

**Waitaki District Council**

**Extraordinary Council**

**CONFIRMED MINUTES of a meeting of the Waitaki District Council held in the Empire Room of the Oamaru Opera House, 94 Thames Street, Oamaru at 9.00am on Wednesday 9 August 2017**

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**Present** Mayor Kircher (Chair), Crs Tavendale, Dawson, Garvan, Holding, Hopkins, Kingan, Perkins, 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 Roesler (Policy and Communications Manager)  
Mrs van der Spek (Policy Consultant)  
Ms Hooper (Policy Officer – Governance)

**Apologies**

RESOLVED  
WDC17/136

Crs Hopkins / Wollstein  
"That Council accepts an apology for absence from Cr Percival."

CARRIED

**Declarations of Interest**

Mayor Kircher declared an interest in Agenda Item 3, and said he would not take part in the discussion on that item.

**1. RMA Delegation for Consent Appeals**

To delegate the power to resolve the appeals through a consent order or mediation.

RESOLVED  
WDC17/137

Crs Dawson / Tavendale  
"That Council delegates its full decision-making authority to resolve the Network Waitaki resource consent appeal lodged with the Environment Court, to Council's Senior Planner Mike Searle and Assets Group Manager Neil Jorgensen."

CARRIED

**2. Draft Waitaki District General Bylaw 2017 – Consideration of Consultation Feedback**

To present for consideration the verbal and non-verbal submissions to Council's Draft Waitaki District General Bylaw 2017.

RESOLVED  
WDC17/138

Crs Hopkins / Wollstein  
"That Council receives the information for consideration as part of the Special Consultative Procedure for the Waitaki District General Bylaw review."

CARRIED

**Non-verbal submissions:**

Councillors reviewed and discussed each of the non-verbal submissions, in the process highlighting key issues for further consideration as the Draft General Bylaw process proceeds from here.

**Verbal Submission – Pauline Thwaites:**

- Bees and roosters are okay in large sections, the latter out of town only. Cats are fine.
- Council should be dealing with more important issues, like scooters and skateboards which were a hazard for the visually impaired who could not see them coming.

The Mayor then announced his intention for the meeting to go into public excluded, and asked the public and media to leave the meeting and return at 10.30am.

RESOLVED  
WDC17/139

Crs Hopkins / Tavendale  
 “That the public be excluded from the following part of the proceedings of this meeting, namely:

- Recommendations from Executive Committee Meeting, 26 July 2017

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"> <li>• Recommendations from Executive Committee Meeting, 26 July 2017</li> </ul>	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.)

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  
WDC17/144

Crs Holding / 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

The meeting was adjourned at 10.20am, and reconvened at 10.38am.

Mayor Kircher left the meeting to manage his declaration of interest for Agenda Item 3, and Deputy Mayor Tavendale assumed the role of Chair.

Mr Hope and Observatory Retirement Village Trust representative Mr Ian Hurst joined the meeting to participate in the discussion on Agenda Item 3.

### **3. Observatory Retirement Village Stage 2 Care Facility Development Funding**

To determine whether Council wishes to provide a source of funds to the Observatory Retirement Village Trust to allow an immediate start to the development of stage 2 of the care facility to help meet the current and future demand for care beds in the Waitaki District.

RESOLVED  
WDC17/144

Crs Hopkins / Garvan

“That Council:

1. Acknowledges the request from the Observatory Retirement Village Trust for financial assistance to help accelerate the development of its stage 2 care facility, in order to be able to address the need for additional community care beds
2. Approves an additional loan of up to \$3.5 million under similar terms and conditions to the previously approved loan, being:
  - Maximum initial loan \$3.5 million
  - An interest rate based on the 1 year swap rate plus a 1.5% margin
  - Maximum term of 10 years
  - First charge security over the facility (ranking after any statutorily-required security)
  - All principal and interest payments at the borrower’s discretion on a quarterly basis
3. Makes an amendment to the agreement to allow the option of compounding interest, if required by the borrower
4. Delegates the finalisation of the agreement to the Chief Executive.”

CARRIED  
AGAINST: Cr Perkins

RESOLVED  
WDC17/145

Crs Hopkins / Wheeler

“That Officers report to Council outlining options for the repayment of the \$157,000 loan by the Observatory Retirement Village Trust.”

CARRIED

Mayor Kircher returned to the meeting at 11.15am, and resumed the role of Chair.

### **4. Draft Waitaki District General Bylaw 2017 – Consideration of Consultation Feedback (continued)**

#### **Verbal Submission – Barry Helem from the New Zealand Companion Animal Control.**

- Believes compulsory micro-chipping and registration for all domestic cats is an important component of responsible cat ownership. Other Councils (eg Wellington) are amending their bylaws in this way.
- LGNZ has recently voted in favour of lobbying Central Government for national legislation regarding cat management.
- Dumping of cats is having an environmental impact in some districts. The breeding season used to be seasonal; this is now not the case.
- An owned and micro-chipped cat is less likely to be euthanized if found beyond its residential boundaries. That removes the risk of possible civil action, and provides an opportunity to educate owners about responsible management when the cat is returned to them.

- A vet is likely to charge around \$25 to microchip a cat and register it. Money is raised from the Companion Animal Trust register to assist; it should be a collaborative partnership between SPCA and Councils.

**Verbal Submission – PDR Lindsay-Salmon:**

- Wants Council to seriously consider treating cat-owners as dog owners are treated.
- Cats are a neighbourhood nuisance – messing the garden, bouncing across roofs etc.
- Council to seriously consider treating cat-owners as dog owners are treated. Be responsible.
- Education key – de-sexing, keep cats in from dusk to dawn; feed inside; train them. Micro-chipping would be very good, but may not be easily achieved.
- Cats are predators, and two species in particular are at risk – the Otago Skink and Grand Skink. They are found nowhere else in the world and need protection. They also have an important role as pollinators. If we lose them, there could be a domino effect.
- The Otago Shag is another species found nowhere else, and in need of protection – only 2500 of them left; three colonies; they are genetically in danger; cats get amongst them and eat them.
- This is Otago; surely we do not want to go down in history as a district that removes important native species.
- Feral cats – suggests they could be euthanized by SPCA. Forest and Bird is looking at this problem. Trapping is another option. Start at the base – get cats de-sexed.

**Verbal Submission – Jim O’Gorman:**

Mr O’Gorman lives in Kakanui with a small flock of birds and a rooster, which are a key component in his research into sustainable systems in the third world. His research has been recognised at national and international level. The proposed approach – to get rid of roosters in urban areas – would require him to move or shut down his research operation, unless he was granted an exception to continue. Without a rooster, chickens were less easily managed, and eggs would be smaller. The Mayor acknowledged that Mr O’Gorman had made some very good points, which would be taken into consideration. When asked if he would be interested in contributing to the setting of guidelines around this issue, Mr O’Gorman suggested Mr Clinton O’Brien was a more appropriate choice. With regard to bees, Mr O’Gorman suggested hives be registered and the registration number written on to them so that there was a clear, traceable association of the hive, its registration number, and the person responsible for it.

The Mayor noted that Councillors had now completed their deliberations on all of the verbal and non-verbal submissions that had been received. He thanked officers and Cr Tavendale for the time and effort they had put into the consultation process, especially with regard to live feedback sessions and social media responses.

There being no further business, the Chair declared the meeting closed at 12.06pm.

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

*(signed)*

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Chairman