functions, powers and duties of an Enforcement Officer where qualified in terms of the Hazardous Substances and New Organisms (Personnel Qualifications) Regulations 2001.
6. Authority pursuant to the Dog Control Act 1996 to carry out the functions, powers and duties of a Dog Control Officer and Dog Ranger
7. Authority pursuant to the Impounding Act 1955 to carry out the functions, powers and duties of a deputy Pound Keeper, other than the setting of pound fees conferred by Section 14(1) of the Act

DISCRETIONARY STATUTORY DELEGATIONS

1. Authority to administer and enforce Westland District Council Bylaws in accordance with the scope of the position.
2. Authority pursuant to the Local Government Act 2002:
 - a. to enter any land or building other than a dwelling house pursuant to Section 171;
 - b. to enter occupied land or buildings in the event of an emergency pursuant to Section 173.
3. Authority pursuant to Section 222 of the Building Act 2004
 - a. to carry out inspections
4. Authority to consider applications and, where the application complies in all respects with the Westland District Council Gambling Venues Policies as the case may be, grant consent for the location and

	<p>operation of Class 4 Gambling Venues in accordance with the Gambling Act 2003.</p> <ol style="list-style-type: none"> 5. Authority to consider applications and, where the application complies in all respects with the Westland District Council Board Venues Policy as the case may be, grant consent for the location and operation of racing board venues. 6. Authority pursuant to the Dog Control Act 1996: <ol style="list-style-type: none"> a. To seize and remove a dog pursuant to Section 15 b. To classify a dog as dangerous pursuant to Sections 31 and 33ED; c. To classify a dog as menacing pursuant to sections 33A, 33C and 33ED; d. To require a menacing dog to be neutered pursuant to Section 33EB; e. To exercise the powers and functions of Council pursuant to Sections 32 and 33E; and f. To return a dog to its owner pursuant to Section 70 7. Pursuant to clause 32 of the 7th schedule of the Local Government Act 2002 to act as an informant for the purposes of laying information and issuing summonses under the Summary Proceedings Act 1957. 8. To authorise the undertaking of any prosecution proceedings in the name of Council or by any Council employee for breach of any Act, Regulation, or Westland District Council Bylaw, or Plan 9. This officer is delegated all the functions, powers and duties delegated to those that report to this position
<p>Warrant Of Appointment – PLANNING TEAM LEADER</p>	<p>To act in the Westland District as:</p> <ol style="list-style-type: none"> 1. An Officer pursuant to Section 174 of the Local Government Act 2002; AND 2. An Officer under the Westland District Council Bylaws; AND 3. An Enforcement Officer pursuant to Section 38 of the Resource Management Act 1991, including the power of entry pursuant to Section 332 and Section 333 of the Resource Management Act 1991.

**DATE OF NEXT ORDINARY COUNCIL MEETING – 29 AUGUST 2024
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

MEETING CLOSED AT 3.39 PM

Confirmed by Council at their meeting held on the 29 August 2024.

**Mayor Helen Lash
Chair**

Date: 29 August 2024