



# ORDINARY COUNCIL MINUTES

## MINUTES OF THE ORDINARY COUNCIL MEETING OF WESTLAND DISTRICT COUNCIL HELD VIA ZOOM ON THURSDAY 23 APRIL 2020 COMMENCING AT 1.05 PM

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### 1. OPENING KARAKIA

Kw Tumahai opened the meeting with a Mihi.

### 2. MEMBERS PRESENT

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Chairperson: His Worship the Mayor

Members: Cr Carruthers (Deputy)  
Cr Hart  
Cr Kennedy  
Cr Martin  
Kw Madgwick

Cr Davidson  
Cr Hartshorne  
Cr Keogan  
Cr Neale  
Kw Tumahai

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### NGĀ WHAKAPAAHA APOLOGIES

Kw Madgwick due to internet connection issues.

### STAFF PRESENT

S.R. Bastion, Chief Executive; L. Crichton, Group Manager: Corporate Services; T. Cook, Regulatory Services Manager; L. Sparks, Group Manager: District Assets; D.M. Maitland; Executive Assistant and Council Secretary; E. Rae, Strategy and Communications Advisor.

### 3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated via Microsoft Teams and no amendments to the register had been noted.

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

Cr Martin asked that the following item be added to the Council Agenda for discussion.

The livestreaming of the Council Meetings and Committee Meetings.

*Kw Madgwick attended the meeting at 1.08 pm due to internet connection issues.*

## 5. **NGĀ MENETI O TE HUI KAUNIHĒRA MINUTES OF MEETINGS**

The Minutes of the meeting of the 27 February 2020 had been circulated to the Mayor and Councillors separately via Microsoft Teams.

The 26 March 2020 Council Meeting had been cancelled due to COVID-19.

Moved Deputy Mayor Carruthers, seconded Cr Davidson and **Resolved** that the Minutes of the Ordinary Meeting of Council held on the 27 February 2020 be confirmed as a true and correct record of the meeting.

## 6. **NGĀ TĀPAETANGA PRESENTATIONS**

There were no presentations to Council in this part of the meeting.

## 7. **ACTION LIST**

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

- **Kaniere School Students – Cycle trail**
  - Council is awaiting the final pricing for safety work.
- **Speed Limits – Extension of some limits and open conversation with road users on suitable speed limits.**
  - Consultation on this item will commence in August 2020.
- **Transfer of Pensioner Housing to Destination Westland. Strategy document to be developed with a working group.**
  - This item is currently with Westland Holdings Limited.
- **Manatu Whakaaetanga Partnership Agreement.** Agreement has been signed by Te Rūnanga o Ngāti Waewae.
  - Kw Madgwick advised that the Manatu Whakaaetanga Partnership Agreement can be signed at any stage on behalf of Te Rūnanga o Makaawhio.
- **Cass Square - An overarching plan is required for Cass Square.** Sits within the Community work program. Any concept must now be taken into account around the future use of the Racecourse Reserve.
  - The Planning and Customer Services Manager is leading the Racecourse Reserve master planning programme.
- **Haast Civil Defence and Community Development.** Council resolved to release funds from the Marks Road Reserve Fund for Stage 1, purchase of Civil Defence Equipment for the Haast Community.
  - Further correspondence is required with the land purchaser.
- **Carnegie Building Project**
  - Three funding applications have been lodged for funding.
  - The scope of the project is currently being reviewed.

- **Fox Landfill**
  - Golders have been contracted to complete a site assessment in partnership with Ministry for the Environment and Council. Golders have completed their site assessment and a draft report has been received.
- **Marks Road – Sale of Land to FENZ**
  - No further development regarding this matter. This item to be removed from the Action List.
- **Iwi representation around the Council table**
  - The aspiration is legal participation, opportunities and equal say as a partnership with Council.

Moved Cr Neale, seconded Deputy Mayor Carruthers and **Resolved** that the updated Action List be received with the removal of the Marks Road item.

## **8. PŪRONGO KAIMAHI STAFF REPORTS**

### **8.1 Financial Performance Report – March 2020**

The Group Manager: Corporate Services spoke to this item and advised that the purpose of the report is to provide an indication of Council's financial performance for 9 months to 31 March 2020.

#### **Action Items:**

- Sundry Debtors – The Group Manager: Corporate Services to report back to Council with the detail of the debtors that are over 90 days.
- Capital Expenditure – request for tracking of individual projects within e.g. Community Services and what the projects are and how they are tracking – Cr Martin. It was noted that there is more detail in the Capital Projects and Tenders Committee meetings which has the oversight and more information.

Moved Cr Neale, seconded Cr Hartshorne and **Resolved** that Council receive the Financial Performance Report to 31 March 2020.

*Kw Tumahai left the meeting at 1.55 pm and returned in the Confidential part of the meeting.*

### **8.2 Commercial Rating Process**

The Group Manager: Corporate Services spoke to this item and advised the purpose of the report is to adopt the updated Commercial Rating Process as attached to the agenda. A record will be kept of those properties moving from commercial to residential categories.

A discussion was held regarding a media statement being prepared to let ratepayers know that they can move from commercial to residential rating categories; particularly for those properties who are no longer operating Airbnb's; and also a letter being forwarded to all Airbnb operators in Westland District.

An advertisement will be prepared and publicised regarding the Rating Information Database (RID) which will allow people to check what rate types and differentials have been applied to their rating account for a particular rating year.

Moved Cr Martin, seconded Cr Kennedy and **Resolved** that:

1. Council adopt the Commercial Rating Process as attached to the agenda; and
2. Best endeavours be made by staff to implement the process from 1 July 2020; with staff bringing back information to support any changes to the Rating Information Database as soon as possible.

*Cr Neale recorded her vote against the motion.*

*The meeting adjourned at 2.37 pm for afternoon tea and reconvened at 2.46 pm.*

### **8.3 Local Government Funding Agency (LGFA)**

The Group Manager: Corporate Services spoke to this item and advised that the purpose of the report is to outline the proposed amendments to the LGFA to enable approved Council-controlled organisations to borrow directly through the LGFA borrowing programme.

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

1. Council receives the "New Zealand Local Government Funding Agency (LGFA) Amendments Report".
2. Council notes the contents of that report.
3. Council authorises the Council's entry into the documentation noted in that report.
4. Council authorises two elected members, being Deputy Mayor Carruthers and Cr Hart to execute the following deeds for the purposes of recommendations 3. above.
  - a) Amendment and Reinstatement Deed (Multi-issuer Deed); and
  - b) Amendment and Restatement Deed (Notes Subscription Agreement).
5. Council authorises the Chief Executive to execute the Chief Executive Certificate and such other documents and take such other steps on behalf of Council as the Chief Executive considers it is necessary or desirable to execute or take to give effect to recommendations 3. above.

### **8.4 Development West Coast Westland Sports Hub**

The Chief Executive spoke to this item and advised the purpose of the report to advise Council of some changes in the oversight of the Development West Coast Westland Sportshub and seeks Council's preferred direction for ongoing ownership and funding for the covered structure.

Kw Madgwick referred to a letter from a neighbour who had advised that they had not been consulted about what was being built on the site.

*Cr Martin and Cr Davidson declared an interest in the matter.*

*Cr Martin participated in the discussion, but did not vote on the matter.  
Cr Davidson participated in the discussion, but did not vote on the matter.*

*Cr Hart then participated in the meeting via audio due to internet connection issues.*

Moved His Worship the Mayor, seconded Deputy Mayor Carruthers and **Resolved** that Council:

1. Consult with the community through the 2020-2021 Annual Plan process on taking ownership and the associated costs thereof of the covered structure.
2. Instruct the Chief Executive to modify the Memorandum of Understanding to ensure that community and Council interests are fairly represented, and is clear on costs and accountabilities between Westland High School and Westland District Council.
3. Council includes the ownership and costs in the 2020-2021 Draft Annual Plan.
4. Depreciation will not be funded by the Community Rate.

### **8.5 Ross Endowment Fund**

The Chief Executive spoke to this item and advised that the purpose of the report is to advise that the Ross Community Society would like to utilise funds from the Ross Endowment Fund.

Cr Martin advised that the fund is a Restricted Reserve and asked what the requirement is for Council to consult with the community regarding the release of funding from a Restricted Reserve. The Group Manager: Corporate Services advised that Council have a responsibility to consult regarding this matter.

Moved Cr Davidson, seconded Cr Hartshorne and **Resolved** that subject to consultation with the Ross Community through the 2020-2021 Annual Plan process, that funds be released from the Ross Endowment fund to pay for the repairs to cladding and guttering repairs up to \$30,000 total.

### **8.6 Resident Satisfaction Survey 2020**

The Strategy and Communications Advisor spoke to this item and advised that the purpose of this report is to advise the results of the 2020 Resident Satisfaction survey and provide information on improvements and areas of reduced satisfaction compared to the 2018 survey.

Moved Deputy Mayor Carruthers, seconded Cr Hart and **Resolved** that:

1. Council receives the report and appendices.
2. Council directs staff to make the information contained in Appendix 1: Community Survey, Public Perceptions and Interpretations of Council Services and Representation; and Appendix 2: Appendices available to the public on Council's Website.

*Cr Keogan participated in the meeting at times via audio due to internet connection issues.*

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

(to consider and adopt confidential items)

Moved Cr Martin, seconded Cr Davidson 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 3.07 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 – 27 February 2020	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason or withholding exists. Section 48(1)(a)
2.	Sunset Point Tourism Infrastructure Contract	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason or withholding exists. Section 48(1)(a)
3.	Westland Holdings Limited	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason or withholding exists. Section 48(1)(a)
4.	Ocean Outfall Business Case	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason or withholding exists. Section 48(1)(a)

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:

<b>Item No.</b>	<b>Interest</b>
1, 2, 3 & 4	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))
2, 3, 4	Protect information where the making available of the information: (i) would disclose a trade secret; and (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Schedule 7(2)(b)).
3	Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a))

Moved His Worship the Mayor, seconded Cr Kennedy 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 6.39 pm.

**DATE OF NEXT EXTRAORDINARY COUNCIL MEETING  
01 MAY 2020 VIA ZOOM  
DATE OF NEXT ORDINARY COUNCIL MEETING  
28 MAY 2020**

**MEETING CLOSED AT 6.39 PM**

Confirmed by:

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

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**Date**