

AGENDA

RĀRANGI TAKE

NOTICE OF AN ORDINARY MEETING OF

COUNCIL

to be held on **Thursday, 30 January 2025** commencing at **1 pm** in the Council Chambers,
36 Weld Street, Hokitika and via Zoom

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



In accordance with clause 25B of Schedule 7 of the Local Government Act 2002, members may attend the meeting by audio or audio-visual link.

Council Vision

By investing in our people, caring for the environment, respecting the Mana Whenua Cultural heritage, and enabling investment, growth, and development we will enrich our district and the people that reside here.

Purpose

The Council is required to give effect to the purpose of local government as prescribed by section 10 of the Local Government Act 2002. That purpose is:

- (a) To enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) To promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

1. KARAKIA TĪMATANGA OPENING KARAKIA

*Kia hora te marino
Kia whakapapa pounamu te moana
Hei hurahai mā tātou
I te rangi nei
Aroha atu, aroha mai
Tātou i a tātou katoa
Hui e! Tāiki e!*

*May peace be widespread
May the sea be like greenstone
A pathway for us all this day
Give love, received love
Let us show respect for each other
Bind us all together!*

2. NGĀ WHAKAPAAHA APOLOGIES

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a member thinks they may have a conflict of interest, they can seek advice from the Chief Executive or the Group Manager Corporate Services Risk and Assurance (preferably before the meeting). It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

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

Section 46A of the Local Government Official Information and Meetings Act 1987 states:

- (7) An item that is not on the agenda for a meeting may be dealt with at the meeting if –
 - (a) the local authority by resolution so decides, and
 - (b) the presiding member explains at the meeting at a time when it is open to the public, -
 - (i) the reason why the item is not on the agenda; and
 - (ii) the reason why the discussion of the item cannot be delayed until a subsequent meeting.
- (7A) Where an item is not on the agenda for a meeting, -
 - (a) that item may be discussed at the meeting if –
 - (i) that item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but

(b) No resolution, decision, or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.

**5. NGĀ MENETI O TE HUI KAUNIHERA
MINUTES OF MEETINGS**

Minutes attached.

- **Ordinary Council Meeting Minutes – 17 December 2024** (Pages 6 – 9)

6. ACTION LIST (Pages 10 – 12)

**7. NGĀ TĀPAETANGA
PRESENTATIONS**

Nil

**8. PŪRONGO KAIMAHI
STAFF REPORTS**

- **Financial Performance – December 2024** (Pages 13 – 28)
Lynley Truman, Finance Manager
- **Consenting and Compliance Committee - Terms of Reference** (Pages 29 – 33)
Barbara Phillips, Chief Executive
- **Transfer of Grazing Permit Management - Hokitika Racecourse** (Pages 34 – 44)
Marcus Waters, Community Services Manager
- **Updated Safer Westland Terms of Reference** (Pages 45 – 48)
Marcus Waters, Community Services Manager
- **Verbal Update on the West Coast Wilderness Trail Management Group**
Her Worship the Mayor

9. ADMINISTRATIVE RESOLUTIONS

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

- **Warrant of Appointment –**

<p>ANIMAL CONTROL OFFICER – Shanelle Sampson</p>	<p>REPORTING TO – Group Manager Regulatory, Planning and Community Services STATUTORY APPOINTMENT</p> <ol style="list-style-type: none"> 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. A Dog Control Officer pursuant to Section 11 of the Dog Control Act 1996 4. A Dog Ranger pursuant to Section 12 of the Dog Control Act 1996 5. A Poundkeeper pursuant to Section 8 of the Impounding Act 1955 <p>STATUTORY DELEGATIONS AND ENFORCEMENT</p> <ol style="list-style-type: none"> 1. Authority pursuant to the Local Government Act 2002 to carry out the functions, powers and duties of an Authorised Officer and an Enforcement Officer. 2. Authority pursuant to the Dog Control Act 1996 to carry out the functions, powers and duties of a Dog Control Officer and Dog Ranger
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	<p>3. Authority pursuant to the Impounding Act 1955 to carry out the functions, powers and duties of a Pound Keeper, other than the setting of pound fees conferred by Section 14(1) of the Act</p> <p>DISCRETIONARY STATUTORY DELEGATIONS</p> <p>1. Authority to administer and enforce Westland District Council Bylaws in accordance with the scope of the position.</p> <p>2. Authority pursuant to the Dog Control Act 1996:</p> <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; f. To provide information pursuant to Sections 35 and 35A; g. To sell, destroy or otherwise dispose of an impounded dog pursuant to Section 69; h. To implant a dog with a functioning microchip transponder in the prescribed manner or to verify that a dog has been implanted with a microchip transponder pursuant to Section 69A i. To authorise, or refuse, the return of a dog which has been removed under Section 56, 32, or 33E and retained in custody, pursuant to Section 70; j. To retain, or authorise the release of, a dog that is threatening the safety of the public pursuant to Section 71; and k. To exercise the powers and functions of Council pursuant to Section 71A <p>3. Authority to exercise powers, functions and duties of Council pursuant to Section 63 of the Impounding Act, other than the setting of fees and charges pursuant to Section 14 of the Act.</p>
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10. KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI RESOLUTION TO GO INTO PUBLIC EXCLUDED

(to consider and adopt confidential items)

Resolutions to exclude the public: Section 48, Local Government Official Information and Meetings Act 1987. 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 – 17 December 2024	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 for withholding exists. Section 48(1)(a)
2.	Waste And Recycling Services – Contract 2024 / 25 / 01 – Tender Approval	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 for withholding exists.

Section 48(1)(a)						
3.	Briefing regarding the Totara Bridge	Paper	Good withhold Section 7	reason exist under	to	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)						
4.	Westland Library	District	Good withhold Section 7	reason exist under	to	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 (S. 7(2)(a))
2, 3, 4	Protect information where the making available of the information: (i) Would disclose a trade secret; or (ii) Would likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (S. 7(2)(b))
1	Maintain the effective conduct of public affairs through: (ii) The protection of such members, officers, employees, and persons from improper pressure of harassment (S. 7(2)(f))
2, 3, 4	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (S.7(2)(i))
2	Prevent the disclosure or use of official information for improper gain or improper advantage (S.7(2)(j))

**DATE OF NEXT ORDINARY COUNCIL MEETING – 27 FEBRUARY 2025
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

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 TUESDAY, 17 DECEMBER 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.

1. KARAKIA TĪMATANGA OPENING KARAKIA

The opening Karakia was read by Her Worship the Mayor.

1. 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 (via zoom)
Hokitika Ward Members:	Cr Baird (via zoom), Cr Davidson, Cr Gillett
Southern Ward Members:	Cr Manera
Iwi Representatives:	Kw Madgwick, Kw Tumahai (via zoom)

NGĀ WHAKAPAAHA APOLOGIES

Nil

STAFF PRESENT

B. Phillips, 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; K. Jackson, Transportation Manager.

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated.
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.

- **Ordinary Council Meeting Minutes – 28 November 2024**
- **Extraordinary Council Meeting Minutes – 9 December 2024**

Moved Cr Gillett, seconded Cr Burden and **Resolved** that the Minutes of the Ordinary Council Meeting held on 28 November 2024 and the Minutes of the Extraordinary Council Meeting held on 9 December 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 28 November 2024 and the confirmed Extraordinary Council Meeting Minutes of 9 December 2024.

6. ACTION LIST

The Chief Executive spoke to the Action List which had been updated since the Agenda was issued and sent to Councillors.

No.	Item	Update
1	Pakiwaitara Building	Consultation will be carried out as part of the LTP for the sale of this building. A timeline will be released to Council in the New Year regarding the LTP.
2	Council Headquarters	Financial modelling is underway. The rates affordability will be known once a draft LTP model is completed.
3	Lower Hokitika Gorge Swing Bridge	Completion scheduled for February 2025.
4	Hokitika Museum Trust Board Formation	A report will be put to Council before the end of the first quarter in 2025.
5	Department of Conservation – Feral Cats	The Department of Conservation will be invited to attend the February meeting of Council.
6	Department of Conservation – Hokitika Gorge Swing Bridge Ownership	The Department of Conservation will be invited to attend the February meeting of Council. Research on future ownership of the bridge is pending.
7	Carnegie Building Windows	Replacement of the windows will be put forward during the LTP budget meetings in late January.
8	Hokitika Racecourse	A press release will be presented to Council in January 2025 for approval before release. There will be a public meeting in the New Year in conjunction with the developers where more information will be shared with the community. The final development agreement has now been signed off.
9	Hokitika CBD Parking Strategy	The current survey is seeking information from businesses and public. Further workshops will be held in February 2025. A report will come to Council in March regarding outcomes and requiring feedback followed by a report to Council in April for decision.

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

7. **NGĀ TĀPAETANGA
PRESENTATIONS**
Nil

8. **PŪRONGO KAIMAHI
STAFF REPORTS**

• **Ordering of Candidates Names on Voting Papers**

Lesley Crichton, Group Manager Corporate Services and Risk Assurance spoke to this item and advised the purpose of this report was for Council to consider the order of candidate names on the voting papers for the 2025 local elections.

- Pseudo-random order of candidates' names costs more overall than random order.
- Random order of candidates' names - certified software is used for this and is done through Electionz.com.

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

1. The report be received.
2. The names of candidates for the 2025 triennial elections and any subsequent by-elections be arranged in random order.

Cr Gillett recorded his vote against the motion.

• **Proposed Road Name at Jacksons**

Karl Jackson, Transportation Manager spoke to this item and advised the purpose of this report was to seek confirmation of a new road name for a short section of legal formed road opposite the Jacksons Hotel.

- The Transportation Manager has completed consultation with all affected parties and Iwi.

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

1. The report be received.
2. Council adopts the name "Rangi Taipo Lane" for the unnamed legal road off State Highway 73 opposite the Jacksons Hotel.

At the conclusion of the open part of the meeting, Her Worship the Mayor thanked all staff, Council and Iwi for their dedication and focus over the year, the community for their support and reiterated that Council remains steadfast in working on behalf of the community. Mayor Lash thanked the Council Controlled Organisations, suppliers, contractors and wished everyone a Merry Christmas and a Happy and Healthy New Year.

9. **KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI
RESOLUTION TO GO INTO PUBLIC EXCLUDED**
(to consider and adopt confidential items)

Moved Cr Neale, seconded Cr Gillett 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 1.28 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 2024	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 for withholding exists. Section 48(1)(a)
2.	Appointment Independent Chair Council Controlled Organisation Oversight Committee	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 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, 2	Protect the privacy of natural persons, including that of deceased natural persons (S. 7(2)(a))
1, 2	Maintain the effective conduct of public affairs through: (ii) The protection of such members, officers, employees, and persons from improper pressure of harassment (S. 7(2)(f))

Moved Cr Davidson, seconded Cr Neale 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 2.06 pm.

**DATE OF NEXT ORDINARY COUNCIL MEETING – 30 JANUARY 2025
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

MEETING CLOSED AT 2.06 PM

Confirmed by Council at their meeting held on the 30 January 2025.

Mayor Helen Lash
Chair

Date

17.12.24 – COUNCIL MEETING ACTION LIST

Item No.	Date Added	Item	Action	Completion Target Date	Officer	Current Status	Date and Next Steps
1	26.08.21	Pakiwaitara Building, 41 Weld Street	Sale of building	July 25	CE	Council will be consulting the community as part of the Long Term Plan.	Consultation will be carried out as part of the LTP.
2	26.08.21	Council Headquarters, 36 Weld Street	Business case for the scope of work after structural analysis and report.		AGMDA	Staff are progressing with the body of work regarding rates affordability calculations. A report will be provided to Council in early 2025.	DA are working with the finance staff. The rates affordability will be known once a draft LTP model is completed.
3	30.05.24	Lower Hokitika Gorge Swing Bridge	Replacement of the original swing bridge at the Hokitika Gorge	Feb 25	AGMDA	This project is underway and running to schedule.	Completion scheduled for Feb 2025.
4	26.09.24	Hokitika Museum Trust Board Formation	Information regarding the formation of a trust board		CSM	The terms of reference will be established and return to a future Council meeting. Representation on the committee will include the Community Services Manager. The Community Services Manager was tasked with this item at the November Council meeting	A report will be provided to Council at the March meeting 2025.
5	26.09.24	Department of Conservation – Feral Cats	Investigate the Feral Cat programme		CE	There has been a feral cat programme in South Westland but not in the wider district. DOC will be invited to a future Council meeting to discuss this.	DOC will be invited to speak to Council in February 2025. An invitation has been sent to Tim Shaw at the Department of Conservation, he is unable to make the February meeting but is checking dates for the March meeting.
6	26.09.24	Department of Conservation – Hokitika Gorge	Ownership of the Lower Hokitika Gorge Swing Bridge		AGMDA	Taking on the bridge was not approved in the DOC June 2024 capital planning.	At the July 2024 Council Meeting, Tim Shaw from the Department of Conservation spoke and referred to the

Item No.	Date Added	Item	Action	Completion Target Date	Officer	Current Status	Date and Next Steps
		Swing Bridge Ownership				Council staff will continue working with DOC regarding this matter.	MOU signed in late 2023 between DOC and Council, and referred to the Ownership of the new bridge and main resources to pay for it sit with Council. Staff reviewed recordings and minutes; DOC had said they would look into the bridge ownership but did not say they would take ownership of the bridge.
7	28.11.24	Carnegie Building Windows	Council requested information on when the Windows were removed from the budget.		AGMDA	Replacement of the windows was removed from the project budgets at the very beginning due to budget constraints.	Replacement of the windows will be put forward during the LTP budget meetings late January.
8	28.11.24	Hokitika Racecourse	Council requested a visual media release for the public with all details and costs that can be released. These updates to the public should be released quarterly going forward.	Jan 25	CSM	The Community Services Manager is working with the Strategy and Communications Advisor to generate content. There is a contractual requirement for all stakeholders to be in agreement ahead of any media release. Anticipate release to go out in January 2025.	Currently in progress. Council staff have met with the developer and reviewed existing reports and correspondence. Will work this information into a release for Council and public once all parties agree to the content. There are further public engagement meetings planned to discuss options for the recreation development at the Racecourse. This public engagement is planned for March 2025.
9	28.11.24	Hokitika CDB Parking Strategy		May 25	AGMDA	This process is currently underway. <ul style="list-style-type: none"> Community parking questionnaire closed 20 December. Review current feedback and hold further workshops February 2025. Compile report on findings / outcomes / feedback March. 	Workshops to be held in February 2025. A report will come to Council in March regarding outcomes and requiring feedback followed by a report to Council in April for decision. This item will be tied into the CBD Strategy.

Item No.	Date Added	Item	Action	Completion Target Date	Officer	Current Status	Date and Next Steps
						<ul style="list-style-type: none"> • Report to Council in April – Councillor decision. • Match decision / outcomes into draft Central Business District development strategy in May. 	
10	17.12.24	LTP Timeline	Timeline regarding LTP items.	Jan 25	CE	The CE reported that a structured timeline regarding the LTP will be presented to Council.	Council have received a copy of this timeline.
11	17.12.24	Media Release - Lower Hokitika Gorge Swing Bridge	A press release be put together for the public regarding the progress with this project.	30.12.24	AGMDA SCA	Council requested that an update be released to the community before the end of 2024 regarding the project, letting them know that it is going according to plan and when it is due to be open.	Completed, issued 20 December 2024.

Report to Council



DATE: 30 January 2025
TO: Mayor and Councillors
FROM: Finance Manager

FINANCIAL PERFORMANCE – December 2024

1. Summary

- 1.1. The purpose of this report is to provide an indication of Council’s financial performance for the month to 31 December 2024.
- 1.2. This issue arises from a requirement for sound financial governance and stewardship with regards to the financial performance and sustainability of a local authority.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2024, which are set out in the Enhanced Annual Plan 2024/2025. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council receive the financial performance report to 31 December 2024.

2. Background

- 2.1. Council receives monthly financial reporting so that it has current knowledge of its financial performance and position against budgets. A more detailed performance report is presented to the Risk and Assurance Committee (R&A Committee), on a quarterly basis which includes non-financial information against KPI’s adopted through the Long Term Plan.

3. Current Situation

- 3.1. The information in the report is of a summarised nature, with only permanent variances over \$25,000 having comments. Temporary differences which are mainly budget phasing are not commented on as these will either approximate budget by the end of the financial year or become a permanent variance which will be noted.
- 3.2. With the inclusion of the sustainability report, it is not necessary to include such detail to Council in the financial report, as the key business indicators are included in the sustainability report. A number of these indicators make up part of the covenants required to be reported half-yearly to the Local Government Funding Agency.
- 3.3. The financial performance report to 31 December 2024 is attached as **Appendix 1** and contains the following elements;
 - 3.3.1. Sustainability report

- 3.3.2.Statement of Comprehensive Revenue and Expense
- 3.3.3.Notes to the Statement of Comprehensive Revenue and Expense
- 3.3.4.Revenue and Expenditure Graphs
- 3.3.5.Funding Impact Statement
- 3.3.6.Statement of Financial Position
- 3.3.7.Debtors
- 3.3.8.Debt position
- 3.3.9.Capital Report

4. Options

- 4.1. Option 1: That Council receives the Financial Performance Report to 31 December 2024.
- 4.2. Option 2: That Council does not receive the Financial Performance Report to 31 December 2024.

5. Risk Analysis

- 5.1. Risk has been considered and no risks have been identified in receiving the report, however if Council did not receive the report, it could be perceived that there was a lack of financial stewardship leading to reputational risk and conduct risk.

6. Health and Safety

- 6.1. Health and Safety has been considered and no items have been identified.

7. Significance and Engagement

- 7.1. The level of significance has been assessed as being low as the report is for information purposes only.
- 7.2. No public consultation is considered necessary

8. Assessment of Options (including Financial Considerations)

- 8.1. Option 1: The Council receives the report. This report is to inform Council on the monthly financial position and to encourage financial stewardship.
- 8.2. Option 2: If the Council does not receive the report there will be no oversight of the financial position of Council or whether the costs of Council are being managed in line with budgets.
- 8.3. There are no financial implications to these options.

9. Preferred Option(s) and Reasons

- 9.1. The preferred option is Option 1.
- 9.2. The reason that Option 1 has been identified as the preferred option is that the report is administrative in nature and to do nothing could create risks to council. Council would be carrying out its administrative stewardship in receiving the report.

10. Recommendation(s)

- 10.1. That the Financial Performance Report for 31 December 2024 be received.

Lynley Truman
Finance Manager

Appendix 1: Finance Performance Report for 31 December 2024

Appendix 1



Financial Performance Year to 31 December 2024

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Total revenue	Total expenditure	Total surplus/(deficit)
\$16.75M	\$19.12M	\$(2.37)M
Is 2.89% more than the total budget of \$16.28M	Is 9.58% more than the total budget of \$17.45M	Is 103.18% less than the total budget of \$(1.16)M

SUSTAINABILITY

Rates to operating revenue **67.83%**

Rates Revenue	\$11.37M

Operating Revenue	\$16.75M

67.83% of operating revenue is derived from rates revenue. Rates revenue includes penalties, water supply by meter and is gross of remissions. Operating revenue excludes vested assets, and asset revaluation gains.

Balanced budget ratio **87.62%**

Operating revenue	\$16.75M

Operating expenditure	\$19.12M

Operating revenue should be equal or more than operating expenditure. Operating revenue excludes vested assets and asset revaluation gains. Operating expenditure includes depreciation and excludes landfill liability and loss on asset revaluations. Year to date revenue is 87.62% of operating expenditure. Operating Revenue is less than Operating Expenditure for two main reasons: Grant timing, specifically Rooding grants, majority of which is expected in the 2nd half of the year and non-cash loss on swaps \$0.87M. Further explanation can be found in the Notes to Revenue and Expenditure.

Interest to rates revenue (LGFA Cov.) **2.86%**

Net interest and finance	\$0.32M

Rates Revenue	\$11.37M

2.86% of rates revenue is paid in interest. Our set limit is 25% of rates revenue. Net interest is interest paid less interest received. 2.86% indicates that interest revenue is less than interest expense. Rates revenue includes penalties, water supply by meter and gross of remissions.

Interest to operating revenue		1.94%
Net Interest and finance	\$0.32M	
Operating revenue	\$16.75M	
<p>1.94% of operating revenue is paid in interest. Our set limit is 10% of operating revenue. Net interest is interest paid less interest received. 1.94% indicates that interest revenue is less than interest expense.</p>		
Liquidity Risk (LGFA Cov.)		120.00%
Gross debt	\$34.32M	
Undrawn committed facilities	\$3.98M	
Cash and cash equivalents	\$5.22M	
<p>The liquidity risk policy requires us to maintain a minimum ratio of 110% which is also an LGFA covenant. Council's current liquidity risk is 120%.</p>		
Essential services ratio		26.33%
Capital expenditure	\$0.87M	
Depreciation	\$3.31M	
<p>Essential Services (ES) are Water Supply, Wastewater, Stormwater, and Roding. Capital expenditure should be equal to or more than depreciation for essential services. Year to date capex is 26.33% of depreciation. 3 Water's spend is looking low as most active projects are at the scoping or design stages, or are yet to be started. Low spend in Roding is due to timing - expenditure is expected to ramp up in the summer months, including a reseal project of approximately \$1M.</p>		

Statement of Comprehensive Revenue and Expenditure

	Notes	Full Year Forecast (\$000)	Full Year Budget (\$000)	YTD Budget (\$000)	Actual YTD (\$000)	Variance YTD (\$000)	Var/Bud %
Revenue							
Rates	01	22,880	22,958	11,443	11,365	(78)	(0.68%)
Grants and subsidies	02	12,638	13,268	2,260	2,195	(65)	(2.85%)
Interest Revenue	03	1,230	1,121	560	669	109	19.46%
Fees and Charges	04	2,933	2,656	1,324	1,601	277	20.89%
Other revenue	05	1,619	1,557	861	924	62	7.24%
Total operating revenue		41,300	41,560	16,449	16,754	305	1.86%
Expenditure							
Employee Benefit expenses	06	7,373	7,162	3,586	3,797	211	5.89%
Finance Costs	07	1,874	1,760	880	994	114	12.96%
Depreciation	08	9,022	9,074	4,537	4,485	(52)	(1.14%)
Other expenses	09	20,601	19,618	8,512	9,845	1,333	15.66%
Total operating expenditure		38,871	37,614	17,514	19,121	1,607	9.17%
Operating Surplus/(Deficit)		2,429	3,946	(1,066)	(2,367)	(1,302)	122%

Notes to the Statement of Comprehensive Revenue and Expenditure

Comments are provided on permanent variances over \$25,000.

01 Rates

Rates revenue is relatively on track.

02 Grants and subsidies

\$328k grant revenue is for Freedom Camping 2023/24.

The budget spread for transport grants has been reviewed to align with expectations. Transport grants to date total \$1.4m.

03 Interest Revenue

Not included in the budget was the interest to be recouped from our CCTOs for loans held on their behalf. \$186k of the interest revenue relates to this CCTO interest, which is offset by the interest expense accrued for these loans - see Note 07 below.

Along with the loss on swaps mentioned in note 09 comes a drop in interest revenue from swaps. This is \$53k under budget.

04 Fees and charges

Building and resource consent fees are over by \$140k and \$132k respectively due to higher consent numbers than anticipated as well as higher complexity (leading to more hours charged). This is offset by consent processing costs of \$95k and Legal fees \$93k. Waste disposal levy payments are \$47k over due to higher than expected tourist numbers and escalations.

05 Other Revenue

Of the Local Water Done Well project costs incurred so far (\$55k consultancy), 2 thirds of this has been recovered \$37k.

06 Employee benefit expenses

No specific material variances.

07 Finance Costs

As mentioned in Note 03, the variance relates to interest expense on loans held on behalf of our CCTOs. This is offset by the revenue from the CCTOs who bear the interest expense.

08 Depreciation

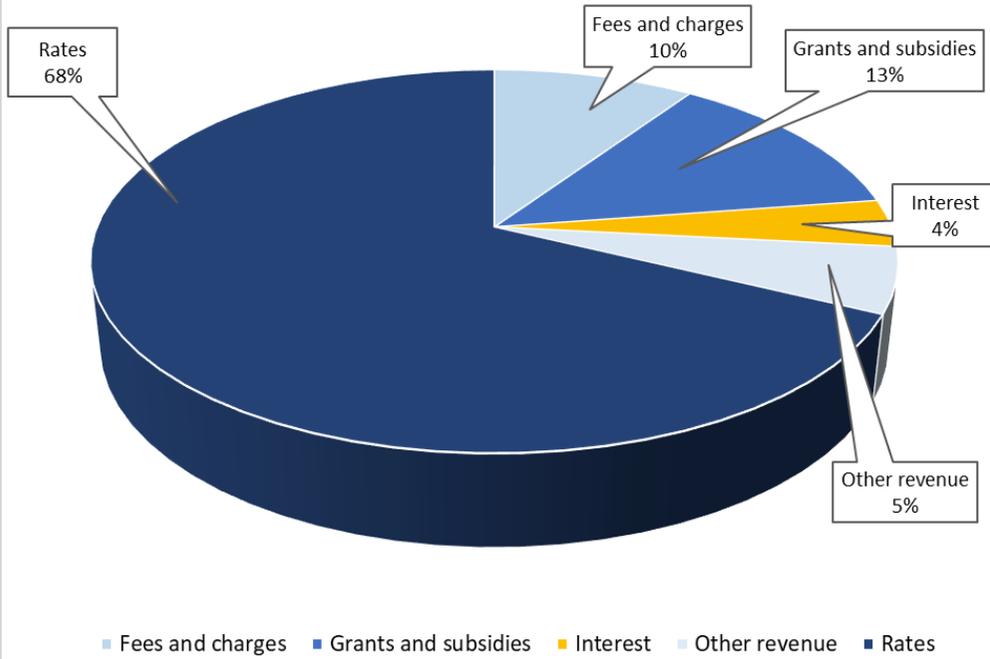
Depreciation is on track.

09 Other expenses

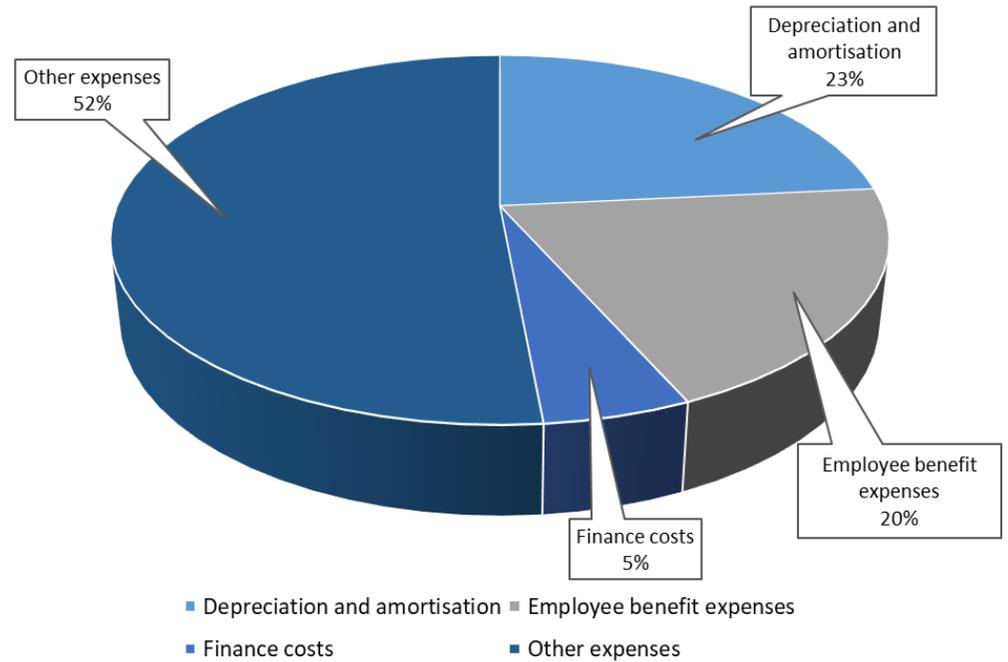
- Non-cash loss on swaps of \$868k has been recognized this year, which is higher than the \$255k full year budget. This is due to a significant drop in interest rates since the beginning of the financial year.
- LTP audit cost of \$132k was not included in the current year budget as it was budgeted for in the prior year when it was originally expected to be completed. Consequently, there is a carried forward budget from last year of \$104k against this cost.
- \$55k consultancy fees for the Local Water Done Well support package project - currently at preliminary stage. This is partially offset by the recoveries mentioned in Note 5.
- Refuse collection costs are over by \$63k due to pricing escalations.
- Building and Resource consent processing costs total \$95k - offset by fees mentioned in Note 4.
- \$225k emergency road maintenance for slip removal following the weather event on 9th of November.

Revenue & Expenditure Graphs

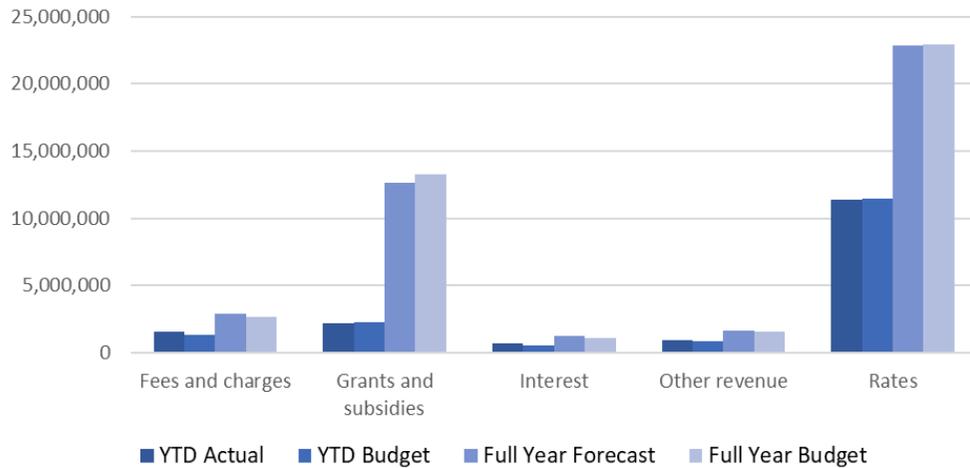
Operating Revenue Actual Year to December



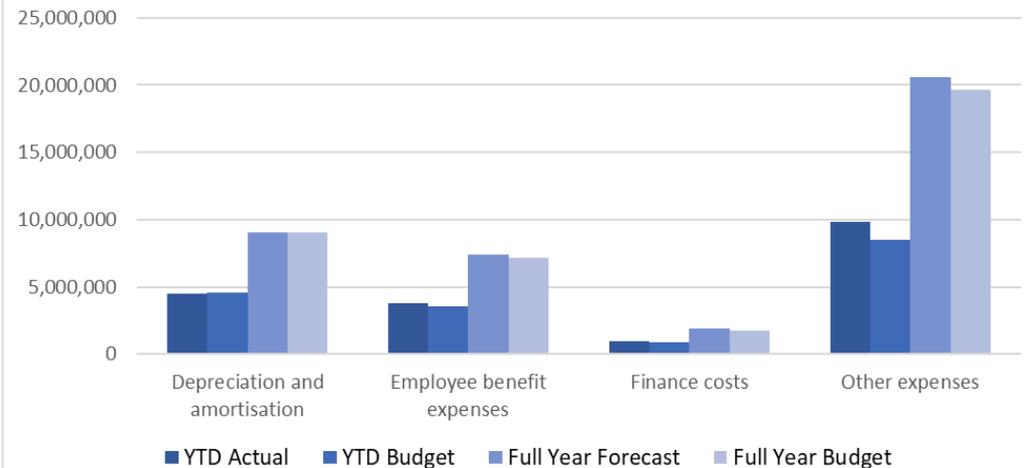
Operating Expenditure Actual Year to December



Operating Revenue



Operating Expenditure



Funding Impact Statement

Funding Impact Statement for Whole of Council				
	2024 Annual Plan \$000	2024 Annual Report \$000	2025 Annual Plan \$000	2025 Actual \$000
(SURPLUS) / DEFICIT OF OPERATING FUNDING				
Sources of Operating Funding				
General rates, uniform annual general charges, rates penalties	11,131	11,174	10,925	5,406
Targeted Rates	8,135	7,717	12,034	5,959
Subsidies and grants for operating purposes	2,638	3,508	4,242	1,756
Fees and charges	2,232	2,744	2,603	1,582
Interest and dividends from investments	518	1,482	1,371	932
Local authorities fuel tax, fines, infringement fees, and other receipts	985	1,413	1,360	682
Total Operating Funding (A)	25,639	28,038	32,534	16,316
Applications of Operating Funding				
Payments to staff and suppliers	21,916	25,210	24,306	13,637
Finance Costs	1,130	1,803	1,760	994
Total Applications of Operating Funding (B)	23,047	27,013	26,066	14,631
Surplus/(Deficit) of Operating Funding (A - B)	2,592	1,025	6,468	1,685
(SURPLUS) / DEFICIT OF CAPITAL FUNDING				
Sources of Capital Funding				
Subsidies and grants for capital expenditure	7,205	6,373	9,026	434
Increase (decrease) in debt	6,887	4,500	3,888	31,318
Gross proceeds from sale of assets	-	125	-	-
Total Sources of Capital Funding (C)	14,092	10,998	12,914	31,752
Application of Capital Funding				
Capital Expenditure:				
-to meet additional demand	252	177	818	287
-to improve the level of service	10,600	6,656	7,600	1,406
-to replace existing assets	9,770	4,598	12,602	1,005
Increase (decrease) in reserves	(3,938)	591	(1,638)	30,738
Increase (decrease) of investments	-	-	-	-
Total Applications of Capital Funding (D)	16,684	12,023	19,382	33,437
Surplus/(Deficit) of Capital Funding (C - D)	(2,592)	(1,025)	(6,468)	(1,685)
Funding Balance ((A - B) + (C - D))	-	-	-	-

Statement of Financial Position

	At 31 December 2024 \$000	Annual Plan 2024/25 \$000	Actual 2023/2024 \$000
Assets			
Current assets			
Cash & cash equivalents	5,225	7,022	5,320
Debtors & other receivables	3,865	3,776	3,613
Inventory	218	-	208
Tax receivable	-	-	-
Derivative financial instruments	17	53	181
Other financial assets	7,971	128	8,271
Total Current Assets	17,296	10,978	17,594
Assets held for sale			
Land held for sale	446	-	446
Total Assets Held for Sale	446	-	446
Non-current assets			
Council Controlled Organisation	12,480	12,695	12,480
Deferred Tax	-	-	-
Intangible assets	127	74	141
Assets Under Construction	8,117	16,450	5,435
Derivative financial instruments	59	642	441
Other Financial Assets	1,702	776	1,703
Investment property	-	-	-
Property, Plant and Equipment	529,334	555,720	533,816
Term Inventory	-	-	-
Total Non-current assets	551,819	586,357	554,016
Total Assets	569,561	597,335	572,056
Liabilities			
Current liabilities			
Creditors & other payables	1,760	3,825	3,548
Employee benefit liabilities	706	545	589
Borrowings	7,918	6,000	8,218
Derivative financial instruments	-	-	-
Other	2,502	619	987
Total Current Liabilities	12,886	10,989	13,343
Non-current liabilities			
Deferred Tax	68	-	68
Employee benefit liabilities	41	32	36
Provisions	3,137	3,335	3,137
Borrowings	28,826	31,707	28,826
Derivative financial instruments	339	-	18
Total Non-Current Liabilities	32,411	35,073	32,084
Total Liabilities	45,298	46,062	45,427
Net Assets	524,264	551,273	526,630

	At 31 December 2024 \$000	Annual Plan 2024/25 \$000	Actual 2023/2024 \$000
Equity			
Retained Earnings	162,381	178,124	164,747
Restricted Reserves	10,295	7,110	10,295
Revaluation reserves	351,458	365,878	351,458
Other comprehensive revenue and expense reserve	130	161	130
Total Equity	524,264	551,273	526,630

Debtors 31 December 2024

31/12/2024					
Type	Over 90 Days	60-90 Days	30-60 Days	Current	Total (\$)
Building Consents	28,676	52,250	12,610	51,196	144,733
Building Warrants	2,300	650	1,388	3,109	7,446
Resource Consents	43,425	674	14,021	87,578	145,697
Sundry Debtors	58,229	24,591	33,005	83,585	199,410
Grants Debtors	19,182	-	377,200	-	396,382
Grand Total	151,812	78,165	438,224	225,468	893,669
Grants outstanding as at 31/12/2024					
Date Invoiced	Project	Total (\$)			
6/11/2024	Freedom Camping 2023-24	204,700			
20/11/2024	Freedom Camping 2023-24 - Mid project payment	172,500			
22/02/2024	Custom House Restoration claim	19,182			
		396,382			
31/12/2023					
Type	Over 90 Days	60-90 Days	30-60 Days	Current	Total (\$)
Building Consents	25,833	7,499	18,081	48,508	99,921
Building Warrants	1,064	1,803	745	2,737	6,349
Resource Consents	16,916	2,775	6,785	31,100	57,576
Sundry Debtors	29,390	7,181	10,083	126,668	173,323
Grant Debtors	-	-	473,204	366,098	839,302
Grand Total	73,203	19,258	508,898	575,112	1,176,470

Rates Debtors 31 December 2024

Rates Debtors at 30 November 2024	1,065,761
Instalment	-
Less payments received	(629,089)
Paid in advance change	153,489
Previous years write off's	-
Write off's	(4,480)
Penalties	-
Discounts	12,441
Court Cost	-
	(467,639)
Total Rates Debtors at 31 December 2024	598,122
Arrears included above at 31 December 2024	598,122
Arrears at 31 December 2023	402,249
Increase/(decrease) in arrears	195,873

Rates debtors reduced over December by 43.9% as the 2nd instalment of the year was invoiced in October. Rates are invoiced quarterly, and the majority of payments are due on the 20th month following the invoice date, however we are continuing to arrange more payment plans which spread the rates cost over the year.

Debt Position

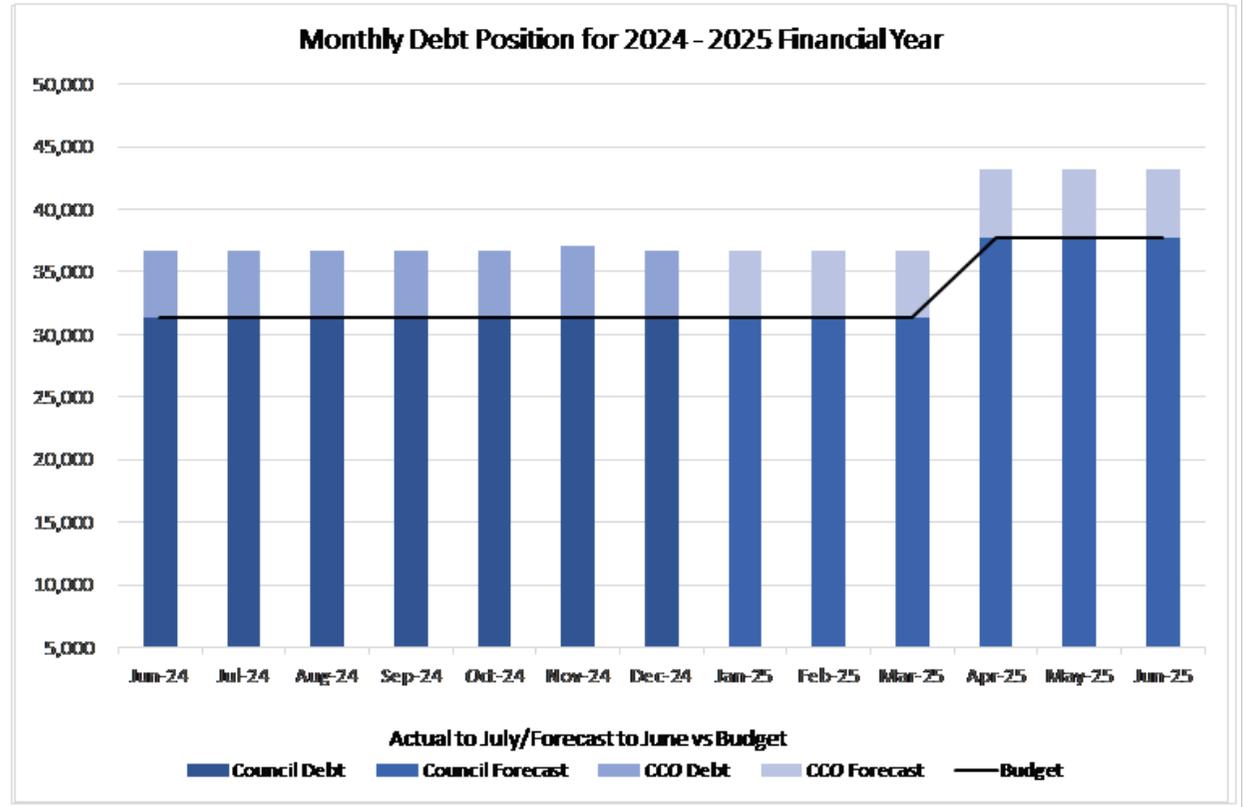
Debt Position 2024/2025 (\$000)

	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25
Actual Debt Position	36,744	36,744	36,744	36,744	36,744	37,044	36,744						
Budget	31,318	31,318	31,318	31,318	31,318	31,318	31,318	31,318	31,318	31,318	37,706	37,706	37,706
Forecast								36,744	36,744	36,744	43,132	43,132	43,132

Forecast Debt Position for 2024-2025 Financial Year

Forecast as at	Jun-24
Opening balance	36,744
Loan funded capex forecast	10,188
Forecast repayments	-3,800
Forecast balance June 2025	43,132

Figures include CCTO loans not originally budgeted for



Capital Expenditure

Capital Projects 2024/25		
As at 31/12/2024		
Project / Activity	YtD Expenses	Annual Plan
Leadership	163,311	577,291
Planning & Regulatory Services	0	186,939
Library & Museum	27,561	113,126
Water Supply	221,805	2,516,011
Waste Water	419,015	4,555,618
Solid waste	78,634	767,891
Storm water	44,656	1,392,340
Cemeteries	871	98,129
Swimming pools	(10,087)	635,249
Facilities & leisure services - other	812,745	2,611,444
Parks & reserves	372,944	1,036,786
Land transportation	168,460	9,240,974
Better Off Funded Projects	263,104	622,586
Less Operational Better Off Funding	(112,113)	(392,804)
	150,992	229,782
Unbudgeted capital expenditure	52,047	0
Funded Projects	178,861	0
Total	2,793,928	24,354,384
Total Less Operational Better Off Funding	2,681,815	23,961,580

For full details, please refer to report from District Assets.

Report to Council



DATE: 30 January 2025
TO: Mayor and Councillors
FROM: Chief Executive

CONSENTING AND COMPLIANCE COMMITTEE - TERMS OF REFERENCE

1. Summary

- 1.1. The purpose of this report is for Council to adopt the amended Terms of Reference (ToR) for the Consenting and Compliance Committee.
- 1.2. This issue arises from a request from Council that the Terms of Reference be amended and return to Council for final approval.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2024, which are set out in the Enhanced Annual Plan 2024/2025. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council adopt the amended Terms of Reference (ToR) for the Consenting and Compliance Committee.

2. Background

- 2.1 The reason the report has come before the Council is due to the Council requesting an amendment be made to the ToR that came before Council on 27 June 2024.
- 2.2 The ToR (attached as **Appendix 1**) has been amended as requested by adding a point 4 on to the Purpose of the Consenting and Compliance Committee ToR.

3. Current Situation

- 3.1. To give effect to the Consenting and Compliance Committee, it is necessary for Council to agree to a Terms of Reference.

4. Options

- 4.1. Option 1: Adopt the amended Terms of Reference for the Consenting and Compliance Committee.
- 4.2. Option 2: Request further changes to the Terms of Reference for the Consenting and Compliance Committee and adopt.
- 4.3. Option 3: Do not adopt the Terms of Reference.

5. Risk Analysis

5.1. Risk has been considered, and no risks have been identified.

6. Health and Safety

6.1. Health and Safety has been considered, and no items have been identified.

7. Significance and Engagement

7.1. The level of significance has been assessed as low. The establishment of a Standing Committee is for the purpose of creating an efficient governance structure. The Local Government Act 2002 prescribes which matters are of such importance that they must be addressed by full Council, such as the adoption of Bylaws.

8. Assessment of Options (including Financial Considerations)

8.1. There are no financial implications to Options 1 or 2 as the position of Chairperson will be held by the Mayor.

9. Preferred Option(s) and Reasons

9.1. The preferred option is Option 1.

9.2. The reason that Option 1 has been identified as the preferred option is that Council have viewed the amended Terms of Reference.

10. Recommendation(s)

10.1. That the report be received.

10.2. That Council adopt the amended Terms of Reference for the Consenting and Compliance Committee.

Barbara Phillips
Chief Executive

Appendix 1: Terms of Reference – Consenting and Compliance Committee.

TERMS OF REFERENCE

Consenting and Compliance Committee

	Authorising Body	Mayor / Council
	Status	Standing Committee
	Title	Consenting and Compliance Committee
	Approval Date	27 June 2024
	Administrative Support	Chief Executive Office

Purpose

The Consenting and Compliance Committee's purpose is to:

1. Provide governance oversight of Council's regulatory and compliance, services, and activities, including bylaw and policy development and implementation, as requested or delegated by Council from time to time.
2. Recommend to the Council or relevant Council Committee any matters that it considers necessary to enable the effective management of the Council's regulatory and compliance functions.
3. Conduct fair and effective hearings and make determinations on the Council's regulatory functions under the Dog Control Act 1996, Impounding Act 1955, Gambling Act 2003, Health Act 1956, and Litter Act 1979.
4. Include the provision for applicants, who are going through the consenting process, to seek clarification and raise matters of concern with the committee.

Responsibility

Governance oversight within this committee's responsibilities include (but are not limited to) functions/activities within Council legislatively required under the following Plans, Acts, and associated Regulations, Codes and National Standards:

- Westland District Council District Plan
- Te Tai O Poutini Plan
- Resource Management Act 1991
- Reserves Act 1977
- Building Act 2004 and applicable Building Regulations, and the New Zealand Building Code
- Dog Control Act 1996
- Impounding Act 1955
- Food Act 2014
- Sale and Supply of Alcohol Act 2012
- Health Act 1956
- Freedom Camping Act 2011
- Bylaws
- Policies

Other consenting and compliance matters including:

- Responsibility for all matters related to the District's environment, including the environment of neighbouring districts and water bodies
- Animal Control
- Dangerous goods and hazardous substances

- Fencing of swimming pools
- Earthquake prone buildings
- Litter
- Noise abatement
- Public health and safety
- Gambling
- Natural Hazards
- Freedom camping
- Other consenting and compliance matters not otherwise defined.

DELEGATIONS TO THE COMMITTEE:

The Consenting and Compliance Committee shall have the following delegated powers and be accountable to Council for the exercising of these powers.

- Authority to exercise all of Council powers, functions and authorities, except where delegation is prohibited by law (e.g. clause 32, Schedule 7. LGA) or the matter is delegated to another committee of Council, in relation to all consenting and compliance matters.
- Responsibility to develop policies, and provide financial oversight, to provide assurance that funds are managed efficiently, effectively, and with due regard to risk.
- Responsibility to monitor Long Term Plan/Annual Plan implementation for the activities set out above.
- Authority to review bylaws and to recommend to the Council that new or amended bylaws be made.
- Except where otherwise provided by law, authority to fix fees and charges in relation to all consenting and compliance activities.
- Authority to make submissions on behalf of the Council in respect of any proposals by another authority under any legislation, or any proposed statute which might affect the District's environment or the wellbeing of residents including such matters as adjacent local authorities, district plans, regional plans, any regional or national policy statement and national environmental standards.
- Authority to hear and determine objections under the Dog Control Act 1996

Membership

The Consenting and Compliance Committee will comprise the following, one of which will be the chairperson:

- Mayor Lash (Chair),
- Deputy Mayor Cassin,
- Cr Burden,
- Cr Phelps
- Kw Madgwick,
- Kw Tumahai.

Chairperson

The Chairperson is responsible for:

- The efficient functioning of the Committee;
- Setting the agenda for Committee meetings in conjunction with the Chief Executive Officer; and
- Ensuring that all members of the Committee receive sufficient timely information to enable them to be effective Committee members.

The Chairperson will be the link between the Committee and Council staff.

Quorum

The quorum at any meeting of the Committee shall be (3) Members.

Relationships with Other Parties

The Chief Executive is responsible for servicing and providing support to the Committee in the completion of its duties and responsibilities. The Chief Executive shall assign council staff as required to provide these functions on his/her behalf.

The Chairperson may request the Chief Executive and staff in attendance to leave the meeting for the duration of the discussion. The Chairperson will provide minutes for that part of the meeting.

Contacts with Media and Outside Agencies

The Committee Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.

Committee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the Committee's delegations.

The Chief Executive in conjunction with the Chairperson will manage the formal communications between the Committee and its constituents and for the Committee in the exercise of its business. Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of the District Council.

Conduct of Affairs

The Committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, Council's Standing Orders and Code of Conduct.

Public Access and Reporting

Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:

- Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
- Extraordinary meetings of the Committee must be held in accordance with Standing Orders.

The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in s.48 of the Local Government Official Information and Meetings Act 1987.

The Committee shall record minutes of all its proceedings.

**The Terms of Reference were adopted by Council on the
27 June 2024**

Report to Council



DATE: 30 January 2025
TO: Mayor and Councillors
FROM: Community Services Manager

TRANSFER OF GRAZING PERMIT MANAGEMENT – HOKITIKA RACECOURSE

1. Summary

- 1.1. The purpose of this report is to seek approval for Westland District Council to take over the grazing agreement management of the Hokitika Racecourse from Destination Westland Limited.
- 1.2. This issue arises from the change of land use at the Hokitika Racecourse.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2024, which are set out in the Enhanced Annual Plan 2024/2025. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council approve removing Destination Westland Ltd as party to the permit and transfer responsibility to Westland District Council.

2. Background

- 2.1 In March 2020, Westland District Councils Chief Executive requested that Destination Westland Ltd (DWL) issue and manage the grazing permits at the Hokitika Racecourse. Destination Westland Ltd correspondingly managed the permits and relationships with the grazers and any issues arising from the grazing permit. At the time there were approximately 8 grazing permit holders.

3. Current Situation

- 3.1. Council staff held meetings with the grazing permit holders in October 2024 to discuss and plan for the start of the physical development work at the Hokitika Racecourse (DWL representatives also attended these meetings). During the meetings it was communicated what areas were to be fenced off and therefore would become unavailable for grazing. It was also communicated what areas would remain available for grazing. Letters were issued to grazers after these meetings documenting discussion and decisions. Following the meetings several of the grazers relocated their horses off the Hokitika Racecourse and effectively relinquished their grazing permits.
- 3.2. There are currently three grazing permit holders grazing horses at the Hokitika Racecourse, between DWL and the grazers (current permit attached as Appendix 1). Two private grazing permit holders and Riding for the Disabled (RDA). There are no current plans to issue additional grazing permits to new grazers.
- 3.3. With the commencement of subdivision development, it will be beneficial for Westland District Council to have direct contact with grazers and manage the relationships. Having direct contact with grazers will

assist with communication regarding future site development, enable updates to be provided to grazers in a timely manner and facilitate site problem solving. The terms of the grazing permits allow for them to be cancelled or suspended at any time without penalty. There are currently no timeframes to the grazing permits.

3.4. Destination Westland has requested that Westland District Council assume management of the grazing permits. The grazers are charged \$10-\$20 per horse, per week, depending on grazing area.

4. Options

4.1. Option 1: Retain status quo and Destination Westland Ltd continue to be the Council's agent and party to the grazing permits. Destination Westland Ltd continues to manage the relationships with the grazing permit holders.

4.2. Option 2: Destination Westland Ltd is removed as a party to the permits and is replaced by Westland District Council. Westland District Council manages the permits and relationships with the grazing permit holders.

5. Risk Analysis

5.1. No risks have been identified in transferring the grazing permit management from Destination Westland Ltd to Westland District Council.

6. Health and Safety

6.1. Notwithstanding the fact that the grazing permits contain several rules, designed to keep grazers and horses safe (such as no use of uncapped waratahs on the racecourse), the grazing permit holders graze their horses at their own risk.

6.2. Any Health and Safety liability Council may or may not be exposed to as Hokitika Racecourse landowner is not increased by virtue of issuing grazing permits.

7. Significance and Engagement

7.1. The level of significance has been assessed as minimal

7.1.1. No public consultation is considered necessary as permits are an arrangement with current grazers. There are no plans to issue further permits.

8. Assessment of Options (including Financial Considerations)

8.1. Option 2 – will enable Westland District Council to communicate directly with Hokitika Racecourse grazers regarding future site development, enable updates to be provided in timely manner and facilitate site problem solving.

8.1.1. There is a minor financial benefit to Westland District Council if it charges grazing fees (\$10-\$20 per horse per week depending on the grazing area); however, this is not the principal benefit gained in assuming the management of the grazing permits.

9. Preferred Option(s) and Reasons

9.1. The preferred option is Option 2 - Westland District Council become a party to the permit (proposed new permit attached Appendix 2), manage the permits and relationships with current Hokitika Racecourse grazers.

9.2. The reason that Option 2 has been identified as the preferred option is it will allow the benefits of having a direct relationship with grazing agreement holders at the Hokitika Racecourse.

10. Recommendation(s)

10.1. That the report be received.

10.2. Council transfer the management of the grazing permits from Destination Westland Ltd to Westland District Council as of February 1st 2025.

Marcus Waters
Community Services Manager

Appendix 1 Current Grazing Permit

Appendix 2 New Grazing Permit



P O Box 22

Hokitika

Email: admin2@destinationwestland.co.nz

Phone: 03 7558497

**Permit to graze a horse
At Hokitika Racecourse**

***Between Destination Westland Limited
As Agents of Westland District Council***

and

XXXXXXXXXX

Prescribed form of Application to graze at Westland Racecourse

I,
(Name)

Of
(Address)

Telephone Numbers

Email.....

Emergency Contact (If unable to contact you
.....

Hereby apply for permission to graze a horse at Westland Racecourse,
6 Dalton Street, Hokitika.

I agree to obey the By-Laws governing the use of the grounds and pay such fees and
charges as may be imposed from time to time.

I will continue to pay the fees until I advise Destination Westland Limited in writing of my
relinquishing the lease or Destination Westland cancels or suspends the lease.

Signature.....

Date.....

Signed for Destination Westland Ltd.....

Date

GRAZING BY-LAWS

1. The lands affected at the Hokitika Racecourse by these regulations comprise the racecourse, stabling, and all areas owned by Westland District Council at 6 Dalton Street, Hokitika.
2. Permits shall be granted only upon application in the prescribed form and shall be issued by the Destination Westland Limited.
3. An application for a permit may be refused and if issued may be afterwards cancelled or suspended by Destination Westland Limited.
4. The permit while in force shall entitle the holder to use the racecourse facilities upon the payment of the prescribed fees and in terms of and subject to these ByLaws, and subject also to such further restrictions and limitations as the Westland District Council may from time to time impose.
5. The grazing fees payable shall be such sum as Destination Westland Limited from time to time decide in respect of each section for every calendar month or part of a month and shall be payable on receipt of the account from Destination Westland Limited, but no later than 14 days receipt of account.
 - a. Any person who is more than (7) days overdue in payment of fees will be charged interest and may be excluded from the grounds until such time as those fees are paid.
 - b. Any person so excluded will be required to pay in advance prior to being permitted to return their horse(s) to the Hokitika Racecourse
 - c. The grazing fees as at 1 July 2022 are \$xxxx per section per week or pmi of month.
 - d. Destination Westland Limited shall review the fees annually.
6. Every person riding a horse at any time on the grounds shall wear an approved skullcap with chinstrap fastened.
7. Any horse suffering from any contagious disease is not permitted on the Racecourse. Breach of this regulation will be deemed a serious offence against these regulations.
8. Yards must be kept clean and maintained and when vacated they must be left clean.
9. The use of the racecourse by all persons is at their own risk, and notwithstanding the issue of a permit and the payment of fees Destination Westland Limited, or any employee of Destination Westland Limited be in any way responsible for any loss, injury or accident whatsoever happening to any horse, rider, horse related equipment, floats etc., or any other person on the grounds, whether or not caused by the defect of construction, or by the misconduct or negligence of any person or persons using the grounds, or any servant or employee of Destination Westland Limited

10. All persons, whether holding permits or not, attending the grounds shall conduct themselves in a quiet and orderly manner and shall not interfere with the appointments of the grounds, or be guilty of misconduct. Upon any breach of this By-Law Destination Westland Limited may summarily dismiss the offender from the grounds and then shall refer the matter to Destination Westland Limited management.
11. Dogs are allowed within the grounds but must be under control at all times.
12. All taps must be turned off after use.
13. Any person desiring to make a complaint in connection with the subject matter of these By-Laws shall do so in writing addressed to Destination Westland Limited, and the company shall deal with all such complaints.

Four weeks' notice applies to any person wishing to relinquish their permit and must advise Destination Westland in writing. They will be responsible for all charges and fees until termination date

14. All Correspondence to:
Property Administrator
Destination Westland Ltd
P.O. Box 22
Hokitika
Email: admin2@destinationwestland.co.nz

Additional Grazing Rules

- No tapes over Ambulance track
- No tapes over Sandtrack
- Any Jumps/Barrels/Obstacles to be removed from sandtrack/ambulance track after each use
- No uncapped warratahs to be used ANYWHERE on the race course
- No Horses to be kept in the A&P grounds for grazing without consulting A&P committee
- Floats to be parked out in Float Park on Park Street
- White Running Rails are to be left up at all times and not to be used as corner posts in fencing, there are 2 exits around course
- Any matters arising from problems with grazing need to come to Destination Westland directly and will be noted and dealt with



Private Bag 704
Hokitika
Email: council@westlanddc.govt.nz
Phone: 03 756 9010

**Permit to graze a horse
At the former Hokitika Racecourse**

Between Westland District Council

and

Prescribed form of Application to graze horses at the former Hokitika Racecourse

I,
(Name)

Of
(Address)

Telephone Numbers

Email.....

Emergency Contact (If unable to contact you
.....

Hereby apply for permission to graze a horse at the former Hokitika Racecourse, 6 Dalton Street, Hokitika.

I agree to adhere to the rules governing the use of the grounds and pay such fees and charges as may be imposed from time to time.

- I will continue to pay the fees until -
- a. I advise Westland District Council in writing, of my relinquishing the lease or
 - b. Westland District Council cancels or suspends the lease.

Signature.....

Date.....

Signed for Westland District Council

Date

GRAZING AGREEMENT

1. The lands affected at the former Hokitika Racecourse by these regulations comprise of all areas owned by Westland District Council at 6 Dalton Street, Hokitika. Please note that the former Hokitika Racecourse is an operating construction site and has many hazards associated with that use.
2. Permits shall be granted only upon application on the prescribed form and shall be issued by the Westland District Council.
3. An application for a permit may be refused and if issued may be afterwards cancelled or suspended by Westland District Council.
4. The grazing fees payable shall be such a sum as Westland District Council from time to time decide in respect of each section for every calendar month or part of a month and shall be payable on receipt of the account from Westland District Council, but no later than 14 days after receipt of account.
 - a) Any person who is more than (7) days overdue in payment of fees will be charged interest and may be excluded from the grounds until such time as those fees are paid.
 - b) Any person so excluded will be required to pay in advance prior to being permitted to return their horse(s) to the former Hokitika Racecourse
 - c) The grazing fees as at 1 February 2025 are \$___per section per week or part month.
 - d) Westland District Council shall review the fees annually.
5. Every person riding a horse at any time on the grounds shall wear an approved skullcap with chinstrap fastened.
6. Any horse suffering from any contagious disease is not permitted on the former Hokitika Racecourse. Breach of this regulation will be deemed a serious offence against these regulations.
9. The use of the former Hokitika Racecourse by all persons is at their own risk, and notwithstanding the issue of a permit and the payment of fees Westland District Council, or any employee of Westland District Council will not be in any way be responsible for any loss, injury or accident whatsoever happening to any horse, rider, horse related equipment, floats etc., or any other person on the grounds, whether or not caused by the defect of construction, or by the misconduct or negligence of any person or persons using the grounds, or any servant or employee of Westland District Council
10. All persons, whether holding permits or not, attending the grounds shall conduct themselves in a quiet and orderly manner and shall not interfere with the appointments of the grounds, or be guilty of misconduct. Upon any breach of this agreement Westland District Council may summarily dismiss the offender from the grounds and then shall refer the matter to Westland District Council management.
11. Dogs are allowed within the grounds but must be under control at all times.
12. All taps must be turned off after use.

13. Any person desiring to make a complaint in connection with the subject matter of this agreement shall do so in writing addressed to Westland District Council, shall deal with all such complaints.

Four weeks' notice applies to any person wishing to relinquish their permit and must advise Westland District Council in writing.

They will be responsible for all charges and fees until the termination date

14. All Correspondence to:

Marcus Waters
Westland District Council
Private Bag 704
Hokitika
Email – marcus.waters@westlanddc.govt.nz

Additional Grazing Rules

- Any Jumps/Barrels/Obstacles to be removed from sandtrack/ambulance track after each use
- No uncapped waratahs to be used ANYWHERE on the former Hokitika Racecourse
- Floats not to be parked on grazing area.
- Any matters arising from problems with grazing need to come to Westland District Council directly and will be noted and dealt with.

Report to Council



DATE: 30 January 2025
TO: Mayor and Councillors
FROM: Community Services Manager

ADOPTION OF UPDATED SAFER WESTLAND COALITION TERMS OF REFERENCE

1. Summary

- 1.1. The purpose of this report is to provide an opportunity for Council to formally adopt the updated Safer Westland Coalition Terms of Reference.
- 1.2. This matter is considered administrative in nature and arises due to the updated Safer Westland Coalition Terms of Reference not being formally adopted by Council
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2024, which are set out in the Enhanced Annual Plan 2024/2025. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Council formally adopt the updated Safer Westland Coalition Terms of Reference. attached at Appendix 1.

2. Background

- 2.1 The Safer Westland Group has existed in various forms since 1996. In 2017 Westland District received New Zealand Safe Communities Foundation Accreditation. In February 2011 Council adopted an earlier version of the Terms of Reference for the group.
- 2.2 An updated Terms of Reference was included as an appendix in the Chief Executive report tabled at the 25 January 2024 Council meeting, however the updated Terms of Reference (Appendix 1) has not been formally adopted by Council.
- 2.3 Council may review the Coalition's existence, purpose and operations at any time or as part of the Committee and sub-committee review process, post 2025 local body elections.

3. Current Situation

- 3.1. The Safer Westland Coalition group is meeting bi-monthly as per the attached Terms of Reference.

4. Options

- 4.1. Option 1: Council adopt the updated Safer Westland Coalition Terms of Reference.
- 4.2 Option 2: Council amend or ask that the Terms of Reference be amended before adoption.

4.2. Option 3: Do not adopt the Safer Westland Coalition Terms of Reference.

5. Risk Analysis

- 5.1. As this is an administrative process there have been no risks associated with the recommended option.
- 5.2. It is worth noting the Coalition exists, in part, to reduce risk with a vision statement that reads: “Westland whanau and manuhiri are connected, safe and well”.

6. Health and Safety

- 6.1. Health and Safety has been considered, and no items have been identified.

7. Significance and Engagement

- 7.1. The level of significance has been assessed as being minor.
 - 7.1.1.No public consultation is considered necessary.

8. Assessment of Options (including Financial Considerations)

- 8.1. Option 1 – Council adopt the updated Safer Westland Coalition Terms of Reference
 - 8.1.1.Whilst the TOR allows for WDC support for up to 16 hours per fortnight, this level of support has not been necessary as the coalition is currently operating.
 - 8.1.2.There are no further financial implications to this option.
- 8.2. Option 2 and 3 – are not recommended as the Coalition is active.

9. Preferred Option(s) and Reasons

- 9.1. The preferred option is Option 1 – Council adopt the Safer Westland Coalition Terms of Reference (attached in Appendix 1).
- 9.2. The reason that Option 1 has been identified as the preferred option is that it will provide administrative clarity for the coalition for 2025. The Coalition's existence and purpose may be reviewed at any time or post 2025 local body elections.

10. Recommendation(s)

- 10.1. That the report be received.
- 10.2. That Council adopt the updated Safer Westland Coalition Terms of Reference.

Marcus Waters
Community Services Manager

Appendix 1: Updated Terms of Reference

Appendix 1

TERMS OF REFERENCE

SAFER WESTLAND COALITION

Vision Statement

Westland whanau and manuhiri are connected, safe and well.

Mission

Mahi Ngatahi – we are working together for the safety, resilience, and well-being of Westland.

Purpose

The Safer Westland Coalition meets bi-monthly under the umbrella of Westland District Council. It fulfils in part the Westland District Council Vision Statement:

“By investing in our people, caring for the environment, respecting Mana Whenua cultural heritage, and enabling investment, growth, and development we will enrich our district and the people that reside here.”

Safer Westland Coalition Partners

Since its inception under the New Zealand Safe Communities Foundation, Safer Westland welcomes all agencies, organisations, community groups, and individuals to be part of the Safer Westland Coalition for the betterment of Westland communities’ safety, resilience, and well-being.

Governance

The Safer Westland Governance Group are nominated representatives, with the addition of:

- Mayor Westland District Council
- Up to 3 elected Councillors, of which one Councillor will chair the Safer Westland meetings.
- Safer Westland Coordinator

The Governance Group can have up to 12 nominated representatives with a strong alliance to the Vision, Mission, and Purpose of the Safer Westland Coalition.

STRUCTURE

Governance Group

- Reviewed and nominations open every 2 years Oct/Nov 2024,2026, etc.
- Provides leadership and strategic direction for Safer Westland Coalition
- Oversees any Projects of the Safer Westland Coalition
- Advocates for Safer Westland coalition work and works to secure additional resources for projects as required.
- Members of the Governance Group foster support for Safer Westland within their agencies, and within the wider community.

Coordinator

- Is the first point of contact for any queries or information regarding Safer Westland
- Provides advice to and supports the Governance Group
- Organises and attends Safer Westland and Governance Group meetings.

- Maintains Safer Westland records (agendas, minutes, reports, plans, communications).
- Helps to facilitate communications and information sharing.
- Assists to secure funding for agreed projects.
- Position is supported by WDC up to 16 hours per fortnight.

Safer Westland Members

- Meet bi-monthly to address issues of mutual concern for Westland, identifying common priorities and plan activities and projects.
- Work together to initiate, plan and deliver projects which align with Safer Westland focus and priority areas as set out in the Strategic Plan 2022-2025 - Safety and Well-being areas: Community & Family Violence, Safe Roads, Older Adults, Children & Young People, Emergency Preparedness & Response, Covid-19 Response, Inclusion & Diversity, and Smokefree 2025.

Quorum

Governance Group – Chair and 5 members

Safer Westland – Chair and 7 members

Chair Position is aligned with WDC elections and change of Council elected representatives to Safer Westland Governance and Coalition Meetings, with provision for WDC Mayor to identify a new Chair should circumstances prevent the Chair from completing term.

Frequency of Meetings

Governance Group – Quarterly with facility to meet more often as required by Zoom or in person.

Safer Westland Coalition – Bi-monthly with facility to increase frequency as required.

Project Meetings – as required by Project Lead

Accountability and Reporting

- Each member of the Safer Westland Coalition is accountable to their parent organisation.
- Project Leaders report to Safer Westland Meeting where applicable
- Members will be expected to share any pertinent updates at the Safer Westland meetings and keep their parent organisation informed on projects and activities of the Safer Westland Coalition.
- Project leaders will report quarterly to contribute to the Quarterly and Annual Westland District Council Reports.
- Safer Westland Coordinator updates WDC Chief Executive, and Council where applicable.

Record of Proceedings

- The agenda together with previous minutes, relevant reports and documents will be forwarded to members in sufficient time to enable consideration prior to meetings.
- Accurate minutes will be kept of each meeting of the Safer Westland Coalition and Safer Westland Governance Group and ratified at the subsequent meeting.

Information Management

Safer Westland will provide effective communications to internal and external audiences about its work and progress by:

- Ensuring alignment and coordination of key messages
- Ensuring a 'no surprises' environment by discussing and agreeing on all media statements in advance
- Coordinating all media requests to Westland District Council's Communications manager for collation and direction to media outlets.