

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE GREY DISTRICT COUNCIL**Held in Council Chambers, 105 Tainui Street, Greymouth****on Monday 25 March 2024 commencing at 4.13 pm**

PRESENT: Mayor Tania Gibson (Chair)
Councillor Allan Gibson (Deputy Mayor), Councillor John Canning, Councillor Peter Davy, Councillor Kate Kennedy (via Zoom), Councillor Rex MacDonald, Councillor Robert Mallinson, Councillor Tim Mora, Councillor Jack O'Connor

IN ATTENDANCE: Paul Pretorius (Acting Chief Executive), Aaron Haymes (Group Manager Operations), Gerhard Roux (Group Manager Support), Michael McEnaney (Regulatory Manager) left meeting at 4.30 pm, Trish Jellyman (Democracy Advisor), Megan Bourke (Communications Officer)

Her Worship welcomed Mr Paul Pretorius (Acting Chief Executive) to his first official Council meeting. Her Worship thanked Mr Pretorius for taking on this role at short notice and for stepping straight back into the swing of things.

1 APOLOGIES AND DECLARATIONS OF INTEREST

1.1 APOLOGY

RESOLUTION OCM 24/03/017

Moved: Mayor Tania Gibson

Seconded: Cr John Canning

That the apology received from Kaiwhakahaere Francois Tumahai be accepted and leave of absence granted.

Carried Unanimously

1.2 UPDATES TO THE INTERESTS REGISTER

There were no updates to the Interest Register.

1.3 IDENTIFY ANY CONFLICTS OF INTERESTS IN THE AGENDA

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 CONFIRMATION OF THE ORDINARY COUNCIL MEETING HELD ON 12 FEBRUARY 2024

RESOLUTION OCM 24/03/018

Moved: Cr Allan Gibson

Seconded: Cr John Canning

That the minutes of the Ordinary Council Meeting held on 12 February 2024 be confirmed as true and correct.

Carried Unanimously

2.2 CONFIRMATION OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 11 MARCH 2024**RESOLUTION OCM 24/03/019****Moved: Cr Allan Gibson****Seconded: Cr John Canning**

That the minutes of the Extraordinary Council Meeting held on 11 March 2024 be confirmed as true and correct.

Carried Unanimously**2.3 RECEIPT OF MINUTES OF THE GREY DISTRICT RESILIENCE SUB-COMMITTEE HELD UNDER DELEGATED AUTHORITY FOR INFORMATION OF COUNCIL HELD 13 FEBRUARY 2024****RESOLUTION OCM 24/03/020****Moved: Cr Allan Gibson****Seconded: Cr John Canning**

That the minutes of the Grey District Resilience Sub-Committee held on 13 February 2024 be received and noted.

Carried Unanimously**2.4 RECEIPT OF MINUTES OF THE FINANCE REGULATORY AND BUSINESS SUPPORT COMMITTEE HELD UNDER DELEGATED AUTHORITY FOR INFORMATION OF COUNCIL HELD 11 MARCH 2024****RESOLUTION OCM 24/03/021****Moved: Cr Allan Gibson****Seconded: Cr John Canning**

That the minutes of the Finance Regulatory and Business Support Committee held on 11 March 2024 be received and noted.

Carried Unanimously**2.5 RECEIPT OF MINUTES OF THE OPERATIONS AND CAPITAL PROGRAMME DELIVERY COMMITTEE HELD UNDER DELEGATED AUTHORITY FOR INFORMATION OF COUNCIL HELD 11 MARCH 2024****RESOLUTION OCM 24/03/022****Moved: Cr Allan Gibson****Seconded: Cr John Canning**

That the minutes of the Operations and Capital Programme Delivery Committee held on 11 March 2024 be received and noted.

Carried Unanimously**2.6 RECEIPT OF MINUTES OF THE ANIMAL CONTROL COMMITTEE HELD UNDER DELEGATED AUTHORITY FOR INFORMATION OF COUNCIL HELD 14 MARCH 2024**

RESOLUTION OCM 24/03/023**Moved: Cr Allan Gibson****Seconded: Cr John Canning**

That the minutes of the Animal Control Committee held on 14 March 2024 be received and noted.

Carried Unanimously**3 LIST OF ACRONYMS USED****4 MATTERS UNDER ACTION****4.1 MATTERS UNDER ACTION FROM DECEMBER 2023 COUNCIL MEETING**

Refer page 30 of the agenda.

5 AGENDA ITEMS**5.1 LATE ITEM: TE TAI O POUTINI - ONE DISTRICT PLAN: COUNCIL'S POSITION RE SITES AND AREAS OF SIGNIFICANCE TO MAORI (SASM)**

Refer page 31 of the agenda.

RESOLUTION OCM 24/03/024**Moved: Mayor Tania Gibson****Seconded: Cr Robert Mallinson**

That Council in accordance with Section 46A(7) of the Local Government Official Information and Meetings Act read with Standing Orders 9.12 the following be considered as a late item:

1. One District Plan: Council's Position re Sites and Areas of Significance to Māori (SASM).

Carried Unanimously**5.2 LATE ITEM: RATE PENALTIES REQUEST BY MAWHERA INCORPORATION FOR COUNCIL TO WRITE IT OFF**

Refer page 33 of the agenda.

RESOLUTION OCM 24/03/025**Moved: Cr Allan Gibson****Seconded: Cr Rex MacDonald**

That Council in accordance with Section 46A(7) of the Local Government Official Information and Meetings Act read with Standing Orders 9.12 the following be considered as a late item:

1. Rates Penalties Request by Mawhera Incorporation for Council to Write It Off.

Carried Unanimously

5.10 LATE ITEM: TE TAI O POUTINI - ONE DISTRICT PLAN: COUNCIL'S POSITION RE SITES AND AREAS OF SIGNIFICANCE TO MAORI (SASM).

Refer page of 75 of the agenda.

RESOLUTION OCM 24/03/026

Moved: Cr Robert Mallinson

Seconded: Cr Tim Mora

Her Worship declared a conflict of interest as she currently lives on an Site and area of Significance to Māori (SASM). Cr Gibson as Deputy Mayor chaired this section of the meeting.

This matter was brought forward in order to allow for the Regulatory Manager (RM) to attend the meeting to provide information and advice to Council.

The Regulatory Manager (RM) reminded Council that the Te Tai o Poutini One District Plan (TTPP) was notified last July. He advised that GDC had submitted on a large number of points with one being Sites and Areas of Significance to Maori (SASM). He advised that this matter has now progressed through to hearings and the hearing for SASM is scheduled for the end of April and this will allow for any submitters wishing to be heard to submit their evidence. The RM explained that Te Runanga O Ngati Waewae are requesting that Council withdraws its opposition to SASM. He acknowledged that the submission and a lot of the consultation around the TTPP was carried out by the previous Council. The RM advised that Council now needs to either re-confirm its earlier position or agree to the request. The RM explained what is involved and outlined the framework of rules including permitted activity rules, non complying rules and advised that mineral extraction and rural activities and activities by default, landfill and waste disposal facilities and various other industries that would be impacted. He stated that the farming sector, in particular herd homes could be impacted. Waste water treatment plants and disposal facilities is also an area of concern. Cr Canning stated that he is in favour of Council's current position as he recognises landowner rights and is fully supporting SASMs and they should be included in the TTPP, however he stated this is a process issue. Cr Canning stated that if a property owner's land is going to be on a SASM, then the property owner deserves the right to consultation. Cr Canning stated that this needs to be done on a case by case basis. Cr Canning stated that Council needs to do this right, as he feels that the process is not right and this is why he supports Council's opposition. Cr Gibson agreed. Cr MacDonald asked if it is possible to withdraw opposition to SASM without withdrawing other opposition from SNA's that have already been separated. The RM responded that this is possible. Cr MacDonald stated that he supports Cr Canning's comments. Cr MacDonald stated that he is not that reliant on the accuracy of the information that has been put over and he does not dispute that there is a place for SASM's for Maori but the actual defining of these areas should be done on a case by case basis. Cr O'Connor stated that he agrees with Cr Canning. Cr Mora agreed and stated that there is not much definition on how SASMs are going to be managed and this could create massive issues down the track.

The Deputy Mayor put the recommendation.

1. That Council confirms its previous opposition to the SASMs process in the TTPP noting that:
 - A) It fully acknowledges its responsibilities in Section 6(e) & Section 7(a) of the Resource Management Act (RMA) to protect areas of significance to Māori.
 - B) It fully acknowledges that the sites & areas provided for in the draft plan are culturally significant to Māori.
 - C) Its opposition to the SASMs provisions is focussed on the process which denies landowners input on the matter from the earliest stages onwards and the restrictiveness of the Rules.

Carried Unanimously

5.3 MAYOR'S UPDATE

Refer page 35 of the agenda.

RESOLUTION OCM 24/03/027

Moved: Cr Jack O'Connor

Seconded: Cr Allan Gibson

1. That the Mayor's activity report for the period 1 February to 15 March 2024 be received.

Carried Unanimously

5.4 CHIEF EXECUTIVE'S UPDATE: 1 FEBRUARY 2024 - 15 MARCH 2024

Refer page 39 of the agenda.

RESOLUTION OCM 24/03/028

Moved: Cr Tim Mora

Seconded: Cr John Canning

1. That the Chief Executive's update for the period 1 February to 15 March 2024 be received.

Carried Unanimously

5.5 DELEGATION TO ACTING CHIEF EXECUTIVE - SIGNING OF ALL DOCUMENTS ON BEHALF OF COUNCIL

Refer page 42 of the agenda.

RESOLUTION OCM 24/03/029

Moved: Cr John Canning

Seconded: Cr Robert Mallinson

Cr Mallinson noted that Council no longer signs cheques. It was agreed that the recommendation would be changed to reflect this.

1. That the authority to authorise payments, and sign contracts, other legal documents and reports on behalf of Council as CE, be delegated to Acting CE Paul Pretorius.

Carried Unanimously

5.6 CHIEF EXECUTIVE REMUNERATION APPROVAL

Refer page 44 of the agenda.

RESOLUTION OCM 24/03/030

Moved: Cr Robert Mallinson

Seconded: Cr Allan Gibson

That Council

1. Receive this report.
2. That the Acting Chief Executive's remuneration package be equivalent to that paid to the Chief Executive at the time he ceased his employment with Grey District Council on 7 March 2024.

Carried Unanimously

5.7 ANNUAL PLANS: DECISION TO DO AN ENHANCED ANNUAL PLAN RATHER THAN A LTP FOR 2024/25

Refer page 46 of the agenda.

Her Worship advised that this option has been provided by the new Government due to them still implementing the legislation for Local Water Done Well. She stated that this now puts Councils at a level of uncertainty while Council would be working through the first year of the LTP. Her Worship commented that until the bill is passed and clarification around detail is given, to proceed with an enhanced Annual Plan is a sensible and practical way forward. Her Worship advised that this decision was passed at the recent meeting of the Risk and Assurance Committee meeting. She noted that most Council's have taken up this option.

RESOLUTION OCM 24/03/031

Moved: Cr John Canning

Seconded: Cr Jack O'Connor

That Council

1. Receive the report.
2. Accepts the Risk and Assurance Committee's recommendation to delay the Long Term Plan until 2025 / 26 year and produce an enhanced Annual Plan for the 2024 / 25 financial year.

Carried Unanimously

5.8 HELENA DENSE RESERVE, MOANA: TRANSFER OF SUBDIVIDED LAND PARCEL TO FIRE AND EMERGENCY NZ

Refer page 49 of the agenda. It was agreed that the full name, Helena Dense Reserve would be added to the recommendation.

RESOLUTION OCM 24/03/032

Moved: Cr Allan Gibson

Seconded: Cr Peter Davy

The GMO advised that he doesn't believe this land was ever privately owned. It was always Crown Land and Council are the administering body. The GMO advised that this area is a local purpose community facility reserve and use of the land is consistent with what the Reserve was established for. In response to a question from Cr O'Connor, the GMO confirmed that all costs are covered by other parties and FENZ are the beneficiaries of this, and all monies go back to the Reserve. Her Worship commented that this will be a good facility for the community once it is completed.

That Council receives this report, and

1. Instructs staff to proceed with arrangements to facilitate the transfer of the parcel of land in Helena Dense Reserve, Moana, described on the draft title plan by Myall and Company as Section 1, comprising of 243 square metres to Fire and Emergency New Zealand by signing the proposed agreement appended to this report between Grey District Council and the Department of Conservation.
2. As Administering Body for the Helena Dense Reserve and for the purpose of the Building Act 2004, provides permission for Fire and Emergency New Zealand to construct the proposed extension to the Moana Fire Station within the portion of the Helena Dense Reserve, Moana, described on the draft title plan by Myall and Company as Section 1, comprising of 243 square metres, subject to other regulatory approvals, while arrangements to transfer ownership, including subdivision processes, take place.

Carried Unanimously

5.9 TOWN CENTRE DIGITAL DISPLAYS

Refer page 63 of the agenda. Her Worship stated this is a very good report and a great initiative for Council.

RESOLUTION OCM 24/03/033

Moved: Mayor Tania Gibson

Seconded: Cr Peter Davy

Cr O'Connor expressed concern about the placement of the signs in central Greymouth as he has observed that freedom campers are often around the Westland Recreation Centre area more often. He also suggested that driver distraction is taken into account when installation locations are considered. The GMO stated that the signs have the potential to create good revenue for Council, but it is unlikely that Council would get further government funding for extra signs. The ACE agreed and stated that the new government is setting a pretty hard budget. Cr Kennedy stated she likes the idea of having a sign in the town square as it could be used to advertise local events and shows. Discussion took place on possible installation sites.

That Council receives the report and,

1. Instructs staff to procure and arrange for the installation of two digital screens to be located within the Greymouth Town Centre within the funding provided by the Ministry of Business, Innovation and Employment under the Freedom Camping Transition Fund.
2. Requests that staff provide information to Council on the final location of the screens once logistics for service connections are resolved and prior to installation.
3. Council records appreciation to the GMO for the initiative taken.
4. Instructs staff to liaise with local businesses near the final installation locations.
5. Staff to optimise potential advertising income in relation to the digital screens.

Carried Unanimously

5.11 LATE ITEM: RATES PENALTIES: REQUEST BY MAWHERA INCORPORATION FOR COUNCIL TO WRITE IT OFF

Refer page 79 of the agenda.

RESOLUTION OCM 24/03/034**Moved: Her Worship Tania Gibson****Seconded: Cr John Canning**

The ACE spoke to this report and provided history around this matter. He stated that he has brought this matter to Council due to the fact that he is in a caretaker role and he does not wish to make a decision that involves \$6,000.

Cr Canning asked if Mawhera has paid the full amount owing as yet. The ACE confirmed that they have not but have indicated that they will the rates if Council is prepared to remit the penalties. He stated that in this case the tenant cannot pay the rates. Cr Mallinson stated that he does not support the 100% remission of penalties and suggested 50% less. Cr Mallinson commented that this has obviously been a long drawn out process. The ACE agreed. Cr Gibson noted that Mawhera is a commercial entity and could write this amount off. The ACE advised that if Mawhera pays the \$4,000 they are already writing off a debt that they did not get money for. Further discussion took place, with the ACE answering questions from Councillors. Cr Mallinson stated that by doing this Council could be seen as encouraging Mawhera to negotiate with Council with these type of matters. Cr O'Connor stated that it would be good if these matters could be dealt with sooner rather than later in future. Cr Mallinson stated that by taking a pragmatic approach it will encourage ongoing and good cooperation by Mawhera with Council. The ACE confirmed that the \$6,014.06 includes all debt costs. He also confirmed that 50% will still be paid by Mawhera plus the rates.

1. That the report is received.

RESOLUTION**Moved: Cr Robert Mallinson****Seconded: Cr John Canning**

2. That Council, given the willingness of Mawhera Incorporation to pay all outstanding rates on the property, write off 50% of \$6014.06 rate penalties.

Carried

Cr Gibson asked that his vote against this discussion be recorded.

5.12 DOCUMENTS EXECUTED UNDER THE COMMON SEAL OF COUNCIL

Refer page 81 of the agenda.

RESOLUTION OCM 24/03/035**Moved: Mayor Tania Gibson****Seconded: Cr Rex MacDonald**

That the following document be executed under the Common Seal of the Council:

1. Deed of Ground Lease Renewal between Mr Raymond & Mrs Michelle Kwan, and Mr Geoffry Banks. Lot 1 Section 12 Deposited Plan 415 being 1012 square metres more or less contained in Record of Title WS5A/1161 (28 Blake Street, Blaketown, Greymouth) see appendix 1.
2. Deed of Assignment of Lease between Johnston Dick & Associates, Westpower Ltd, and Grey District Council. Parcel of land containing approximately 10 square metres (10m²) being part of local purpose Aerodrome Reserve 2118, land shown in Annexure A, see appendix 2.

Carried Unanimously

6 MISCELLANEOUS ITEMS

7 REPORTS FROM OUTSIDE ORGANISATIONS

7.1 RECEIPT OF MINUTES FROM OUTSIDE ORGANISATIONS

Refer page 85 of the agenda.

RESOLUTION OCM 24/03/036

Moved: Cr Jack O'Connor

Seconded: Cr Rex MacDonald

“that

The Minutes of the following outside organisations be received:

1. The Minutes of the West Coast Emergency Management Joint Committee meeting dated 8 November 2023 be received. See appendix 1.
2. The Minutes of the Cobden Aromahana Sanctuary and Recreation Areas Inc Meeting, dated 25 October 2023.

Carried Unanimously

8 IN COMMITTEE ITEMS

RESOLUTION OCM 24/03/037

Moved: Mayor Tania Gibson

Seconded: Cr Jack O'Connor

That the public is excluded from this part of the meeting in relation to:

Agenda items 8.1, 8.2, 8.3 and 8.4

The general subject of each matter to be considered while the public is 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 this resolution are as follows:

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
8.1 - CONFIRMATION OF IN COMMITTEE MINUTES OF ORDINARY COUNCIL MEETING HELD ON 12 FEBRUARY 2024	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a)(i) - 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 would exist under section 6 or section 7

<p>8.2 - RECEIPT OF IN COMMITTEE MINUTES OF THE FINANCE REGULATORY AND BUSINESS SUPPORT COMMITTEE HELD UNDER DELEGATED AUTHORITY FOR INFORMATION OF COUNCIL HELD 11 MARCH 2024</p>	<p>s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest</p>	<p>s48(1)(a)(i) - 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 would exist under section 6 or section 7</p>
<p>8.3 - RECEIPT OF IN COMMITTEE MINUTES OF THE OPERATIONS AND CAPITAL PROGRAMME DELIVERY COMMITTEE HELD UNDER DELEGATED AUTHORITY FOR INFORMATION OF COUNCIL HELD 11 MARCH 2024</p>	<p>s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest</p>	<p>s48(1)(a)(i) - 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 would exist under section 6 or section 7</p>
<p>8.4 - IN COMMITTEE MATTERS UNDER ACTION FROM DECEMBER 2023 COUNCIL MEETING</p>	<p>s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest</p>	<p>s48(1)(a)(i) - 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 would exist under section 6 or section 7</p>

Carried Unanimously



9 COUNCIL RESUMES IN OPEN MEETING

CLOSURE OR RATIFICATION OF DECISIONS IN OPEN MEETING.

The meeting concluded at 4.58 pm

Confirmed

T Gibson
Chairperson

____/____/____
Date

UNCONFIRMED