

Waitaki District Council

Council

Minutes of a meeting of the Waitaki District Council held in the Empire Room, Oamaru Opera House, Thames Street, Oamaru at 9.00am on Wednesday 15 February 2017

Present Mayor Kircher (Chair), Crs Tavendale, Dawson, Garvan, Holding, Hopkins, Kingan, Percival, Perkins, Wheeler and Wollstein

Apologies

In Attendance Mr Ross (Chief Executive)
Mr Jorgensen (Assets Group Manager)
Dr Cloete (Community Services Group Manager)
Mrs Baillie (Customer Services Group Manager)
Mr Hope (Chief Financial Officer)
Mr Roesler (Policy & Communications Manager)
Mrs Tanner (Policy Officer - Governance)

Declarations of Interest

Mayor Kircher declared an interest in the Observatory Retirement Village Trust agenda item and will not take part in discussions or participate in voting. Mayor Kircher is a Council appointee on the Trust.

1. Public Forum

Mr Michael Douglas O'Brien spoke on his recent experience with Council's building consent process and tabled a copy of background information to his concerns. Mr O'Brien applied for a building consent for recladding a back porch and replacing part of a sub-floor. Mr O'Brien spoke about a lack of consistency and conflicting advice from officers causing him to abandon his plans.

2. Setting Fees under the Food Act 2014 - Submissions

To present for consideration the verbal and non-verbal submissions to Council's Setting Fees under the Food Act 2014 consultation.

Mrs Guyan explained that Council has not been recovering costs for quite some time. With the new legislation it has forced Council to recover costs. Mayor Kircher explained that Council will agree on costs and a system to recover them.

Verbal Submissions

Trish Woods-Whiting (The Galley Café)

Ms Woods-Whiting expressed concern about the proposed large increase in fees. Ms Woods-Whiting explained that such a big fee increase charged each July, could create cash flow difficulties for businesses as this is generally their quiet time.

Liz Moir (Dunback Inn)

Ms Moir was unable to attend the meeting.

Kate Proctor (representing Riverstone Kitchen)

Ms Proctor spoke on behalf of Mr Smith who is unhappy with the proposed fee schedule and feels it is very open ended with little or no transparency regarding the calculation of hours spent on each issue. Mr Smith asks if the fees can be capped. There appears to be several sections in the proposed fee structure document where cost increases are very open ended.

All submissions (including non-verbal) will be considered by Council at their meeting on 29 March 2017.

RESOLVED

WDC17/001

Crs Hopkins/Tavendale

“That Council receives the information.”

CARRIED

3. Confirmation of Minutes

RESOLVED

WDC17/002

Crs Tavendale/Kingan

“That Council confirms minutes of 14 December 2016 Extraordinary Council meeting.”

CARRIED

4. Mayor’s Report

Mayor’s report provides comments to bring Councillors and the public up to date with a number of issues that have arisen since the last Council meeting. Some of these include:

Tourism

- There have been many visitors in town, and those in the hospitality and service industries are reporting increases, in spite of the very inconsistent weather.
- One of the less welcome weather events was the bad weather experienced late in January which left Otematata Boat Harbour campground decimated. The usually quiet Otematata Stream runs at less than 10 cumecs, but that night rose to around 500! An amazing amount of water flowed over the state highway bridge and inundated the neighbouring campsite. Thanks to the good work of a number of people, including our camp manager and the local Otematata fire brigade, no one was at risk.
- The business case for the adventure park/zipline project has been completed, and provides some excellent information which indicates the project is feasible. The next stage is to get some of the uncertainties out of the way, and make sure that investors have a more complete picture of what the risks might be.

Property Sales

- It’s been as busy as ever with property sales and our team have been working hard to get some of these progressed. It is particularly notable that they have now sold all of the sections at Cirrus Place in Omarama.

Harbour Street

- Council will today be discussing the topic of a potential closure of Harbour Street to traffic, in this instance, a trial closure for weekends over the next couple of months. This is a subject which has always created very mixed reactions. This time though, I think we have the right mix of measures in place, or ready to put in place. We now have record numbers of visitors coming to the area, locals are using Harbour Street in unprecedented numbers, the back lane and Tyne Street are both set out for the trial, and we will be improving access around the area.

Friendly Bay Family Day

- Weather permitting, 26 February will be the day for the second Family Day at the harbour. This year will be even better than last, with live entertainment and more activities. We will also be holding the inaugural Fat Sally’s Corporate Paddleboard Challenge, with up to 16 teams competing for some great prizes. Fingers crossed for good weather, and an excellent turnout!

RESOLVED

WDC17/003

Crs Hopkins/Tavendale

“That Council receives the information.”

CARRIED

5. 2017/18 Annual Plan Draft Operating Budgets and Proposals

The objective of this report is for Council to agree draft operating budgets and proposals to advance the 2017/18 Annual Plan (AP). The recommendations also direct Council staff on consultation and engagement requirements.

RESOLVED

WDC17/004

Crs Tavendale/Wollstein

“That Council:

1. Agree to Option 1 (clear existing loans for which loan servicing costs are funded on a district-wise basis) as an option for smoothing rates over the next two financial years for inclusion in the draft annual plan.

CARRIED
AGAINST Cr Hopkins

Meeting adjourned at 10.19am and reconvened at 10.42am

RESOLVED

WDC17/005

Crs Hopkins/Tavendale

“That Council:

2. Agrees the proposed changes with amendments to year 3 of the 2015-25 Long Term Plan as a step towards completing the 2017/18 Annual Plan.

CARRIED

RESOLVED

WDC17/006

Crs Hopkins/Wollstein

“That Council:

3. Agrees that the proposed changes to year 3 of the 2015-25 Long Term Plan do not constitute a significant or material difference to year 3 of the 2015-25 Long Term Plan.

CARRIED

RESOLVED

WDC17/007

Crs Dawson/Tavendale

“That Council:

4. Agrees to community and stakeholder consultation and engagement as part of the process of completing and deciding the Annual Plan 2017/18.
5. Directs Council staff to bring the content that will support community consultation to 15 March 2017 Council meeting for approval.”

CARRIED

6. Observatory Retirement Village Stage 2 Care Facility Funding

To determine whether Council wishes to make a contribution to Observatory Retirement Village Trust to allow an immediate start to the preliminary work required to consider developing stage 2 of the care facility and to determine if any further action will be taken in relation to the costs of extending Stoke Street.

RESOLVED

WDC17/008

Crs Tavendale/Hopkins

“That Council:

1. Acknowledges the information provided by the Observatory Village Trust on their desire to help address the needs for additional community care beds by investigating and possibly accelerating the stage 2 of their care facility but their limited capacity to respond at this point in time.
2. Approves in principal a donation of \$93,000 to the Observatory Village Trust, funded from the PT Mulligan Pensioner Housing Bequest held by Council, subject to agreement by the relevant executor.
3. Approves a loan to the Observatory Village Trust of up to \$157,000, interest free, to be funded from the Community Housing Reserve.

4. Acknowledges that further requests may be forthcoming, but that decisions around any other funding to the Observatory Village Trust will be made once the following matters have been completed:
 - a. the supply of supporting information, including a business case or similar confirmation of viability, and any other investigations deemed to be necessary during the review period.
5. Enters into dialogue with other providers of community care beds to determine the number and type of facilities planned for the future, and where the gaps are in our community.”

CARRIED

Mayor Kircher did not participate in the debate and abstained from voting

RESOLVED
WDC17/009

Mayor Kircher/Cr Tavendale

“That Council:

1. Agree that the Executive Committee meet with rest home providers within the district as soon as possible to discuss the state of the local industry.”

CARRIED

AGAINST Cr Hopkins

RESOLVED
WDC17/010

Crs Hopkins/Perkins

“That Council:

2. Agree that the Executive Committee write a report to be shared with all Councillors within 5 working days on the outcome of the meeting with rest home providers.”

CARRIED

7. Recommendations from Ahuriri Community Board Meetings – 12 December 2016 and 30 January 2017

12 December 2016 – Recreation Update

Ahuriri Community Board is concerned about uncontrolled broom in the Ahuriri and Otematata Rivers that may be increasing in density and would like Council to facilitate a plan between relevant land owners and other authorities to control this.

RESOLVED
WDC17/011

Cr Dawson/Mayor Kircher

“That Council:

1. Investigates a joint approach with agencies in conjunction with land owners to tackle the broom/weed problem.”

CARRIED

30 January 2017 – Recreation Update

Otematata Tennis Courts Fence

RESOLVED
WDC17/012

Crs Hopkins/Wheeler

“That the Ahuriri Community Board’s request for \$5,000 from RMA reserves fund to assist with repairs to the Otematata Tennis Courts fence, be referred to the next Community Services Committee for consideration.”

CARRIED

Meeting adjourned for lunch and a workshop at 12.20pm and reconvened at 1.15pm.

8. Recommendation from Assets Committee Meeting – 1 February 2017

Harbour Street: Improvements and Trial Closure

To improve the traffic and pedestrian flow around the Historic Precinct by modifying speed and parking within the general area and prohibiting vehicle access into Harbour Street between 10am and 4pm on weekends, by means of installation of retractable bollards.

RESOLVED

WDC17/013

Crs Kingan/Tavendale

“That Council:

1. Consider the design and installation of the new footpath and retractable bollards.
2. Adopt the proposal to construct a raised pedestrian crossing.
3. Adopt Back Lane improvements.
4. Adopt a trial closure of Harbour Street.”

CARRIED

9. Regional Transportation Committee: Programme Update and Matters Arising

It is proposed that Council reviews the key matters from the RTC Agenda document 1 December 2016. This report condenses the RTC agenda for the purposes of simplicity. Objective of this decision is to provide direction to the Regional Transportation Committee (RTC) about Waitaki District Council’s aspirations for the RLTP and promote discussion for inclusion of proposals into the RLTP for 2018-21.

RESOLVED

WDC17/014

Crs Hopkins/Percival

“That Council:

1. Receives the information.
2. Receives the matters as noted be reviewed and direction for the combined Environment Southland and Otago Regional Council Regional Land Transport Plan (RLTP) Programme including:
 - a. Additional items for Programme;
 - b. Consideration regarding the implications for regional governance of cycle trails.”

CARRIED

10. Waitaki District Council – Local Governance Statement 2016

The purpose of this report is to present Council with the 2016 Local Governance Statement. The Statement sets out information regarding Council and is a requirement under the Local Government Act 2002.

RESOLVED

WDC17/015

Crs Hopkins/Wollstein

“That Council adopts the Waitaki District Council Local Governance Statement 2016 as attached, with amendments.”

CARRIED

11. Waitaki District Council – Elected Members Code of Conduct 2016

The appended Code of Conduct was updated by Local Government New Zealand (LGNZ) in October 2016. It provides guidance on the standards of behaviour that are expected from Mayor and elected members of the Waitaki District Council.

RESOLVED

WDC17/016

Cr Hopkins/Mayor Kircher

“That Council adopt the attached draft Waitaki District Council – Elected Members Code of Conduct 2016 with amendments. The appended Code of Conduct was updated by Local Government New Zealand (LGNZ) in October 2016.”

CARRIED

12. Macraes Community Development Trust – Appointment of a Trustee

To appoint a Waitaki District Council representative as a Trustee on the Macraes Community Development Trust (MCDT) as permitted under Clause 14.1(d) of the Trust Deed.

RESOLVED
WDC17/017

Crs Wheeler/Wollstein
“That Council appoints Mrs Kathy Dennison, Chair of the Waihemo Community Board as a Trustee on the Macraes Community Development Trust.”

CARRIED

13. Triennial Agreements 2016-19

The objective of this report is for Council to approve the Canterbury and Otago local authorities Triennial Agreements as required under Section 15 of the Local Government Act 2002.

RESOLVED
WDC17/018

Crs Hopkins/Dawson
“That Council:
1. Approves the Canterbury local authorities Triennial Agreement.
2. Notes the ‘Charter of Purpose’ for the Canterbury Mayoral Forum.
3. Approves the Otago local authorities Triennial Agreement.
4. Invites Mayor Kircher to sign the Canterbury and Otago 2017-19 Triennial Agreements on behalf of Council.”

CARRIED

14. Otematata Boat Harbour Repairs

To enable work to take place at the Otematata Boat Harbour to repair damage caused by 22 January 2017 flash flood event.

RESOLVED
WDC17/019

Crs Dawson/Hopkins
“That Council agrees:
1. To fund up to \$60,000 for repairs to boat ramp and channel with \$20,000 to come from the Boat Ramp Reserve, \$20,000 from Council’s self-insurance fund, \$20,000 from Council’s Disaster Fund and up to \$40,000 from the Lakes Camping Rate Surplus for Flood protection work.”

CARRIED

15. Options for RSA Building

To determine if Council wishes to continue to negotiate a commercial lease for the RSA with an interested party or investigate other options for use of the RSA building. As well as update the community in a public meeting on what the direction Council is considering for future use of the RSA building.

RESOLVED
WDC17/020

Crs Garvan/Tavendale
“That Council agree:
1. The RSA building is redeveloped, including the addition of a new wing for a total budget of \$4m and on condition that:
a. A commercial lease for a minimum of 10 years is negotiated and signed with an interested party prior to upgrading works.
b. That funding is sourced from endowment and/or reserve funds.
c. The funds used provide an equal or better return that they do in their current investment.
d. The return on investment be expected to improve over time.

- e. Details of the lease be discussed in public excluded, due to commercial sensitivities.
2. A press release is issued advising the public of the decisions made, once any lease is negotiated and signed."

CARRIED
AGAINST Crs Wheeler/Hopkins & Percival

AMENDMENT Crs Perkins/Wheeler
"That Council agree:
1. The RSA building is redeveloped, including the addition of a new wing for a total budget of \$4m and on condition that:
c. The funds used provide a return that adequately reflects the risks inherent in investing in developing a commercial property."

LOST

AMENDMENT Crs Perkins/Wheeler
"That Council agree:
1. The RSA building is redeveloped, including the addition of a new wing for a total budget of \$4m and on condition that:
d. The lease includes provision for annual Consumer Price Index increases in rent, and a hard ratchet clause to prevent the rent falling when a market level review takes place."

LOST

Meeting adjourned at 3.18pm and reconvened at 3.30pm.

Agenda item: 'Adoption of Standing Orders 2016-2019' deferred to 29 March Council meeting.

RESOLVED
WDC17/021 Crs Hopkins/Dawson
"That the public be excluded from the following part of the proceedings of this meeting, namely:

- Itchen Street Lease
- 12 Ranfurly Street, Kurow
- Recommendation from Assets Committee meeting – 1 February 2017
- Landfill Closure Charges
- Oamaru Whitestone Civic Trust – Trustee Appointments
- Appointment to Community House Trust
- Urgent item – CEO Recruitment."

CARRIED

"The general subject of each matter to be considered while the public is excluded; the reasons 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 - Section 48(1)
Public Excluded:	
<ul style="list-style-type: none"> • Itchen Street Lease • 12 Ranfurly Street, Kurow • Landfill Closure Charges • Oamaru Whitestone Civic Trust – Trustee Appointments • Appointment to Community House Trust • Urgent Item – CEO Recruitment 	<p>To protect the privacy of natural persons. Section 48(1)(a) (The disclosure of the information would cause unnecessary personal embarrassment to the persons concerned).</p> <p>To enable the Council to carry out commercial negotiations without prejudice or disadvantage. Section 48(1)(a) (Premature disclosure of the information would detrimentally affect the Council's position in the negotiations).</p>

These resolutions are made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of the Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.”

Refer to Public Excluded Minutes

RESOLVED
WDC17/033

Crs Dawson/Garvan

“That Council resumes in open meeting and decisions made in public excluded session are confirmed and made public as and when required and considered.”

CARRIED

There being no further business the Chairman declared the meeting closed at 5.14pm.

Confirmed on this 29th day of March 2017 at Waitaki District Council Chambers, Oamaru.

Mayor Kircher