



ORDINARY COUNCIL MINUTES

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE WESTLAND DISTRICT COUNCIL, HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM ON THURSDAY 25 JUNE 2020 COMMENCING AT 1.00 PM

MEMBERS PRESENT AND APOLOGIES

Chairpersons	His Worship the Mayor	
	Deputy Mayor Carruthers	
Members	Cr Davidson	
	Cr Hartshorne	Cr Hart
	Cr Kennedy	Cr Keogan
	Cr Neale	Cr Martin
	Kw Madgwick	Kw Tumahai

STAFF PRESENT

S.R. Bastion, Chief Executive; L. Crichton, Group Manager Corporate Services; L. Sparks, Group Manager District Assets; T. Cook, Regulatory Services Manager; F. Scadden, Planning and Customer Services Manager; D. Maitland, Executive Assistant; E. Rae, Strategy and Communications Advisor.

1. KARAKIA TĪMATANGA OPENING KARAKIA

The opening Karakia was read by Kw Madgwick.

1. NGĀ WHAKAPAAHA APOLOGIES

Kw Tumahai.

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

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

His Worship the Mayor advised that the Interest Register was available in Microsoft teams and also available on the Council table.

There were no changes to the Interest Register advised.

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

There were no urgent items of business that were not on the Council Agenda.

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

- **28 May 2020 – Council Meeting**

The Minutes of the 28 May 2020 Council Meeting had been circulated to the Mayor and Councillors separately via Microsoft Teams.

Moved Deputy Mayor Carruthers, seconded Cr Martin and **Resolved** that the Minutes of the Ordinary Council held on the 28 May 2020 be confirmed as a true and correct record of the meeting.

- **16 June 2020 – Extraordinary Council Meeting**

The Minutes of the 16 June 2020 Extraordinary Council Meeting had been circulated to the Mayor and Councillors separately via Microsoft Teams.

Moved Cr Keogan, seconded Cr Davidson and **Resolved** that the Minutes of the Extraordinary Meeting of Council held on the 16 June 2020 be confirmed as a true and correct record of the meeting subject to the following amendments:

- Apologies:
Page 1 – Cr Hartshorne attended the meeting from 9.15 am.
- DWC Westland Sportshub – Funding.
Page 6 – Cr Davidson declared an interest...and remained in the meeting as part of the User Group of the DWC Westland Sportshub.
- Lazar Park, Hokitika.
Page 8 – Cr Martin noted a Conflict of Interest... and left the meeting.
Cr Keogan noted a conflict being part of the Three Mile Reserve Committee.

6. **ACTION LIST**

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

- Kaniere School Students, Cycle Trail – awaiting pricing to be received.
- Speed Limits – A full list of speed limit changes on the local roads has been identified which will go out for full public consultation in August 2020.
- Transfer of Pensioner Housing to Destination Westland – another consultant proposal has been received.
- Cass Square layout concept – this item is currently on hold and will be worked through as part of the Community Development Committee. This is also tied in closely with the Racecourse Development Masterplan Developments.
- Carnegie Building Project – this item is awaiting the outcome of the Culture and Heritage Fund application.

- Fox Landfill – the report from Golders has been completed. Staff have been working with Ministry for the Environment and Golders on the way forward. All are agreed that Fox Landfill is not recyclable and needs to be relocated. An application for PGF funding has been submitted for the relocation work.
- Iwi Representation around the Council table – responses have been received from Department of Internal Affairs and His Worship the Mayor will confirm what the next steps are.

Moved Cr Davidson, seconded Cr Hartshorne and **Resolved** that the updated Action List be received, with the removal of the item relating to Cass Square layout concept.

7. **NGĀ TĀPAETANGA PRESENTATIONS**

- **New Zealand Transport Agency (NZTA) – Keeping the West Coast Transport System Open**

Peter Connors, (via Zoom) System Manager, Canterbury and West Coast, Colin Hay, Area Manager and Moira Whinham, Network Contract Manager from NZTA provided a verbal update to Council on the projects in and around Westland and the current strategy for resilience of the State Highway in the region.

Key topics presented on:

- Highest Risk Sites (Diana Falls, Gates of Haast, Epitaph Slip – Knights Point, Bruce Bay, Omeroa (Fox Hills), Waiho River, Whataroa River (The Deviation), Mt Hercules, Kellys Creek SH73, Otira Gorge).
- The NZTA Resilience World – Pressures and Challenges
- Corridor Management Plans
- Other Westland District Future Projects
- Areas for cameras and warning systems monitoring on the network

Other items raised by Council were:

- Changing of speed limits on the Hokitika Bridge and Glow Worm Dell areas.
- NZTA Signage replacement.
- Clip-on at Stony Creek, Franz Josef.
- Steel gate on the gravel storage area at Dochertys Creek, Franz Josef.

Moved Cr Neale, seconded Cr Hartshorne and **Resolved** that the presentation from NZTA be received.

- **DIA Oversight Group, Department of Internal Affairs**

Council received a verbal update via Zoom from Richard Hardie, Manager Operation and Policy, and David Spence, Senior Analyst, Department of Internal Affairs.

In November 2019, the Minister of Local Government, Hon Nanaia Mahuta determined that a Crown Observer for Westland District Council was not required to be appointed and instead an Oversight Committee was formed. At the meeting Council was informed that the role of the Oversight Committee was to understand why long term issues occurred and ensure that improved practices are embedded into the ongoing work of the Council. An interim report

to the Minister has been completed, and the Oversight Committee is encouraged by progress and work into developing robust processes, particularly the induction process for Councillors following the election.

The Oversight Committee was for 6 months until the 30 June 2020 and comprises officials from the Department of Internal Affairs, Ministry for the Environment, Observers from the Auditor-General's Office and Office of the Ombudsman, with input from New Zealand Transport Agency, Ministry of Business, Innovation and Employment, and the West Coast Regional Council. The oversight is in place until the 30 June 2020, provided that the Minister of Local Government is satisfied with the work that Council has completed, and is assured that the progress, including best practice supported by good documents and information to decision-making will continue going forward.

Mr Hardie and Mr Spence acknowledged the work of Councillors and Senior Management.

Moved Cr Kennedy, seconded Cr Keogan and **Resolved** that the verbal report from Richard Hardie and David Spence, Department of Internal Affairs be received.

8. PŪRONGO KAIMAHI STAFF REPORTS

• Financial Report May 2020

The Group Manager: Corporate Services spoke to the report from the Accountant. The purpose of the report is to provide an indication of Council's financial performance for 11 months to 31 May 2020.

The following items were discussed:

- Debtors 60-90 days, the Group Manager: Corporate Services advised that this relates to mainly one organisation and is timing on their part relating to investments.
- Rate Debtors, the Group Manager: Corporate Services advised that deferrals and payments plans for rates are in place.
- Capital Projects being completed on time.
- Installation of water meters.

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

• Rates write-offs and Remissions 2019-2020

The Group Manager: Corporate Services spoke to the report from the Finance Manager. The purpose of the report is to request Council approval to write-off rates debts deemed uncollectable, and to apply remissions for the financial year ended 30 June 2020.

Moved Cr Hart, seconded Cr Martin and **Resolved** that Council approves the total proposed rates write-offs and remissions of \$287,218 excluding GST for the financial year ending 30 June 2020.

- **Muslim Burial area within the Hokitika Cemetery**

The Group Manager: District Assets spoke to this report and advised the purpose of the report is to provide an update on staff progress to investigate options to offer plots in the Hokitika Cemetery to meet the need of other religious faiths.

Moved Cr Neale, seconded Cr Hartshorne and **Resolved** that Council approve the formation of a Muslim burial area within the proposed sections of the Hokitika Cemetery highlighted as a triangle on the plan as tabled.

- **Review Submission from Anthea Keenan in regards to Trespass Notice**

The Chief Executive spoke to this item and advised the purpose of the report is for Council to consider the submission made by Anthea Keenan in regards to the Trespass Notice issued on the 4 April 2019. Mrs Keenan had made a complaint in regards to the Trespass Notice to the Office of the Ombudsman.

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

- A) This item be delegated to the Chief Executive to meet with the Executive Team to determine a final outcome of which Council will support, and convey it to Mrs Keenan and Councillors before the 30 June 2020.
- B) Council receive the submission from Mrs Keenan.

Deputy Mayor Carruthers left the meeting at 3.22 pm and did not return.

Cr Martin declared a conflict as a Director of Destination Westland and left the meeting at 3.24 pm and returned at 3.48 pm for part of the Public Excluded Section of the meeting.

- **Westland Holdings Limited – Statement of Intent 1 July 2020**

The following were in attendance for this part of the meeting representing Westland Holdings Limited:

- Joanne Conroy, Chair
- Chris Gourley, Director
- Chris Rea, Director

The Chair of WHL spoke to this item and advised that the purpose of the report is to present the WHL Statement of Intent for the 3 years commencing 1 July 2020.

Moved Cr Neale, seconded Cr Davidson and **Resolved** that Council approve the Westland Holdings Ltd Statement of Intent for the 3 years commencing 1 July 2020 and approve for public release as tabled.

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

(to consider and adopt confidential items)

Moved Cr Hartshorne, seconded Cr Hart 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 3.28 pm.

The meeting adjourned for afternoon tea at 3.28 pm and reconvened at 3.48 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 May 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.	Westland Holdings Limited Report	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:

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

Moved Cr Davidson, seconded Cr Hart and **Resolved** that the business conducted in the 'Public Excluded Section' be confirmed and accordingly, the meeting went back to the open part of the meeting at 4.24 pm.

DATE OF NEXT EXTRAORDINARY COUNCIL MEETING – 30 JUNE 2020
DATE OF NEXT ORDINARY COUNCIL MEETING – 23 JULY 2020
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM

MEETING CLOSED AT 4.24 PM

Confirmed by:



Mayor Bruce Smith
Chair

Date: 23.07.20