

Waitaki District Council

Council

**CONFIRMED MINUTES of a meeting of the Waitaki District Council held in the
Whitestone Cheese Empire Room, Oamaru Opera House,
94 Thames Street, Oamaru
at 9.01am on Wednesday 2 August 2017**

Present	Mayor Kircher (Chair; until 10.27am), Crs Tavendale, Dawson, Garvan, Hopkins, Holding, Kingan, Perkins (from 9.04am), Wheeler, and Wollstein
Apologies	Cr Percival
In Attendance	Mr Jorgensen (Acting Chief Executive) Dr Cloete (Community Services Group Manager) Mrs Baillie (Customer Services Group Manager) Mr Hope (Chief Financial Officer) Mr Voss (Roading Manager) Mr Roesler (Policy and Communications Manager) Ms Hooper (Policy Officer – Governance)

Declarations of Interest

Cr Dawson declared an interest in Agenda Item 12 (Easter Sunday Shop Trading in the Waitaki District).

Apologies

RESOLVED
WDC17/117

Cr Hopkins / Cr Wollstein
"That Council accepts apologies from Cr Perkins for lateness and
Cr Percival for absence."

CARRIED

Cr Perkins joined the meeting at 9.04am.

Public Forum

Ms Paige Wills expressed concern about the lack of metal on, and grading of, rural roads. It was costing businesses money; farmers could not get stock along roads. Farmers have resorted to grading roads themselves. She wanted to know where roading money was being spent, if not where it was needed. There was also a safety issue involved; she had pulled multiple cars from paddocks on her own property. The school bus had had a near miss at the Blackpoint and Smillie's Roads T-intersection at the top of the hill. To get up the hill, trucks have to travel at speed, but the school bus also has to turn around at the intersection. The roads there need to be better maintained or ideally sealed to prevent an accident. Taylor's Road was also dangerous, especially in the wet. Cars can be pulled sideways and into farmers' fences.

In reply, Cr Perkins advised Ms Wills to use the CRM system of reporting such issues to Council. She said she would do so in future, but had not been aware of it before now.

Mayor Kircher noted that costings for sealing the Blackpoint and Smillie's Roads corner had been very high (in the vicinity of \$300k), and that officers had had many discussions with neighbours over time. He added that Council was aware of the need to lift the standard of roads across the network, which is why it had consulted with the community and was spending more over the next three years. Spending had kept up with inflation, but not use. He was hopeful there will be a good result out of the end of the current spend and activity.

Mr Andy Denham is a Palmerston farmer, and he supported Ms Wills' comments. He asked what the outcome had been for the proposal to put rates up 4.5% over three years.

Mr Jorgensen advised that there was a report going to Council today where a decision would be made whether to put more money into the roading programme, based on community concerns about the state of the network, and from there to consultation during the Long Term Plan process. In this way, it would be a two-phase community consultation process.

Mr Denham believed the frequency of road grading had dropped since the change of contractor happened about four years ago. The website road grading programme suggested timeframes, but these were not occurring. Where had the money and effort been spent instead?

Mr Jorgensen agreed that the network was under pressure, and there was a need to work out how to make the dollars go further. That is why consultation with the community was so important.

The Mayor thanked both speakers for their time and comments, and noted that Council too was keen to get better roading out there, especially with a view to increased use and during the more variable weather patterns occurring these days.

Mayor Kircher declared the Public Forum closed at 9.27am, and opened the Council Meeting.

1. Confirmation of Minutes

RESOLVED

WDC17/118

Cr Tavendale / Cr Hopkins

"That Council confirms minutes of the 21 June 2017 Council meeting."

CARRIED

2. Mayor's Report

The 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:

- **Flood Event** – Oamaru had 176mm of rain during 21-22 July, which fell onto already saturated soils. Creeks turned into rivers in a very quick time, and a number of them breached, spilling water onto neighbouring land.
- We were reasonably well prepared for it, and the Emergency Operations Centre was activated on Friday afternoon (21 July). There are always a few things that can be improved, but I was very pleased with the level of response and we have received excellent feedback on the flow of information to the public; on the great majority of activity that went on around the affected areas; and the cooperation between the various emergency services.
- This rainfall event was not like others that we've had in the last 10 years. Much more rain was falling on coastal North Otago than anywhere else and the final statistics bore that out. Oamaru received 174mm in the 24-hour period, with surrounding areas close behind.
- Timaru District declared a state of emergency for its area by 7pm, and Dunedin was expected to follow suit. Our services were stretched and the local situation was worsening. A number of slips were threatening houses and we needed help. In this context, I signed my first declaration for a civil defence emergency. It is one of the more important roles that a Mayor has and it isn't done lightly. But with the widespread flooding throughout coastal areas from Christchurch through to Clutha, it was obvious that we needed the extra assistance and powers that such a declaration provides. The response to that was very positive. Obviously we were taking the situation very seriously, but it showed the public that we were doing all we could to maintain the safety of people and property, and that we would have the ability to call in external resources if required.
- A full report on the event will be developed in due course, but I was very impressed and pleased with our overall response. There will be some lessons learnt from this which will help inform us for future events, but the way our small team swung into action, and the way our emergency services responded, was absolutely fantastic!
- I'll be sending letters of thanks to all those who we are aware of, but it has been a case of a community really looking out for each other! Incredible job everyone!
- **Chief Executive** – The appointment of Fergus Power as the new Chief Executive Officer was announced in July. His first official day in the office is 18 September. In the meantime, Neil Jorgensen has stepped into the Acting Chief Executive role, and is working hard to keep the organisation running smoothly as well as keeping his own group functioning efficiently.

- **Business Visit** – The NZ Whisky Company is at a crossroads with its operation and location. They are currently considering both Oamaru and Dunedin options, and we will keep working with to find them a solution which allows them to stay here in “New Zealand’s coolest town.”
- **More Money for Roads** – The past month has seen some positive consultation on whether ratepayers want us to spend more money on our roads. We have received 65 submissions and will be working our way through them. Most people want to see that improvement and I’m hopeful that not only will we proceed with the increase, but that NZTA will also see sense in what we are proposing as we need their ‘co-investment’.

If our application does get approved, this will see a significant addition of around \$1m spent on our roads in the next twelve months, then an extra \$2m in 2018/19 and \$3m more in 2019/20. It will lift the standard of our roads, and ensure that these roads which connect our communities socially and economically, are fit for purpose as Waitaki moves ahead. Combined with our programme to get greater control over the supply of aggregate for our roads, this is a crucial step to getting on top of the roading issues.

- **Indoor Sports Centre** – We are officially receiving the report at this meeting that we commissioned from Sport Otago. I believe we need to have a very comprehensive process for consulting with the public. We need to give more complete information on options – the specifications of the facility, the location of it, the probable costs, and the funding options for it. Like any such facility, there will be people passionately for it and passionately against it. I have an open mind about the size and location of such a facility, but for it to happen, I believe it has to fit the needs of the wider community, and be at a price we can afford. We have to be inventive with the specifications and with how we fund it. By no means is there any certainty that it’ll happen, and only a thorough process will see it go ahead.
- **NOSLAM** – We continue to liaise with the North Otago Sustainable Land Management group (NOSLAM) as it works on getting funding and volunteers together to lift the quality of the Kakanui River catchment. This dovetails neatly with our work on biodiversity and improving our environment, and I’m pleased to see that we are able to take a much more coordinated approach to this work than we would have had if we were working on our own. Robert McTague has recently been engaged as the NOSLAM Coordinator. As a project partner, we have been able to help NOSLAM gain \$200,000 of matching funding from the Ministry for the Environment to improve the water quality of the Kakanui River. Other partners included ORC, NOIC and Mackenzie & Co. Our contribution comes from the allocation of some of our existing staff members’ time and budget to the project. It is a major tick for our environmental box; it is bringing a significant level of government funding to Waitaki and it will help get the Kakanui back to being a fully swimmable river!
- **Breakwater Access** – The issue of public access to Oamaru’s breakwater has been an ongoing one. With penguin welfare and public safety in mind, it is back on the agenda and we will need to review our decision to allow 24-hour access to it. Whether access can continue but with stricter controls, or whether it should be stopped during dusk and night time, remains to be seen.

Mayor Kircher spoke to his report at the meeting, with the following notable additions:

- He commended staff and volunteers around affected areas for great work during the flood event. Even unaffected areas (eg in Omarama and Corriedale) had pitched in.
- Otago’s model of regional emergency civil defence management is being looked at as a potential model during a review of the centralised national model of civil defence control. That is really encouraging, and certainly a compliment to work across Otago.
- Other major issues were penguins and breakwaters.
- Council had secured \$600k extra from the Community Trust; congratulations to Dr Cloete and his team.

Crs Holding, Hopkins and Tavendale also spoke highly of the community effort in the recent floods, especially with regard to people looking after each other.

RESOLVED
WDC17/119

Cr Tavendale / Cr Wollstein
“That Council receives the information.”

CARRIED

3. Acting Chief Executive's Report

The following comments are provided to bring Councillors up-to-date with issues that have arisen since the last Council meeting on 21 June 2017. Most of the items have more detailed updates discussed within the appropriate Committee agendas.

- **Leadership Changes** – Mr Michael Ross retired on 30 June 2017, and the new Chief Executive, Mr Fergus Power, commences in the role on 18 September 2017. The Executive Team is focused on preparing the organisation for leadership change and for Mr Power's arrival.
- **Appraisal Time** – The Annual performance appraisal round is underway. It is a great opportunity for all staff to reflect on their achievements and plan for improvements in the next 12 months.
- **Annual Plan and LTP** – The current focus is on developing the carry-over programme and starting the new work in the Annual Plan. Planning for the LTP is already well underway.
- **Managing our Internal Debt** – The internal debt balance to be reported at year's end will be significantly less than projected in both the Long Term Plan and Annual Plan. This reflects the combined impact of additional repayments from property sales and less new borrowing for projects, primarily caused by the revised timing of the Hamnak Water Project. The final balance will be available as part of the Annual Report process. A report on the unfunded debt and some options for moving forward over the next few months will also be compiled.
- **S17a Reviews** – All councils in Otago have formed a collaboration to undertake the S17a reviews. Work on the status of overall compliance with the section S17a reviews has been completed and a summary sheet is to be included in the Annual Reports of all Otago councils. The five more detailed reviews have commenced, covering Solid Waste, Regulatory, Harbours and Waterways, Land Transport, and 3 Waters.
- **Management of Investments** – Current work is focused on ensuring year-end accountabilities attached to all of Council's investments are delivered in the required timeframe and meet all specified standards. This includes investments in the CCOs and other debt-based investments. They will be reported through both the Finance, Audit and Risk Committee and Council.
- **Building Control and Regulatory Services** – The recent IANZ audit was a positive experience, with no corrective actions. Six strong recommendations will be detailed in the formal report which is expected soon. The media release has prompted interest from consultants offering services to move to the digital environment.
- **Expressions of Interest for the Harbour Development** – There has been a good response to the request for Expressions of Interest for the Harbour Development. The process closes on 4 August, and over 20 parties are expected to register.
- **Cultural Facility Development Project** – Council has approved the project to move to the developed final plans stage. These plans are required by major funders as part of the applications. Lotteries Significant Projects Fund has granted \$1,064,500 towards the project, bringing the total secured funds, including Council's contribution, to over 50% of the project's cost.
- As part of the project's fundraising, a Unique Stories film competition is being held. This is an opportunity for film-makers, both amateur and professional, to make a three-minute film about Waitaki, with an exciting prize package on offer. There are four categories: Schools, 12 – 18 year olds, Open – amateur, and Open – professional. The finalists' entries will be shown, and category winners announced, at an awards evening at the Oamaru Opera House on Friday 8 September. Tickets will be available soon.

RESOLVED
WDC17/120

Cr Hopkins / Cr Dawson
"That Council receives the information."

CARRIED

**4. Recommendations from Finance, Audit and Risk Committee Meeting
12 July 2017**

First Quarter 2017-18 Treasury Strategy Report

RESOLVED
WDC17/121

Cr Wollstein / Cr Hopkins
"That Council adopts the proposed Treasury Strategy for the first quarter of the 2017-18 financial year, by:

- continuing the use of term deposit facilities for terms between 7 days and 12 months, and
- continuing to make minimal use of the call account, but always dependent on consideration of short-term operational cash requirements and on achieving target interest rates."

CARRIED

5. Recommendations from Assets Committee Meeting 19 July 2017

Moeraki Signage: NZTA Recommendations

RESOLVED
WDC17/122

Cr Kingan / Cr Hopkins
"That Council:

1. Receives the report from NZTA Safe Roads on signage at Moeraki
2. Supports the request from Safe Roads to simplify advertising signage with the community."

CARRIED

**6. Recommendations from Customer Services Committee Meeting
19 July 2017**

Easter Sunday Shop Trading in the Waitaki District

RESOLVED
WDC17/123

Cr Tavendale / Cr Hopkins
1. "That Council commences a review on the need for an Easter Sunday Trading Policy in the Waitaki District."

CARRIED

7. Roothing Business Case – Response to Survey

To proceed with the Roothing Business Case investment plan to be submitted to the Regional Transportation Committee for inclusion in the Regional Land Transport Plan.

RESOLVED
WDC17/124

Cr Hopkins / Cr Kingan
"That Council:

1. Submits, as part of the Regional Land Transport Plan Process, the business case for further investment in the roading network, consistent with the proposed levels in the "Better Roads" information
2. Requests officers to discuss individual submissions with submitters and options for improvement with the Assets Committee."

CARRIED

The meeting was adjourned at 10.14am, and reconvened at 10.27am.

Mayor Kircher welcomed Sport Otago representatives to the meeting. He then left to attend an urgent district meeting in Papakaio about the Mycoplasma bovis cattle disease.
Deputy Mayor Tavendale assumed the role of Chair.

Council members AGREED to take agenda items out of order.

9. Recommendations from Community Services Committee Meeting 19 July 2017

Receiving Sport and Recreation Needs Assessment and Indoor Recreation Feasibility

Deputy Mayor Tavendale reiterated that this agenda item was about receiving information, not a decision to proceed.

RESOLVED

WDC17/125

Cr Dawson / Cr Hopkins

"That Council:

1. Receives the 'Waitaki District Sport and Recreation Needs Assessment and Indoor Recreation Feasibility' report
2. Considers consulting on a preferred option as part of the 2018-2028 Long Term Plan
3. Notes Sport Otago's plan to hold an information session to thank sporting codes for their assistance with the report and to answer questions."

CARRIED

North Otago Tennis Association Development Submissions

RESOLVED

WDC17/126

Cr Hopkins / Cr Dawson

"That Council:

1. Receives the submission on the proposed North Otago Tennis Association lease and development
2. Confirms its previous resolution (WDC 16/226) to:
 - a. Approve North Otago Tennis Association's request to develop six hard surface courts on the existing grass courts nearest their tennis pavilion, and
 - b. Approve a lease to North Otago Tennis Association for their pavilion and courts, to be consistent with the proposed lease terms in Appendix Four and subject to public notification, and
 - c. Approve a grant of \$4,000 per annum toward future resurfacing of the new courts subject to the courts being completed and available for agreed public use."

CARRIED

10. Sport Waitaki Report

To provide Council with the Sport Waitaki report for the period 1 July 2016 to 30 June 2017.

Sport Waitaki representatives gave a presentation to Councillors.

In thanking representatives, Deputy Mayor Tavendale noted how good it was to see young people actively in sport in the district, and congratulated Sport Waitaki for its work.

RESOLVED

WDC17/127

Cr Hopkins / Cr Perkins

"That Council receives the information."

CARRIED

Cr Garvan declared a conflict of interest in Agenda Item 8 Road Naming – Waiareka Park Subdivision. He remained in the room, but took no part in the discussions.

8. Road Naming – Waiareka Park Subdivision

The purpose of this report is to seek Council approval for road names for two roads to be vested in Council as part of a recently approved subdivision at 51 Weston Road granted to Waiareka Park Limited.

RESOLVED
WDC17/128

Cr Kingan / Cr Wollstein

"That Council approve the following road names for the two roads to be vested in Council as part of the Waiareka Park subdivision:

- Road one – **Avoca Drive**
- Road two – **Stringer Crescent."**

CARRIED

11. Fee Exemption for Disability Assist Dogs

To approve exemption of registration fees for Disability Assist Dogs.

RESOLVED
WDC17/129

Cr Hopkins / Cr Holding

"That Council agrees to:

1. Exempt registration fees for Disability Assist Dogs
2. Approve refunds for any qualifying registered Disability Assist Dogs for 2017/18 that are identified as a result of this change."

CARRIED

At 11.14am, Cr Dawson left the meeting to manage his declaration of interest for the next agenda item.

12. Easter Sunday Shop Trading in the Waitaki District

This report provides the Council with an approach and timeline to decide a policy on Easter Sunday Shop Trading well in advance of Easter 2018.

MOVED

Cr Perkins / Cr Wheeler

"That Council adopt the process included by the report writer to the Customer Services Committee meeting on 19 July, which included a pre-consultation round with the community, as copied below:

"Option A:

Pre-engage with the community prior to any Council position being put forward, and then consider the need for a draft Policy based on this feedback utilising the following process and timeframe:

- August – September 2017: Survey Monkey questionnaire on Council's website (opt in option), a telephone poll linked to the Residents' Survey (random sample) – see Attachment 1
- Late September 2017: Council workshop to confirm Easter Sunday Shop Trading position
- [If policy option is pursued] 11 October 2017: Draft Easter Sunday Shop Trading Policy presented to Customer Services Committee, for recommendation to Council
- 25 October 2017: Draft Easter Sunday Shop Trading Policy adopted by Council for public consultation using Special Consultative Procedure (one month)
- 30 October – 30 November 2017: Consultation period open
- 6 December 2017: Public hearings / consideration of submissions
- March 2018: Easter Sunday Shop Trading Policy to be in place in time for Easter 2018 (Good Friday is 30 March 2018)"

LOST

RESOLVED
WDC17/130

Cr Hopkins / Cr Wollstein

"That Council:

2. Approves the approach for deciding on its policy on Easter Sunday Shop Trading, as outlined in the 'Proposal' section of this report
3. Notes that the suggested next step is for Council to approve the consultation proposal on Easter Sunday Shop Trading at its 13 September 2017 meeting
4. Notes that the consultation proposal would contain two options for community consideration, namely:
 - o Option 1 - Status quo, as currently defined in the Shop Trading Hours Act 1990 (attachment 2)
 - o Option 2 - Full trading via a new Waitaki District Shop Trading Policy
5. Notes that a Special Consultative Procedure will be completed by 31 October 2017 to decide the Council's future policy. "

CARRIED

Cr Dawson returned to the meeting at 11.44am.

RESOLVED
WDC17/131

Cr Wollstein / Cr Hopkins

"That the public be excluded from the following part of the proceedings of this meeting, namely:

- Confirmation of Public Excluded Meeting Minutes – Council Meeting 21 June 2017
- Public Excluded Recommendation from Finance, Audit and Risk Committee Meeting 12 July 2017
- District Licensing Committee Appointments."

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"> • Confirmation of Public Excluded Minutes – Council Meeting 21 June 2017 • Public Excluded Recommendation from Finance, Audit and Risk Committee Meeting 12 July 2017 • District Licensing Committee Appointments 	<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
WDC17/138

Cr Dawson / Cr Wollstein

"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 Chair declared the meeting closed at 12.05pm.

Confirmed on this 13th day of September 2017 in the Whitestone Cheese Empire Room of the Oamaru Opera House, 94 Thames Street, Oamaru.

(signed)

Chairman