



# Waitaki

DISTRICT COUNCIL

TE KAUNIHERA Ā ROHE O WAITAKI

## Notice of Meeting

of

## Council

in the

**Council Chambers, Third Floor,  
Waitaki District Council Headquarters,  
20 Thames Street, Oamaru**

from

**9.00am on Wednesday 6 December 2017**

# Waitaki District Council Meeting

Council Chambers, Third Floor,  
Waitaki District Council Headquarters, 20 Thames Street, Oamaru

9.00am, Wednesday 6 December 2017

## Public Forum

## Apologies

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**10. Committee Structure / Membership Changes**

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- Report and Recommendations

**RESOLUTION:**

"That the public be excluded from the following parts of the proceedings of this meeting, namely items 11 – 16.

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:	To protect the privacy of natural persons.
<ul style="list-style-type: none"> <li>• Confirmation of Public Excluded Meeting Minutes – Council Meeting 25 October 2017</li> <li>• Recommendation from Assets Committee Meeting 22 November 2017 PE</li> <li>• Harbour Visitor Accommodation PE</li> <li>• Sale of Improvements PE</li> <li>• Upper and Lower Waitaki Zone Water Management Committees Refresh Papers PE</li> </ul>	Section 48(1) (a). (The disclosure of the information would cause unnecessary personal embarrassment to the persons concerned.)  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.)

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."

<b>11.</b>	<b>Confirmation of Public Excluded Meeting Minutes PE</b>	
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<b>12.</b>	<b>Recommendation from Assets Committee Meeting 22 November 2017 PE</b>	
	• Report and Recommendation	87
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<b>14.</b>	<b>Sale of Improvements PE</b>	
	• Report and Recommendation	100 – 108
<b>15.</b>	<b>Upper and Lower Waitaki Zone Water Management Committees Refresh Papers PE</b>	
	• Report and Recommendation	109 – 113
<b>16.</b>	<b>Recommendation for Release of Public Excluded Information PE</b>	
	• Report and Recommendation	114 – 115

**RESOLUTION**

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

**17. Release of Public Excluded Information**

Public excluded information from previous meetings that is approved for release under Agenda Item 16 will be recorded here in the minutes of this meeting, under Agenda Item 17.



**Waitaki District Council****Council**

**UNCONFIRMED MINUTES of a meeting of the Waitaki District Council held in  
the Whitestone Cheese Empire Room, Oamaru Opera House,  
94 Thames Street, Oamaru  
at 9.10am on Wednesday 25 October 2017**

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<b>Present</b>	Acting Mayor Tavendale (Chair), Crs Dawson, Garvan, Holding, Hopkins, Kingan, Percival, Perkins, Wheeler and Wollstein
<b>Apologies</b>	Mayor Kircher
<b>In Attendance</b>	Mr Power (Chief Executive) Mr Jorgensen (Assets Group Manager) Mrs Baillie (Customer Services Group Manager) Mr Hope (Chief Financial Officer) Mr Roesler (Policy and Communications Manager) Mr Voss (Roading Manager) (partial attendance) Mr Wells (Accounting Manager) (partial attendance) Ms Hooper (Governance Officer)

**Public Forum**

**1 Mr Bob Gaze** addressed the meeting about his concerns with the impact of the Weston Water Scheme on his property. Two months ago, he had water on his property, which prevented him from using his sheep and cattle yards. He called Council, and two people from SouthRoads had turned up. They believed the source of the water was the water table, and nothing was done. Two weeks later, Mr Gaze dug a trench, and discovered that the water was coming from Council's Western Water Scheme. He is concerned that Council workers have no plans of where water works are, and that water continues to leak onto his property; he has not been able to use his driveway as a result. He has also had to cut back gorse from the boundary fence, and enquired whether anyone was checking contractor work to see that tasks like that were being done as they should be.

**ACTION POINT:** It was agreed that Councillors would request the Chief Executive to speak to relevant officers about Mr Gaze's concerns, and a response would be provided to him.

**2 Mr Greg Waite** addressed the meeting about the proposed closure of Harbour Street. He believed the closure would suit some, but hurt others. He wanted a working solution for all days, not just the summer high-peak tourist season. A proposal for a service lane would sort all of the problems, and he had submitted that to Council the previous day. He requested Councillors to defer their vote on the closure at today's meeting, and set up a working party to find a viable solution. Mr Waite advised that seven of the ten major retailers in the Street were adamantly against the closure, and preferred the service lane proposal. He felt that the survey had been biased, because it did not ask retailers if they wanted the street to remain open, just how long they wanted it closed. He believed the legality of the process was in doubt, and could be subject to a challenge.

The Chair advised that Council had completed legal checks, was aware that any decision could be challenged as a matter of course. She noted that Mr Waite had referred to other retailers and their views during his address, but Councillors had no way of verifying or clarifying those directly when they were not present at this Public Forum.

There was brief discussion about parking, and Mr Waite said that dedicated parking would definitely help, as would parks in the Squash Court being for two hours rather than all day. He felt that pamphlets showing where temporary parking could be found would also be helpful.

The Chair thanked Mr Waite for his attendance, and noted that Council had canvassed the street and Councillors had that information. The matter was on the agenda today, and Councillors would be discussing it further at that time.

The Public Forum was declared closed at 9.09am.

The Chair formally opened the Council Meeting, at 9.10am.

## Apologies

RESOLVED  
WDC17/177

Cr Kingan / Cr Hopkins

"That Council accepts an apology for leave of absence from Mayor Kircher."

CARRIED

## Declarations of Interest

There were no declarations of interest.

### 1. Confirmation of Previous Minutes

RESOLVED  
WDC17/178

Cr Dawson / Cr Perkins

"That Council confirms minutes of the 13 September 2017 Council Meeting, as circulated, as a true and correct record."

CARRIED

RESOLVED  
WDC17/179

Cr Dawson / Cr Wollstein

"That Council confirms minutes of the 11 October 2017 Extraordinary Council Meeting, as circulated, as a true and correct record."

CARRIED

### 2. Mayor's Report

The Mayor's report, as circulated, was taken as read. It provided comments to bring Councillors and the public up-to-date with a number of issues that have arisen since the last Council meeting. Topics included:

- The fire service merger
- Otago Museum
- Central Government elections
- International intern programme
- Duntroon's Vanished World
- Landmarks/World Heritage Status
- State Highway 1 – Moeraki
- Oamaru Blue Penguin Colony Carpark
- America's Cup Visit
- Mainstreet Conference
- Waitaki Arts Festival
- Congratulations to Whitestone Cheese (30 this year!)
- And to the Waitaki Recreation Centre (also 30!)

*[NOTE: The full version of the Mayor's Report is available on Council's website as part of the "25 October 2017 Council Meeting Agenda Papers PUBLIC", and can be accessed through the pathway "Council / Council Meetings / Agendas and Minutes".]*

Key discussion points were as follows:

- **Otago Museum – ACTION POINTS:** To request a list of Waitaki district artefacts housed at the Otago Museum, and for the Chief Executive to hold discussions with the Museum about which of them can be repatriated and when.

It was also noted that an international Code of Ethics puts the onus on a museum to allow repatriation of items to a community of interest. However, there is also a requirement that the items are to be transferred to a safe location. Council will need to demonstrate it can provide that safe place, which will include consideration of issues such as space and the importance the current community attaches to the items.

- The **Mayor's report** was holistically a 'good news' report, and was a pleasure to read and to share with the wider community.

RESOLVED  
WDC17/180

Cr Hopkins / Cr Perkins

"That Council congratulates and thanks Frances and her team at the Oamaru Opera House for a very positive inaugural Waitaki Arts Festival."

CARRIED UNANIMOUSLY

RESOLVED  
WDC17/181

Cr Hopkins / Cr Holding

"That Council receives the information."

CARRIED

### 3. Chief Executive's Report

The Chief Executive's Report, as circulated, was taken as read. It provided comments to bring Councillors up-to-date with issues that have arisen since the last Council meeting on 13 September 2017. It also noted that most of the items had more detailed updates within the relevant Committee agenda reports. Topics included:

- Leadership
- Governance
- Structural Realignment
- IT Review
- Internship Programme
- Election
- Business Visits

*[NOTE: The full version of the Chief Executive's Report is available on Council's website as part of the "25 October 2017 Council Meeting Agenda Papers PUBLIC", and can be accessed through the pathway "Council / Council Meetings / Agendas and Minutes".]*

The Chief Executive spoke to his report, and provided additional comments as follows:

- **Structural Realignment** – This was currently being consulted on by staff, and had been formally released to the Public Service Association last Friday.
- **Information Services Presentation** – Chief Information Officer Bill Chou had delivered this presentation, which Mr Power recommended highly. He said it would be repeated for any Councillor and Executive Team member who had missed it the first time.
- **Internship programme** – This was now underway, and information was available on a dedicated section of the Council website, for all interns around the world to see. There were about 80 projects, ranging from tourism, marketing, and finance, to engineering, environmental health, planning, heritage and the like. Which projects would happen would depend on attracting the right intern with the required skills to complete them. Interns would need to pass a fairly rigorous interview process, and only the best would be accepted. Mr Power suggested Councillors may wish to view the list of projects on the website, which can be accessed via the pathway provided below:  
[www.waitaki.govt.nz/our-council/internship-and-cadet](http://www.waitaki.govt.nz/our-council/internship-and-cadet)

It was noted that interns also contributed to host communities by bringing other assets with them – information about their countries and culture, personal interests (eg in the arts, culture) and willingness to get involved in community activities. There was also a multilingual element, which would enable i-Sites in the district to offer multiple languages to tourists seeking information and thereby greatly improve customer services.

- **Election result** – Council will need to understand the implications of the new Labour-led coalition. If Stuart Nash, who was previously the spokesperson on regional economic development, is promoted to a Ministerial post within Cabinet, then Council would want to speak with him quickly about promoting Waitaki's interests.

RESOLVED  
WDC17/182

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

CARRIED

#### **4. Recommendations from Finance, Audit and Risk Committee Meeting 4 October 2017**

RESOLVED  
WDC17/183

Acting Mayor Tavendale / Cr Hopkins  
"That Council:

1. Acknowledges receipt of the Whitestone Contracting Limited Annual Report 2016/17; and
2. Authorises the Mayor and Chief Executive to sign the resolution pursuant to Section 122 of the Companies Act 1993 in lieu of the Annual General Meeting of shareholders of Whitestone Contracting Limited."

CARRIED

#### **5. Recommendations from Assets Committee Meeting 11 October 2017**

##### **Road Stopping: Milne Road, Richmond**

RESOLVED  
WDC17/184

Cr Kingan / Cr Perkins  
That Council:

1. Proceeds with the steps necessary to stop Milne Road, Richmond, as described in Schedule 'A'; and
2. Delegates authority to the Chief Executive to negotiate the disposal of the associated land described in Schedule 'B'.

CARRIED

##### **Enviroschools Funding**

RESOLVED (Amended)  
WDC17/185

Cr Hopkins / Cr Wollstein  
That Council:

1. Allocates \$25k to the Enviroschools programme from the Waste Minimisation Reserve to fund an agreed programme over the 2018 school year.
2. Includes provision for funding over further years in the Long Term Plan subject to consideration of the 2018 programmes and outgoings.

CARRIED

It was clarified that the amended resolution's inclusion of "agreed" in point 1 required the Enviroschools programme to come back to Council at its 6 December meeting for final approval to implement it in 2018.

At 10.07am, discussion was adjourned on Agenda Item 5, and moved on to Agenda Items 9 and 10.



## 9. Tourism Waitaki Limited – Annual Report 2016/17

The agenda report, as circulated, covered the audited Tourism Waitaki Limited Annual Report for 2016/17, and presented a resolution for the receipt of the report and the appointment of auditors, such resolution being in lieu of a shareholders meeting. Tourism Waitaki Chairman Mr Michael McElhinney, Director Ms Adair Craik, and General Manager Mr Jason Gaskill were present for this agenda item.

Mr McElhinney and Ms Craik spoke to the Annual Report. They highlighted the \$11 million growth of tourism in the region over the past year, and advised that the TRENZ conference to be held in Dunedin in 2018 was a unique and highly valuable opportunity to showcase the Waitaki district and accordingly it would be a key focus of Tourism Waitaki's work in the months leading up to it. Mr McElhinney also shared the Tourism Waitaki Board's sincere vote of thanks to General Manager Jason Gaskill for his dedicated commitment to and efforts for the organisation over his years of employment.

There was brief discussion around the breakdown of some expenditure items, and it was agreed that further details would be provided at a future workshop.

The Chair thanked the Tourism Waitaki Chairman, Director and General Manager for attending to present the annual report.

RESOLVED  
WDC17/186

Cr Hopkins / Cr Wollstein  
"That Council:

1. Receives the Tourism Waitaki Limited 2016/17 Annual Report.
2. Authorises the Mayor and Chief Executive to sign the resolution pursuant to Section 122 of the Companies Act 1993 in lieu of the Annual General Meeting of shareholders of Tourism Waitaki Limited."

CARRIED

RESOLVED  
WDC17/187

Cr Hopkins / Acting Mayor Tavendale  
"That Council thanks Jason Gaskill for his dedicated service to Tourism Waitaki Limited over the years of his employment, and wishes him every success in the future."

CARRIED

The meeting was adjourned at 10.27am, and reconvened at 10.43am.

## 10. Omarama Airfield Limited – Annual Report 2016/17

Omarama Airfield Limited Board Member Mr Glen Claridge attended for this agenda item, and he and Mr Hope spoke to the Annual Report. The ensuing discussion focused on:

- Tax matters
- Finding revenue opportunities outside of aviation services
- A winch operation was now in place to catapult gliders into the air
- Visioning was underway about how to better utilise the 90 hectares of prime real estate; rezoning, selling some land to fund other ideas (eg tourism-related or hangar accommodation) were among the ideas being considered.

RESOLVED  
WDC17/188

Cr Dawson / Cr Perkins  
"That Council:

1. Receives the Omarama Airfield Limited 2016/17 Annual Report.
2. Authorises the Mayor and Chief Executive to sign the resolution pursuant to Section 122 of the Companies Act 1993 in lieu of the Annual General Meeting of shareholders of Omarama Airfield Limited."

CARRIED

The Chair thanked Mr Claridge for his attendance, and he left the meeting at 10.57am.

## 5. Recommendations from Assets Committee Meeting 11 October 2017

*(continued discussion on this report from earlier in meeting)*

### Harbour Street Survey Results

The report, as circulated, proposed that the Assets Committee recommends to Council that the closure of Harbour Street be enacted for three days a week between 10.00am and 4.00pm Friday to Sunday and public holidays for the full year.

A revised set of recommendations had been circulated in advance of the meeting. They were moved and seconded as set out below, with discussion proposed to follow:

#### REVISED MOTION

Acting Mayor Tavendale / Cr Garvan  
That Council:

1. Approves the closure of Harbour Street to vehicles between 10.00am and 4.00pm, Friday to Sunday and on Public Holidays.
2. Approves the exclusion of vehicles from parking on Harbour Street when it is closed to vehicles.
3. Approves the closure period to commence once necessary infrastructure is in place, and ends after Easter 2018.
4. Acknowledges that suitable measures will be put in place to allow access during closures to delivery and pick-up vehicles, emergency vehicles, and vehicles for people with disabilities.
5. Will change where appropriate, the current P60 parks to P120 parks, and
6. Provides for a bus park on the west side of Tyne St to allow coaches to park without obscuring buildings.

Cr Hopkins moved an amendment to the revised motion, as follows:

#### MOTION TO AMEND REVISED MOTION

Cr Hopkins / Cr Wheeler

1. Delete "Friday" in point 1
2. Add word "private" before vehicles in point 2.

Discussion on the motion to amend the revised motion followed. Key points were:

- There were quite a lot of people who had been in favour of a longer closure than Saturday and Sunday, and the revised set of recommendations was a step forward and a compromise. Everyone was keen to raise the street's profile and the experience of it. An arrangement for Mr Waite (whereby he had exclusive use of a park outside his business between 4.00pm and 5.00pm) could solve his parking issues.
- A review after 2018 should be done.
- Street beautification measures still needed to be done.
- All business owners had been surveyed, and Councillors had received that information. The revised motion (without the subsequent amendment currently on the table) equated to less than what some survey respondents wanted. There were things happening on Friday nights, and the survey results had demonstrated there was enough support for a three-day closure.

The Chair then put the motion to amend the revised motion, namely:

Cr Hopkins / Cr Wheeler

3. Delete Friday in point 1
4. Add word "private" before vehicles in point 2.

LOST

IN FAVOUR: Crs Hopkins and Wheeler

The Acting Mayor, as the mover of the revised motion (without the amendment just lost), noted that the key issue was about dressing the street. The intent was to remove modern vehicles that did not fit the Victorian era of the street and its buildings, so that photographs taken by visitors would be a true reflection of that era. Whilst there may not be a plan to consider, action was required and this was the first step. Beautification would be the next key element. This was a fantastic opportunity and it was time to show leadership.

The original revised motion was then put to the meeting and was resolved, as follows:

RESOLVED  
WDC17/189

Acting Mayor Tavendale / Cr Garvan  
That Council:

4. Approves the closure of Harbour Street to vehicles between 10.00am and 4.00pm, Friday to Sunday and on Public Holidays.
5. Approves the exclusion of vehicles from parking on Harbour Street when it is closed to vehicles.
6. Approves the closure period to commence once necessary infrastructure is in place, and ends after Easter 2018.
4. Acknowledges that suitable measures will be put in place to allow access during closures to delivery and pick-up vehicles, emergency vehicles, and vehicles for people with disabilities.
5. Will change where appropriate, the current P60 parks to P120 parks, and
6. Provides for a bus park on the west side of Tyne St to allow coaches to park without obscuring buildings.

CARRIED

Abstentions: Cr Hopkins and Cr Wheeler

RESOLVED  
WDC17/190

Cr Perkins / Cr Hopkins

"That a detailed analysis of the economic impact of the closure on businesses in the precinct be undertaken once the closure period ends after Easter 2018."

CARRIED

It was clarified and AGREED that there would be no requirement for businesses affected by the closure to provide business financial information to Council. They should be invited to speak to Council after Easter 2018 and provide whatever information they thought necessary to justify their case for or against support for a continuation of the street closure.

The Chief Executive noted that a detailed economic analysis would require two trials to take place. That was understood. It was AGREED that a 'helicopter overview' after the end of the first trial (post-Easter 2018) would be sufficient, as timeliness was more important. The detailed analysis could follow a second trial, and take into account any business failures, new lessons, and the bigger picture.

RESOLVED  
WDC17/191

Cr Kingan / Cr Holding

"That Council agrees that further discussions around street beautification be held."

CARRIED

Discussion turned to the points made by Mr Waite during the earlier Public Forum.

PROPOSED  
MOTION:

Cr Hopkins / Cr Wheeler

"That Council officers engage with a working party of concerned Harbour Street businesses to develop strategic options for their specific location."

Points of discussion on the proposed motion were:

- Consultation with street businesses had been done, and a public meeting held about a year ago with stakeholders. The Mayor and Councillors had also spoken directly with residents, and issues discussed had included parking.
- Confirmation was needed that seven of the ten retailers were against the survey results.
- One view was that a working party would be one way of maintaining dialogue with Harbour Street businesses. Concerns were raised about the need for such a group to have a balanced approach, and for a very specific brief about its responsibilities and stakeholder reach.
- Another view was that this motion could undo the intent of the main recommendations just passed, and make it difficult for officers to proceed.
- Strategic options should consider parking, since it was a key issue.

- The word “concerned” needs to be removed.
- A legal challenge had been raised, and this motion was a way of forestalling or heading off that potential, by signalling good faith and a willingness to keep talking.
- Enough consultation had been done.

MOTION  
WAS PUT

Cr Hopkins / Cr Wheeler

“That Council officers engage with a working party of Harbour Street businesses to develop strategic options for their specific location.”

LOST

Abstention: Cr Hopkins and Cr Wheeler

The meeting was adjourned at 11.58am, and reconvened at 1.30pm.

## 11. Waitaki District Health Services Limited – Annual Report for the Year Ended 30 June 2017

Waitaki District Health Services Chairman Mr Christopher Swann attended the meeting for this agenda item. He and Mr Hope spoke to the report, and answered questions from Councillors.

Discussion points included:

- the model of care document developed during the year
- increased revenue and operational expenditure
- a proposed break-even position by end FY 2018
- ongoing challenges (funding constraints, recruitment of staff (nursing and medical), and succession planning for an aging workforce)
- tele-medicine as the way of the future (which would mean some Oamaru patients would not have to travel to Dunedin to consult with specialists)
- a closer working relationship with Southern District Health Board than ever before.

Mr Swann also highlighted the availability of a ‘warrant of health fitness’ to members of the Waitaki district. This included the option of CT chronography, as well as baseline blood tests, a respiratory assessment, hearing assessment, and cancer scans. It was suggested that the availability of this package should be accorded more promotion and publicity.

RESOLVED  
WDC17/192

Cr Hopkins / Cr Wollstein

That Council:

1. Receives the Waitaki District Health Services Limited 2016/17 Annual Report, with an amendment on page 9 of operational expenditure.
2. Authorises the Mayor and Chief Executive to sign the resolution pursuant to Section 122 of the Companies Act 1993 in lieu of the Annual General Meeting of shareholders of Waitaki District Health

CARRIED

## 6. Recommendations from Community Services Committee Meeting 11 October 2017

### Lakes Camping

RESOLVED  
WDC17/193

Cr Perkins / Cr Dawson

That Council:

1. Continues to manage Falstone, Sailors Cutting, Loch Laird, Wildlife, Otematata Boat Harbour and Parsons Rock as ‘Kiwi style’ camping grounds.
2. Requests that further marketing opportunities are identified to increase patronage, especially in the shoulder periods.

CARRIED



**Resource Recovery Park Easement**

RESOLVED  
WDC17/194

Cr Wollstein / Cr Dawson  
That Council:

1. Agrees, subject to notification and the consideration of any submissions, the granting of an easement over part of the land known as Part Section 31 Block VI Oamaru SD (OT/8A/1038) to the trustees of the Waitaki Resource Recovery Park.
2. Agrees that conditions for an easement are as follows:
  - ii. Purpose of easement: Commercial vehicle access of no greater than 10 commercial vehicle movements per day for the purpose of commercial recycling at 42 Chelmer Street, Oamaru.
  - iii. Term of easement: For the life of the activity. Any change to the activity purpose will require re-negotiation with Council's Recreation unit.
  - iv. Public Access: Public access over the land will be maintained at all times.
  - v. Maintenance and Repair: The owner will be responsible for maintaining and repairing that part of the Fenwick Park site subject to the easement agreement. Any change will need to be approved by Council's Recreation unit.
  - vi. Safety: Vehicles must travel at no more than 10km and give way to pedestrians and other park users.

CARRIED

**7. Recommendation from Customer Services Committee Meeting  
11 October 2017**

**Approval of Dog Control S10A Report 2017**

RESOLVED  
WDC17/195

Cr Dawson / Cr Perkins  
That Council:

1. Adopts the report as required under section 10 A of the Dog Control Act 1996.
2. Makes the report available via its website and places advertisements in appropriate newspapers to confirm the report is available.
3. Notes that, once adopted, the report is sent to the Secretary for Local Government.

CARRIED

**8. Adoption of Annual Report for the Year Ended 30 June 2017**

A supplementary agenda report entitled "WDC Annual Report – Final Adjustment" advised of six new amendments to the Annual Report following the audit clearance process. The report's recommendation now referred to "with amendments" to reflect this situation.

RESOLVED  
WDC17/196

Cr Dawson / Cr Hopkins  
"That Council adopts the Annual Report with amendments for the year ended 30 June 2017 in accordance with sections 98 and 99 of the Local Government Act 2002."

CARRIED

The Chair congratulated everyone involved in the production of the Annual Report.

The meeting was then redirected forward for discussion on the remaining agenda items.

## 12. Triennial Revaluation Update

Local Authorities are required to revise rating values every three years. This revaluation is undertaken by Quotable Value (QV), Council's valuation service provider. QV is responsible for the complete process including all communications and publicity. The agenda report presented information on the timetable to produce and publicise the results of the latest triennial rating revaluation of all properties in the Waitaki District.

RESOLVED

WDC17/197

Cr Hopkins / Cr Holding

"That Council receives the information."

CARRIED

Mr Hope advised that officers would be working very closely with Quotable Value to publicise the date of release of the revaluation information and the process steps involved. It was suggested that Council's communications clearly state that this revaluation is NOT an assessment of all properties, and therefore it was not the same as an independent property valuation and appraisal.

## 13. Development Contributions Decisions Made Under Delegated Authority

RESOLVED

WDC17/198

Cr Wollstein / Cr Perkins

"That Council receives the information."

CARRIED

## 14. Recommendation for Warrants of Appointment

The agenda report, as circulated, was taken as read. It was AGREED that item 3 did not need to be addressed at this meeting, because those warrants had been recommended and resolved at the 13 September meeting. Therefore, only the first two items were considered in this report.

RESOLVED

WDC17/199

Cr Hopkins / Cr Holding

"That the Waitaki District Council resolves items 1 and 2 as follows:

- 1) Waitaki District Council hereby appoints **Vamsidhar Reddy Nathala** (Contractor – North Otago Security) as:
  - a) An 'Enforcement Officer' under Section 177 of the Local Government Act 2002 with authority to exercise the following powers:
    - i) Entry of private land (s171);
    - ii) Entry for enforcement purposes (s172);
    - iii) Entry in cases of emergency (s173); and
    - iv) Authority to act (s174).
  - b) An 'Enforcement Officer' under Section 38 of the Resource Management Act 1991 with authority to exercise all the powers of an Enforcement Officer under the Resource Management Act 1991, and in particular the following powers:
    - i) Avoid, Remedy or Mitigate Adverse Effects (s17);
    - ii) Acquire Information (s22);
    - iii) Issue an Abatement Notice (s322);
    - iv) Carry out, at any reasonable time, inspections of any place or structure (except a dwelling house) (s332);
    - v) Issue an excessive noise direction (s327);
    - vi) Enter private land to ensure compliance with an excessive noise direction (s328);
    - vii) Take preventative or remedial action (s330);
    - viii) Enter for survey (s333);
    - ix) Seize property (s323) and (s328); and
    - x) Return property (s336).

- c) A 'Dog Control Officer' under Section 11 of the Dog Control Act 1996 with authority to exercise all the powers of a Dog Control Officer under the Dog Control Act 1996, and in particular the following powers:
    - i) Enter land or premises (except dwellinghouse) to inspect dog (s14);
    - ii) Seize and remove dog to provide food and shelter (s14);
    - iii) Request information about dog owner (s19);
    - iv) Request information about dog (s19);
    - v) Remove dog from land or premises in relation to barking dog (s55);
    - vi) Enter land, premises or dwellinghouse in relation to dog attack (s57);
    - vii) Seize or destroy dog in relation to dog attack (s57); and
    - viii) Issue infringement notice (s66).
  - d) An 'Enforcement Officer' under Section 32 of the Freedom Camping Act 2011 with all the powers of an Enforcement Officer under the Freedom Camping Act 2011, and in particular the following powers:
    - i) Issue infringement notices for offences (s27);
    - ii) Require certain information (s35);
    - iii) Require certain persons to leave the area (s36); and
    - iv) Seize or impound certain property (s37).
- 2) Waitaki District Council hereby appoints **Sukhninder Singh** (Contractor – North Otago Security) as:
- a) An 'Enforcement Officer' under Section 177 of the Local Government Act 2002 with authority to exercise the following powers:
    - i) Entry of private land (s171);
    - ii) Entry for enforcement purposes (s172);
    - iii) Entry in cases of emergency (s173); and
    - iv) Authority to act (s174).
  - b) An 'Enforcement Officer' under Section 38 of the Resource Management Act 1991 with authority to exercise all the powers of an Enforcement Officer under the Resource Management Act 1991, and in particular the following powers:
    - i) Avoid, Remedy or Mitigate Adverse Effects (s17);
    - ii) Acquire Information (s22);
    - iii) Issue an Abatement Notice (s322);
    - iv) Carry out, at any reasonable time, inspections of any place or structure (except a dwelling house) (s332);
    - v) Issue an excessive noise direction (s327);
    - vi) Enter private land to ensure compliance with an excessive noise direction (s328);
    - vii) Take preventative or remedial action (s330);
    - viii) Enter for survey (s333);
    - ix) Seize property (s323) and (s328); and
    - x) Return property (s336).
  - c) A 'Dog Control Officer' under Section 11 of the Dog Control Act 1996 with authority to exercise all the powers of a Dog Control Officer under the Dog Control Act 1996, and in particular the following powers:
    - i) Enter land or premises (except dwellinghouse) to inspect dog (s14);
    - ii) Seize and remove dog to provide food and shelter (s14);
    - iii) Request information about dog owner (s19);
    - iv) Request information about dog (s19);
    - v) Remove dog from land or premises in relation to barking dog (s55);
    - vi) Enter land, premises or dwellinghouse in relation to dog attack (s57);
    - vii) Seize or destroy dog in relation to dog attack (s57); and
    - viii) Issue infringement notice (s66).

- d) An 'Enforcement Officer' under Section 32 of the Freedom Camping Act 2011 with all the powers of an Enforcement Officer under the Freedom Camping Act 2011, and in particular the following powers:
- i) Issue infringement notices for offences (s27);
  - ii) Require certain information (s35);
  - iii) Require certain persons to leave the area (s36); and
  - iv) Seize or impound certain property (s37).

CARRIED  
AGAINST: Cr Percival

## 15. Grant from the Rural Fire Reserve

The agenda report, as circulated, was taken as read. It recommended that Council approves a grant of up to \$8,000 from the Rural Fire Depreciation Reserve to fund the provision of equipment and clothing for the District's Volunteer Rural Fire Forces, to allow them to assist with civil defence matters, especially flooding and similar weather events.

It was noted that Council could decide in due course what would be the best use for any balance in the Rural Fire Depreciation Reserve.

RESOLVED  
WDC17/200

Cr Hopkins / Cr Garvan

"That Council approves a grant of up to \$8,000 from the Rural Fire Depreciation Reserve to fund the provision of equipment and clothing for the District's Volunteer Rural Fire Forces, to allow them to assist with civil defence matters, especially flooding and similar weather events."

CARRIED

## 15. WDC Intern Programme – Pastoral Care

The report, as circulated, was taken as read. It stated that Council staff were developing a student intern programme for the Council. The programme would see students recruited both from New Zealand and overseas to undertake projects that the Council would not otherwise have the resources to undertake over terms from 10 weeks to one year. It would be an unpaid programme where the student will undertake a defined project of value to the Council and/or the local communities, and the Council will provide management service and accommodation. As most of these students would be living away from home (some for the first time), it was important that the Council put in place systems and processes to ensure their safety and comfort, and give reassurance of this to the students and their parents. A draft Pastoral Care Code of Conduct had been developed, and was attached to the agenda report.

In speaking to the report, the Chief Executive explained that the Pastoral Care Code of Conduct was good practice rather than a requirement. It signalled that this Council considered the welfare of interns as of primary importance. Mr Power provided more information about intern accommodation, coordination and the interview process. He also advised that each intern would make a public presentation to a Council meeting upon completion of their internship, to give an account of their time, achievements and contributions to the community. Other ideas being considered included the engagement of skills experts as "Ambassadors" of the programme, and certificates being awarded to interns so they had something in writing to acknowledge their participation and successful completion of their internship.

With regard to the set up costs for the programme, Mr Power said that \$35,000 would be a line item in the LTP to service about 15 international students. He added that the question was more about benefit than cost; BERL had completed an economic analysis of the programme in the Hawke's Bay, and found the ratio was around 47 – 1.

The Chair congratulated the Chief Executive for his enthusiasm and effort to get the programme up and running so quickly.

RESOLVED  
WDC17/201

Cr Kingan / Cr Dawson

"That the Council receives the information."

CARRIED

At 2.44pm, the Chair signalled her intention to move the meeting into public excluded.  
The only member of the public present (media representative) left the room.

RESOLVED  
WDC17/202

Cr Hopkins / Cr Wollstein

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

- Confirmation of Public Excluded Meeting Minutes – Council Meeting 13 September 2017
- Confirmation of Public Excluded Meeting Minutes – Extraordinary Council Meeting 11 October 2017
- Recommendation from Development Contributions Committee PE
- North Otago Irrigation Company Directorship PE
- Recommendation for Release of Public Excluded Information PE

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:	
16. Confirmation of Public Excluded Minutes – Council Meeting 13 September 2017	To protect the privacy of natural persons. Section 48(1)(a)
18. Confirmation of Public Excluded Minutes – Extraordinary Council Meeting 11 October 2017	(The disclosure of the information would cause unnecessary personal embarrassment to the persons concerned.)
19. Recommendation from Development Contributions Committee PE	To enable the Council to carry out commercial negotiations without prejudice or disadvantage. Section 48(1)(a)
20. North Otago Irrigation Company Directorship PE	(Premature disclosure of the information would detrimentally affect the Council's position in the negotiations.)
21. Recommendation for Release of Public Excluded Information PE	

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  
WDC17/209

Cr Wollstein / Cr Dawson

"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



## 22. Release of Public Excluded Information

RESOLVED  
WDC17/210

Cr Hopkins / Cr Wollstein

"That Council, in accordance with Clause 17.5 of the Waitaki District Council Standing Orders 2016 to 2019, releases in the public minutes of this 25 October 2017 Council Meeting previously public excluded information as set out in (a) and (b) below.

- (a) ***From the Public Excluded session of the Extraordinary Council Meeting held on 11 October 2017:***

### **Sale of Land – Omarama**

RESOLVED  
WDC17/179

Cr Dawson / Cr Perkins

"That Council:

1. Directs the Chief Executive to further negotiate (if required) and sell 15.2707 ha of land known as part of the Lory Block, Omarama-Otematata Road, Omarama comprised in Certificate of Title 537174, Lot 3, DP 436978."

CARRIED

- (b) ***From the Public Excluded session of the Council Meeting of 25 October 2017:***

RESOLVED  
WDC17/206

Cr Wollstein / Cr Hopkins

"That Council:

1. Appoints Mr Paul Hope, current Chief Financial Officer, as a director appointed by Council to the Board of the North Otago Irrigation Company, for the initial term of 1 January to 31 October 2018;
2. Agrees to review the appointment in advance of the term expiry date."

CARRIED

There being no further business, the Chair declared the meeting closed at 3.00pm.

Confirmed on this 6<sup>th</sup> day of December 2017 in the Council Chambers, Third Floor, Waitaki District Council Headquarters, 20 Thames Street, Oamaru.

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Chairperson

## **Waitaki District Council**

### **Extraordinary Council**

#### **UNCONFIRMED MINUTES of an Extraordinary Meeting of the Waitaki District Council held in the Whitestone Cheese Empire Room, Oamaru Opera House, 94 Thames Street, Oamaru, on Wednesday 15 November 2017 at 9.00am**

**Present** Mayor Kircher (Chair), Crs Tavendale, Dawson, Garvan, Holding, Hopkins, Kingan, Percival (from 9.06am), Perkins, and Wheeler

**Apologies** Cr Wollstein

**In Attendance** Mr Power (Chief Executive)  
Mr Jorgensen (Assets Group Manager)  
Mrs Baillie (Customer Services Group Manager)  
Mr Hope (Chief Financial Officer)  
Mrs Guyan (Acting Community Services Group Manager)  
Mr Roesler (Policy and Communications Manager)  
Ms Hooper (Governance Officer)

#### **Apologies**

RESOLVED  
WDC17/211

Cr Tavendale / Cr Hopkins  
"That Council accepts an apology for absence from Cr Wollstein and for lateness from Cr Percival."

CARRIED

#### **Declarations of Interest**

Cr Dawson declared an interest in agenda item 1, and left the meeting at 9.02am.

#### **1. Position on Waitaki District Easter Sunday Shop Trading**

The report, as circulated, presented a summary of Council's review of its current position on Easter Sunday Shop Trading in the Waitaki District. The summary noted that the review process had supported the community having a say on this matter, and provided steps to ensure Councillors had considered the feedback before making a final decision. Council has committed to considering the community's views on Easter Sunday Shop Trading (including the option to retain the status quo position) prior to making a formal decision before Easter 2018. Community feedback on a draft proposal has guided Councillors in their decision to not enable Easter Sunday Shop Trading in the Waitaki District (unless the businesses are already exempted to trade).

*Cr Percival joined the meeting, at 9.06am.*

Key issues raised during the discussion on this item were as follows:

- Mayor Kircher said that, because he had not been at the hearings for the verbal submissions, he had decided to abstain from voting on this issue.
- Cr Kingan said he would be voting against recommendation two, because he supported the opportunity for businesses to remain open.
- Despite some Councillors having personal views preferring to enable people to choose to open their businesses or not, an overwhelming majority of submitters had been in favour of maintaining the status quo and Councillors felt it was important to take heed of the trend shown in submissions. It was noted that the issue could be revisited if the community wished to engage again with Council in future.

RESOLVED  
WDC17/212

Cr Tavendale / Cr Hopkins  
"That Council:

1. Notes that the key points provided in Table 1 of this report reflect Council consideration of public submissions received at the 1 November 2017 Council Hearing relating to Easter Sunday Shop Trading in the Waitaki District (as copied below).

CARRIED  
Abstention: Mayor Kircher

2. Agrees that the status quo position on Easter Sunday Shop Trading in the Waitaki District remains and therefore no Policy is required.

CARRIED  
AGAINST: Cr Kingan  
Abstention: Mayor Kircher

3. Notes that the Council can agree at any point in the future to review the need for an Easter Sunday Shop Trading in the Waitaki District.

CARRIED

**Table 1: Summary of key submission points**

<b><i>Comments against proposal</i></b>	<b><i>Comments in support of proposal</i></b>
Employees would lose a guaranteed day off if more shops were to open	Importance of the principle of freedom of enterprise
There is a need to retain time for rest, family, religious and cultural activities	There are protections in the Act for employees who do not wish to work if more shops were to open
Despite protections in the Act, employees may feel obliged to work – coercion to work	Tourism opportunities will be missed

*Cr Dawson returned to the meeting, at 9.25am.*

## **2. Maori Representation**

The report, as circulated, sought to enable Council to make a decision regarding Maori representation arrangements for the Waitaki district to satisfy a statutory requirement under the Local Electoral Act 2001 (no35) (LEA 2001). The decision also supports continued effort to build the partnership between the Council and Te Rūnanga o Moeraki through the Memorandum of Understanding (MOU).

RESOLVED  
WDC17/213

Cr Hopkins / Cr Perkins  
"That Council:

1. Notes that, at the Te Roopu Taiao hui on 11 August 2017, direction was given for the Otago Regional Council to jointly approach each of the papatipu rūnanga to ascertain views on Maori representation
2. Notes that the 3 November 2017 Otago Mayoral Forum reflected feedback from papatipu rūnanga about their preference not to have Maori Wards but rather to explore other options for strengthening partnerships
3. Notes that the Waitaki District Council Memorandum of Understanding with Te Rūnanga o Moeraki (MOU) is scheduled for review in April 2018
4. Agrees to a public notice communicating that Council will not support the establishment of a Maori Ward for the Waitaki district
5. Endorses Council leadership meeting with Te Rūnanga o Moeraki to discuss the partnership between the two organisations including the MOU along with any other matters deemed important by either party.

CARRIED



It was noted that Council's relationship with Ngai Tahu was in good heart, and that the papatipu rūnanga had expressed a preference to work directly with Council and its leadership to strengthen the existing partnership.

### 3. Schedule of Meetings 2018

The report, as circulated, supplied the Schedule of Meetings for 2018 for Council approval.

The Mayor thanked the Governance Officer for the comprehensiveness of her report and the attached Schedule of Meetings. Cr Dawson and Cr Kingan endorsed his remarks.

It was AGREED that Standing Orders would be suspended for this item, in order that Councillors could speak more than once as required.

The following schedule amendments were AGREED:

- MOVE Committee Day to Wednesday 18 July (instead of Tuesday 17 July), to avoid clashing with either day of the Local Government New Zealand conference on 16 and 17 July 2018.
- ADD Draft Agenda Meetings and Draft Agenda Paper deadlines to the schedule for the Finance, Audit and Risk (FAR) Committee.
- In consultation with the Community Board Chairs, CHANGE the date of one of the Community Board meetings in December 2018, so that they are not on the same day and AMEND the start times of both meetings to reflect usual practice.
- REPLACE Cr Kingan with another Councillor in the Community Board Councillor Roster at least once, so that he has no more than three community board meetings to attend during the year rather than the scheduled four.

The following two related matters were AGREED:

- If any urgent financial matters arose during January, then reports could be circulated to the FAR Committee via email, with any decisions to be ratified at the 13 February 2018 FAR Committee meeting.
- The 13 February 2018 Council Meeting is to REMAIN in the schedule, but could be replaced by an earlier Extraordinary Council Meeting if the volume of agenda items across the four meetings that day became unmanageable, or if any urgent matters arose. It was noted that Monday 12 February is officially a reserve day, and could be activated if required.

Two process concerns were raised and clarified as follows:

- Draft Agenda Meetings would CONTINUE to be held on Mondays wherever possible, despite that requiring agenda papers to be finalised and approved within two days, rather than the current three, for inclusion in the final agenda distribution (now scheduled for Wednesdays). It was clarified that Group Managers had discussed and committed to the shorter turnaround time, based on past experience that most draft agenda papers only required minor change after the draft agenda meeting and this year's three-day turnaround period had been longer than required. It was also expected that the automated agenda management system to be implemented in the first half of 2018 would help facilitate the shorter turnaround times between draft and final agenda papers.
- The turnaround for recommendations from Committee Meetings to be included in draft agenda papers going to Council would only be two days in most cases. It was clarified that, although the timeframe was tight, it was achievable.

RESOLVED  
WDC17/214

Cr Dawson / Cr Kingan  
That Council:

1 Approves the appended Schedule of Meetings 2018, with agreed amendments (as noted above) and with the Community Board meetings in December to be rescheduled in consultation with the Community Board Chairs prior to the Schedule being finalised and distributed."

CARRIED

There being no further business, the Chair declared the meeting closed at 9.56am.

Confirmed on this 6<sup>th</sup> day of December 2017, in the Council Chambers, Waitaki District Council Headquarters, 20 Thames Street, Oamaru.

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Chairman

# Waitaki District Council Memorandum

**From** Mayor Gary Kircher

**Date** 6 December 2017

## Mayor's Report

### Recommendation

That Council receives the information.

### Purpose

The following comments are provided to bring Councillors and the public up-to-date with a number of issues that have arisen since the last Council meeting.

### What's been happening?

The Long Term Plan is progressing well, to the stage where we have determined a number of priorities, new expenditure, and some savings. We should receive some preliminary numbers for the change in the rate requirement very soon, which we will fine-tune further in the New Year.

Our Chief Executive Mr Power now has his feet well and truly under the desk, and we will continue our programme of visits and introductions to people within the community. The initial contacts have received a good response and people I speak to in the community are enthusiastic about the possibilities for Waitaki going forward.

### The International Intern Programme

The first of our international interns has been signed up, and will be arriving in January next year. I'm really excited about this for a number of reasons. I believe they will bring some excellent capabilities and capacity to our Council, and I think their very presence could be an invigorating addition to our office environment. But even more importantly, they will be a signal to our community that this Council is working hard to be innovative and deliver better services more efficiently. If all goes well, our people will see Waitaki District Council take on some big challenges and opportunities, and deliver them effectively. It's a big ask, and I think we can deliver.

### Harbour Accommodation

The Harbour Area Committee has been working with staff to evaluate the expressions of interest that we received through our advertised process. The process has been detailed at times as we strive to get interested parties who will deliver on our key criteria. It is as important as ever to have trusted operators who are not only capable of delivering a quality product, but who will also add to the reputation that Oamaru has for being interesting and quirky.



The proposals deliver those requirements in varying ways and to varying degrees. Council will get an opportunity to make some decisions on these as the recommendations come through from the Harbour Area Committee for consideration. This is an important time for us as it will be another transformational change for the harbour. Any approved development will be a multi-million dollar investment for the people involved, and this is some of the best land available for such visitor accommodation.



### Restorative Justice Service

One of the important services we have here is Restorative Justice. It doesn't always work, but the opportunity for victims of crime to face the person who wronged them can be an empowering event. Our local group recently held a function to bring together the various stakeholders – to thank them and to let them know how the organisation was going. We have excellent volunteers in our district and this was a chance for me to acknowledge some of them.



Mediator Marion Shore speaks about the service, flanked by volunteers Bill Young and Clare Kearney

### Gold Star Service Awards

Another chance to acknowledge significant volunteer service on behalf of the community came when the Kakanui Fire Unit gathered to congratulate Tim Bell for his 25 years of service to their unit. 25 years is a long time, especially when you consider just how many training sessions and how many call outs have occurred over that time. I was pleased to present the Gold Star to Tim, and to thank him on behalf of the Waitaki community. Fire brigade volunteers face all manner of situations, and all too often have to deal with things that many of us would hate to do. Their work is so important and so valuable to all of us. It presents an opportunity too, to acknowledge the sacrifice that the volunteers' families also make to allow them to serve. Thank you to all who give their time and dedication to our community.



Thanking Tim and his wife for their contribution to Waitaki

## Art on Bikes

Just one of many events during the recent inaugural Waitaki Arts Festival was Art on Bikes, which is aimed at some of our younger community members. There was a good turnout in spite of the less than ideal weather. Youth Council members played their part by face-painting participants before they headed off from Weston to make their way to the end of the Alps 2 Ocean cycle trail at Friendly Bay. Congratulations again to Frances McElhinney for her excellent work in coordinating the whole event which promises to become a regular feature on our events calendar!



Getting set up for the start of the event. Youth Council members were face-painting in the red gazebo

## LGNZ Zone 5 and 6 Meeting – Cromwell

Central Otago hosted the recent zone meeting which was attended by most of the councils across the South Island. They organised a number of different topics and used a variety of venues to create a more interactive session for Council representatives. Cr Holding and Mr Power attended the meeting with me, and I found it quite informative.

We started the day at Highlands Motorsport Park, where we heard a number of presentations. One of them was by Fran Wilde, Chair of the Remuneration Authority which sets the levels of remuneration for elected members. There is a recognition that the various criteria the Authority considers when setting remuneration unfairly disadvantages a lot of elected members. Population is one of the factors taken into account but it appears to play too much of a role in calculating remuneration. Their stance is that, regardless of the size of population of a district, there is a certain amount of work that has to be done regardless, and so the Remuneration Authority is seeking feedback from the sector to see what elected members themselves think should be considered. In a Council like Waitaki, I don't think any one of us is in it for the money, but remuneration for our Councillors is at a level where it does attract good people and yet there are large parts of the community who can't consider being a Councillor as an option. This particularly includes younger people who often need a certain level of income as they are at the young family stage of life. Submissions to the Remuneration Authority close on the 15<sup>th</sup> of December and WDC will be making a submission.

We also heard from Tony Quinn, owner of Highland Motorsports and one of NZ's wealthier individuals. He gave a down-to-earth speech about life, failure, success and people. It was an interesting talk by a man who loves life and works hard to succeed. He has a reputation for being brutally honest, and we certainly saw that during his speech. The great thing is that he loves Otago and has invested a lot of money to make it a more interesting place. I learnt a few things from him, and I'm sure the rest of the audience also appreciated the opportunity to hear Tony speak.





Tony Quinn gives us his candid views on life



Mayor Tim Cadogan explains the issues his Council faces with freedom camping

We left Highlands and travelled north on the Tarras-Cromwell road, to one of the lakeside areas where a lot of freedom camping takes place. We heard from Mayor Tim Cadogan about the pressures CODC faces from freedom campers, especially the seasonal workers who choose to save money by camping for free. Many orchardists and vineyard owners are now supplying facilities for workers, at a very cheap rate, but some workers still prefer to drive a distance to an area where they can stay for nothing. Add them to the rest of those travellers who want free camping, and the Council has a reasonably large headache. But like Waitaki, they are working on solutions and over time they will make progress. The key message though, was to keep lobbying central government to come up with a nation-wide policy that takes care of the worst effects of freedom camping. The South Island Councils are very united on their stance on freedom camping, and we have to keep getting our message across that the national standards for freedom camping behaviour have to be lifted.

### Rainbow Colour Run

The organisers of the Rainbow Colour Run had another successful event this year, with a good turnout in spite of less than ideal weather. I helped out Youth Council members with their efforts, dousing participants with plenty of purple colouring. It is pleasing to see our young people getting out and helping events like this run, and everyone had a lot of fun – especially when they got to “bomb” me with the powder!



No one was allowed to escape un-purpled!

### East Otago Field Days

The second annual East Otago Field Days was recently held, with even more exhibitors and much better weather than last year. Once again, a lot of work went into the field days' organisation, by a small but dedicated team of people. It really put the spotlight on Palmerston and there was an increase in visitors to the event. Early feedback was that there had been a good number of sales and enquiries, which is always the key measure for events such as this.

I had the pleasure of officially opening the event on the first day, then Mr Power and I both attended for a while on the second. Cr Hopkins was officiating on MC duties, and Cr Wheeler and Chair Kathy Dennison and other members of the Waihemo Community Board were present to show their support. It is hoped that the event will go from strength to strength in years to come, and that it will be a must-visit field days for farmers throughout Otago and beyond. Well done to the committee and the numerous volunteers who helped make it happen.



Speeches being made by Mr Power, and Cr Wheeler

### Harbour Street Closure

After a series of attempts and a trial last year, the Council has made a decision to close Harbour Street for three days per week of the busiest season to help control the issues in that area. Although the closure was approved, it was not to commence until the initial infrastructure was in place, and that has only just happened due to the lack of availability of contractors. There is still more to be done to make the most of the closure, and that will happen over time. However, this is a major step forward for our heritage area, and it will provide a marvellous environment for our locals and visitors during the busy tourist season. A working group will meet shortly to discuss other landscaping opportunities.





An draft of the signage to be used at both ends of the street

### Onya Bike Project

Some time ago, the Council received an informal presentation of the Onya Bike programme. The brainchild of local cycling enthusiast Adair Craik and songwriter Rob Greaney, the programme aims to get youngsters out of cars and back onto bikes, to improve their health and fitness. The other part of the programme is to make drivers of other vehicles more cycle-aware so they are less likely to cause harm to cyclists on our roads.

Part of the programme was to make a music video which would be part of the promotional push to make cycling more attractive to young people again. Mr Greaney arranged for Constable Carrie Hamilton and me to be part of the video, with plenty of support from many kids. The video was filmed at the kids' bike park, which was very apt. This really is a very worthy programme, and I'm sure we all join in wishing Adair and Rob all the best as they work to change the trend and get kids on their bikes!



The kids get their riding instructions from Rob Greaney, while Carrie Hamilton gets her moves right for the camera



## High School Graduations and Prize Givings

It has been that time of year when our high schools have been holding their senior prize-givings and graduation ceremonies. The three Oamaru high schools have all had their ceremonies, and East Otago has a combined junior and senior prizegiving on the 7<sup>th</sup> of December.

Each school is different, putting their own touches to how their celebrations are run. But they all have one thing in common – they all show that we really don't need to worry about the next generation. We have some amazing achievers amongst our young people, and they are sure to make their mark in the world. It is an honour for me to be able to hand out awards at each of the schools, and to hear the various valedictorian speeches being made.



Waitaki Boys' High School prizegiving

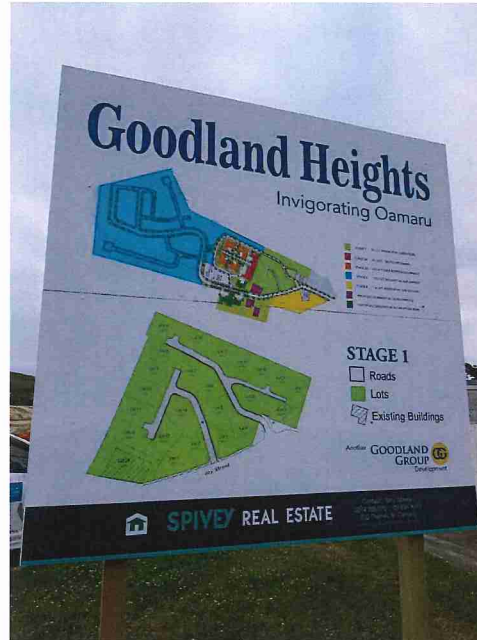


St Kevin's College Year 13 students graduation

## Goodland Group Development

For some time, we were hearing that there were very few good residential sections for sale in North Otago. Since then, we have had some rather significant subdivisions occur. There are the various rural-residential subdivisions which have been snapped up quite quickly, and we have seen the Waiareka Park subdivision take off. With over 40 sections for sale, most have sold at increasingly good prices, and three homes are under construction.

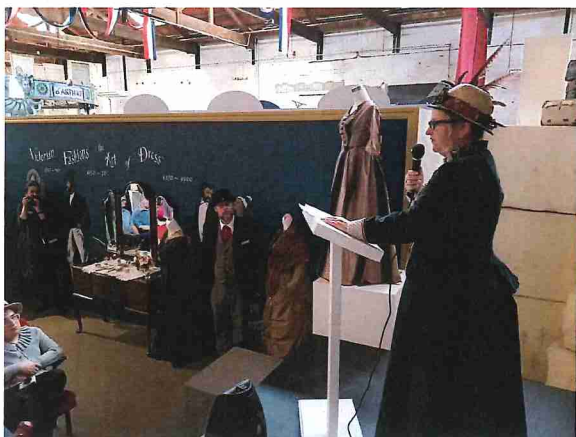
So it was pleasing to see more action on the Old Hospital Hill site. Since the clearance of the buildings last year, the site has been quiet but once again the trucks and diggers are busy. They are developing Stage 1 – a subdivision of 24 lots (one has an existing house on it.) The lot sizes are smaller than usual at around 500 sqm each, and the starting price is higher than what we are used to in Oamaru. But the views from a good number of the sites are excellent and may be just what a segment of the new home builders' market is looking for. The owners of the site have ambitious plans, and it will be great to see them succeed. It is another sign of the positivity in Waitaki!



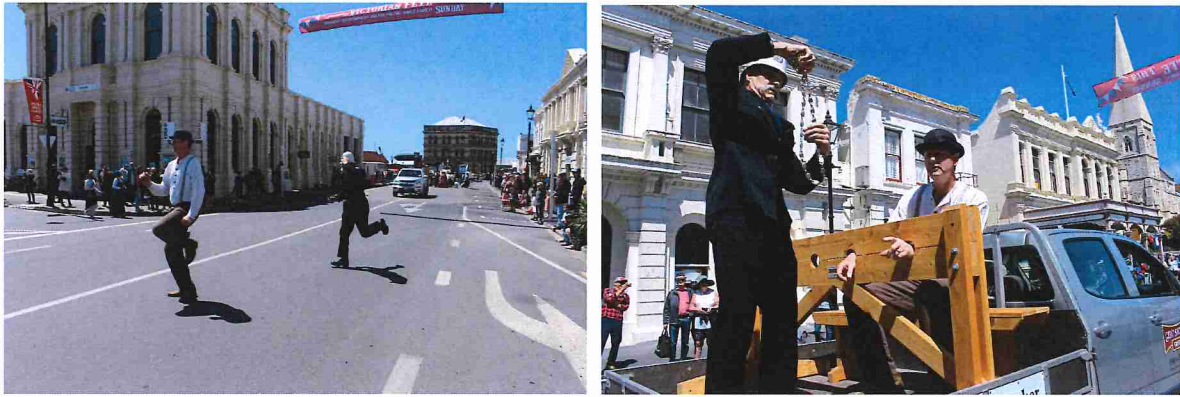
### Victorian Heritage Week

Oamaru's Heritage Celebrations is one of Waitaki's biggest events, and it is now over for another year. It was another success this year, though a few people commented on the need to make more changes to the event which has been running for more than two decades. Over the years there's been many changes from the event of those early years, but there's still plenty of the original action and we wouldn't want to lose things like the penny farthing races or the Oamaru Stone Sawing World Championships! It's now time for debriefing and to begin the planning for 2018.

This year's theme of Crime and Punishment allowed some good creativity and people are already asking what next year's theme will be. Overall it was a most enjoyable event for those who took part, and the volunteer committee deserves a lot of thanks and congratulations. Tourism Waitaki was very involved this year and helped to take some of the heavy-lifting from the volunteers. This has been a progressive change over the past few years and will continue to improve the sustainability of the event for many more to come. Thank you to all involved who have continue to evolve this important event.







### Heritage NZ's Landmark Programme

Otago was announced by Heritage NZ as the second province to be assessed for Landmark Status, with Northland being first. I believe this is in recognition of the significant heritage sites that we have throughout the region. We have also heard from HNZ just how highly it rates the built heritage in Oamaru – for its quality, its quantity, and the cohesive story that our buildings tell. We are expecting an announcement around mid-December when the Minister for Culture and Heritage, Prime Minister Jacinda Ardern, will release the list of those sites identified across Otago as having Landmark Status.

This will be very important as it is an almost-necessary step to World Heritage Status that we are currently working on. If we don't get recognised in the December announcement, we will have a huge, uphill battle to get WHS. However, given the reasons mentioned in my first paragraph, I am quietly confident that we will get the recognition we are seeking for a number of sites around Oamaru and the Waitaki District.

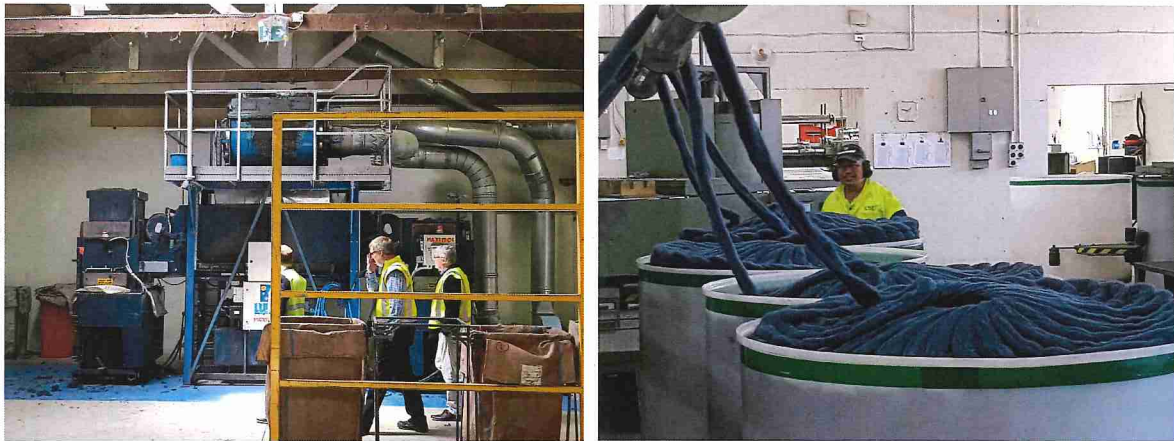
### Visit to Canterbury Wool Spinners Factory

Following an invitation from Canterbury Woolspinners (CWL) to visit their factory in Oamaru, the Councillors and I were pleased to get the guided tour through the factory. Some things look very similar to the way I remembered it back in the mid-1980s when I had a holiday job there at what was then Alliance Textiles, but there have been significant changes to some of the things they do, and the way they do them. When CWL took over the factory from the Sumitomo Corporation, they had to make these changes to become profitable and competitive. No longer would they produce wool for other customers. Instead their production was solely for their parent company, Godfrey Hirst.

The new operation started with just 30 staff, but it has gradually built to the current level of about 120 staff, making the factory once again a significant employer in Waitaki. They continue to fill a niche in the market which has disappeared in many other places, but the operation looks solid. Godfrey Hirst has just been bought out by an American company which could be concerning, however there could be more benefits than threats as this opens up whole new markets for CWL. We will continue to work with the company to help wherever possible, to keep growing the job opportunities for our people. They are doing an excellent job and are proudly flying the 'Made in Oamaru' flag!







A selection of shots from our tour of the Canterbury Wool Spinners factory in Oamaru

### **Committee Structure and Membership Realignment**

It's been a year since we implemented the current Committee arrangement, and it was done with the intention to review it after 12 months. This review has coincided with some changes in our organisation's senior management structure, which has meant the timing is very fortuitous. The changes will see the Finance, Audit and Risk Committee put on the same level as our three other main committees, even though it will still continue to meet monthly rather than six-weekly.

The other changes will see the return of reporting for our Council Controlled Companies to the full Council. The Customer Services Committee and the Community Services Committee have both had some changes of responsibilities and the new structure will see both of them share responsibility for any bylaw work that is required during the rest of this term. All-in-all, we do have some ability to control our workloads and the Committees are a way to share the workload across all Councillors. Being a small Council, we tend to be more hands-on with the details of the topics we deal with, and there is always a lot to be done.

The report in today's agenda which looks at the committee structure and responsibilities will be followed up by one in the New Year which will detail the delegations to each committee. I appreciate the involvement and cooperation of Councillors in making these changes happen.

### **Rural and Provincial Meeting Summary**

Deputy Mayor Tavendale's report on this meeting is attached as Appendix 1.

#### **Meetings Attended:**

2 October	Mayor and CE Catch-up
2 October	Draft Agenda Meeting
2 October	Introduction of New CE to Waitaki District Council
2 October	Introduction of new CE to North Otago Irrigation Company
4 October	Harbour accommodation EOI Update
4 October	Council Meetings
4 October	Council Workshops
4 October	Meeting with Mike McElhinney, Tourism Waitaki
4 October	Family Movie Night Trial
5 October	Meeting with Ivan Stevenson and Lawrence Gibb re Aviemore Classic Event
5 October	Introduction of new CE to Simon Berry (Whitestone Cheese)
5 October	Meeting with Michael Ross re NOIC
5 October	Introduction of new CE to Daryl Paterson, WBHS Rector
5 October	Meeting with North Otago St John
5 October	Meeting with Restorative Justice Stakeholders
6 October	Meeting with Marcel Roos re intern programme
6 October	Whitestone Cheese Factory expansion Opening
6 October	Prize draw for car competition, Anton Roswell

6 October	Whitestone Cheese Birthday Dinner
7 October	Radio Interview, with Carly Flynn, Radio Live, re Palmerston
7 October	Fire Service Gold Medal Award Event, Kakanui Hall
8 October	Art on Bikes with Youth Council
9 October	Mayor and CEO Catch-up
9 October	Corporate Planning Meeting
9 October	Meeting with Nikki Prendergast from MPI re M. Bovis
10 October	Meet and Greet with Fergus, around Library, Forrester Gallery, Aquatic Centre
11 October	Radio Interview, OJ from Port FM
11 October	Council Meetings
11 October	Council Workshops
11 October	Councillor Briefing
11 October	Meeting with Jason Gaskill, Tourism Waitaki
12 October	Meeting with Scott Tobin, Audit NZ
12 October	LGNZ Zone 5 and 6 Meeting, Cromwell
14 October	Rainbow Colour Run
15 October	America's Cup Carnival
15 October	Waitaki Boys' High School Movie Night
16 October	Mayor and CE Catch-up
16 October	Phoenix Water Wheel Trust meeting
16 October	Draft Agenda Meeting
16 October	Radio Interview with Dan Lewis
16 October	30 <sup>th</sup> Anniversary event for Recreation Centre
16 October	Meeting with Dave Heffernan re racecourse layby
16 October	Ahuriri Community Board Meeting
16 October	KRAIS Meeting
17 October	Meeting with Jock Webster re Springfield Road area flooding
17 October	Oamaru Whitestone Civic Trust Meeting
18 October	East Otago Field Days, Palmerston
18 October	Council Meetings
18 October	Council Workshop
18 October	Youth Council Meeting
19 October	East Otago Field Days
19 October	MPI Community Meeting, A&P Pavilion, Waimate
20 October	New Year's Eve event planning Meeting
20 October	Meeting with Richard Vinbrux
25-27 October	ICTC Main street Conference
25 October	Transforming Central Geelong, field trip
25 October	Melbourne Evening Economy field trip
2 November	Dugal Armour – Harbour Street Beautification
2 November	Whitestone Contracting Ltd Shareholding Meeting
2 November	Otago Mayoral Forum, hosting tour in Waitaki
3 November	Otago Mayoral Forum
3 November	Otago CDEM Meeting
3 November	Te Roopu Taiao
3 November	Ardgowan School Award Presentations for Pet Day
6 November	Meeting with Simon Williamson and Hamish Barrell, Otematata
6 November	SKC Senior Graduation Mass and Prize giving
7 November	Meeting with re possible Road Safety campaign
7 November	Waitaki Girls' High School Prize giving
8 November	Mayor and CE Meeting
8 November	Council Workshops
8 November	Waitaki Boys' High School Prize giving
9 November	Opening of South Island Library Managers' Meeting
9 November	Meeting with Damien Goodsir re community programmes
10 November	Harbour Area Committee Workshop – Visitor accommodation
10 November	Staff Farewell – Arthur Mahan
11 November	Armistice Day Commemoration
13 November	Mayor and CE Catch-up
13 November	Draft Agenda Meeting
13 November	Workshop 1 with ORC – Draft Air and Water Quality Plans
13 November	Meeting re New Year's Eve Event
13 November	Heritage District Walking Tour with CE

14 November	Phoenix Water Wheel Committee meeting
14 November	Meeting with Chris Barnes, re Coast Café road safety
15 November	Council Meetings
15 November	Youth Council Meeting
16 November	Meeting with Helen Algar
16 November	Mayoral Reception – Victorian Heritage Celebrations
17 November	Phoenix Water Wheel Social
19 November	Victorian Fete – Opening Speech
20 November	Mayor and CE Catch-up
20 November	Corporate Planning
20 November	Meeting – New Year's Eve Celebrations Planning
20 November	Meeting with WDC and Oamaru Licencing Trust
20 November	NOSLaM meeting
21 November	Meeting with Lucianne White – New Year's Eve Celebrations
21 November	Meeting with Oamaru Whitestone Civic Trust
22 November	Council Meetings
22 November	Factory Tour of Canterbury Spinners Limited
22 November	Council Workshops
23 November	Waitaki Lakes Shoreline Authorities Committee, Otematata
23 November	Meeting with Marise Martin, VHC
23 November	Judging of the Youth YouTube project
23 November	Crowe Horwath Christmas Function



**Mayor Gary Kircher**

**Attachment:**

Deputy Mayor Tavendale's report on Rural and Provincial Meeting

## APPENDIX 1

### Rural and Provincial Meeting 16-17 November 2017

#### Deputy Mayor's report

##### Earthquake Prone Buildings

Earthquake prone buildings were a major topic of discussion, with most concerns centred around the short timeframes in high-risk areas. The limited numbers of structural engineers will make deadlines hard to meet and is driving up prices. A number of Mayors are concerned the regulations could potentially devastate small towns.

Waitaki is fortunate that it falls in an area deemed low risk; we have time to learn from the experiences of other councils. However, we need to be mindful that the assessment and strengthening timeframes for low-risk areas are shared by a number of other regions and the limited availability of structural engineers will remain a challenge.

##### **Hon. Nanaia Mahuta, Minister of Local Government, Minister of Maori Development, and Associate Minister of Environment**

The Minister stressed that the new Government will take a fresh approach and work more collaboratively with local government. She would like Zone meetings to be used as a testing ground for potential new policy from early on in the process.

She highlighted that inequality, poverty and climate change are big discussions ahead of us, but to date their 100 Day Plan has chosen to focus on regional development, infrastructure and the 3 waters challenge. The new Government promises to look into regional rail opportunities, and is committed to creating other opportunities. This will include looking at how regional rail impacts and improves the passage of products, and having a nationwide look at our ports.

She wants to encourage Councils to move back into the affordable accommodation market, and look at new ways to approach state housing.

The Minister wants to increase civic participation, encourage youth participation, and look at how youth can impact the quality of our decision-making process in a more meaningful way. Electronic voting will help this.

##### **Rhys Jones, Chief Executive, Fire and Emergency NZ (FENZ)**

Primary message: FENZ wants to assure us they will remain in our communities. They recognise that rural fire brigades are the heart of many towns, and this will continue.

Wildfires are now an increasing reality of our life in New Zealand. We are seeing much drier seasons, but even wet conditions mean more growth that creates issues when it dries. We need to work together to raise awareness of this new threat.

##### **Rob Phillips, Chief Executive, Environment Southland – Biodiversity**

Biodiversity is an increasingly important national issue. LGNZ's new document is a think-piece, not a policy position, according to Mr Phillips.

A National Policy Statement (NPS) is currently under development. The collective response to this shows a confused picture, with a lack of clarity over roles and responsibilities. Regional councils are collectively spending \$70m nationally, yet biodiversity is still in decline. The document suggests that we need to up our game, as our current 'work as usual' approach is not enough. It is recommended that regulation be part of this, but one size will not fit all.



The document lists five recommendations for change:

- Strong leadership and clarity of roles
- Agreement on priorities
- A plan and coordinated action
- What does success look like – measurement
- Fit for purpose framework.

The group behind the biodiversity think-piece has come up with these recommendations, with a particular focus on the role and work of regional councils. They believe biodiversity is a key national issue and regulation will be a part of the solution, but it needs to be structured and implemented carefully.

A number of speakers voiced their concerns around private land rights and the suitability of it sitting with regional councils. LGNZ stressed this document has not been endorsed by them, and it is merely an attempt to encourage discussion.

More detail on these recommendations can be found at [www.lgnz.co.nz/assets/Uploads/44744-LGNZ-Biodiversity-wraparound-7-FINAL.pdf](http://www.lgnz.co.nz/assets/Uploads/44744-LGNZ-Biodiversity-wraparound-7-FINAL.pdf)

A full copy of the think-piece document can be found at <https://drive.google.com/file/d/0B6hiETGyE0fAR1FzT0JmbWZra1k/view>

### **Rural health workforce - Helen Morgan-Banda, Chief Executive, the Royal NZ College of General Practitioners**

Challenges for patients:

- Cost of travel
- Long wait times
- GP vacancies
- Technology

You should be able to see a doctor when you need to see a doctor. There is a huge gap in the 35-50 age group, where fewer people trained as GPs. Many of the younger female practitioners work differently, and often do not want to work rurally.

We are struggling to get our New Zealand graduates to the regions, so tend to rely on international medical graduates. The availability of jobs for GP's partners can be a big factor.

We need to be better at marketing our towns and lifestyles. With lower rural wages, we need to consider how younger doctors pay back their student loans and buy into their practices. Some areas are coming up with inventive ways to address these issues.

Helen mentioned there could be potential for a rural school of health; perhaps Waitaki could look into this a bit more.

### **Hon Phil Twyford – Minister of Housing and Urban Development, Minister of Transport.**

This new Government puts a premium on engagement with local government, and will start as they intend to go on.

Tackling the housing crisis is very close to the top of our list of priorities, with recognition that this is not exclusively an Auckland problem.

Regional Economic Development is one of the Government's top priorities. Negotiations with New Zealand First have pushed it even higher on the list. The Labour-led Government will invest \$1b a year towards rail and other economic development infrastructure.



**Transport:**

In larger urban centres, priority will be given to modern transport. Across the country how we handle freight needs to be worked on, with the best mix of modes to deliver the best outcomes.

Labour has been very vocal that the past Government has spent too much money on motorways. More information on this will be in the Global Positioning Statement, to be released early next year.

**Housing:**

The housing crisis has many forms, with the darkest and most compelling being homelessness. It robs people of their dignity, and kids are growing up denied the basic security needed. New Zealand has falling rates of home ownership, a poor quality housing stock, and every winter approximately 1600 (usually older) people are dying of preventable, housing-related deaths.

Local Government does not have access to all levers that need to be pulled to get results, but the Government does a better job when working collaboratively.

KiwiBuild is a mass procurement programme looking at building 100,000 affordable homes. The aim is for the first time in 40 years the supply curve will be ahead of demand curve. Top priority will be given to end homelessness. The Minister is very aware that workforce constraints are one of the biggest obstacles. He does not apologise for being ambitious about this. The Government plan is to bring in skilled people from overseas. They believe building high-quality homes offsite, in factories, will create a superior product at a lower cost.

Last year 1400 state houses were sold; the Minister vowed to stop the sell-off of state housing. It will soon be illegal for landlords to rent out cold damp homes, and a review of tenancy laws will mean more security of tenure.

The Minister observed how quickly smaller housing markets can be destabilised and is very conscious of that. He does not want to see those who have invested in special housing areas to be disadvantaged. There needs to be a ready pipeline of debt financing, but the use of Housing Infrastructure Funds and crown partners will keep the financing off Local and Central Government balance sheets).

The Minister emphasised he would like Councils to play a role in the provision of housing in partnership with the Government. Government is committed to rolling up its sleeves to provide affordable housing, and the Minister challenges local government that there is no reason why we cannot be doing the same. The modern mix of housing New Zealand needs will not happen on its own. Waitaki Chief Executive Fergus Power raised our Observatory Retirement Village as a useful case study, with profits going back into healthcare locally. The Minister was hugely interested, and asked to be sent a letter better describing the initiative, including an invitation to Waitaki to see it for himself.

**Melanie Tavendale**  
**Deputy Mayor**

# Waitaki District Council Memorandum

**From** Chief Executive

**Date** 6 December 2017

## Chief Executive's Report

### Recommendation

1. That Council receives the information.

### Purpose

The following comments are provided to bring Councillors up-to-date with issues that have arisen since the last Council meeting on 25 October 2017.

#### 1. Leadership

A structural realignment of Council has been completed, with Council's resulting new Committee structure set out in Appendix A.

This structure came into effect on Monday 4 December 2017.

The proposed new Council Committee structure is anticipated to come into effect on 1 January 2018.

The outcomes sought in this realignment were:

- To provide functional cohesion and clarity to the group structure;
- To lift the leadership of key units of Council to the Executive level;
- To continue the people, systems and process drive of the organization;
- To reinforce an enhanced focus of the 'One Team' approach; and
- To position ourselves as a nimble, innovative and proactive Council, to better meet the needs of our community.

I believe that these goals will be met under the new structure.

#### 2. Internship Programme

We are off to a very good start with respect to Council's new international tertiary student internship programme. Six out of seven initial intern opportunities have been filled, and it is anticipated that the international internship will shortly be fully subscribed.

#### 3. LGNZ Rural and Provincial

Significantly, Ministers of the Crown, when addressing the LGNZ Rural & Provincial meeting on 16 and 17 November 2017, emphasised that government intended to reinstate the four wellbeings to be considered by local authorities - economic, environmental, cultural and social.

#### 4. Business Visits

13 November	Mike Gray Heritage District Walkabout, Oamaru
17 November	Andrew Jefferies (CEO) and John Pagani (External relationships Manager) (NZOG) (Wellington)
20 November	Oamaru Licensing Trust
20 November	Presentation to Waitaki Tourism Association, Pen-y-Bryn, Oamaru
22 November	Canterbury Spinners Ltd
24 November	Penguin Colony Tour
24 November	Oamaru Steam and Rail, Oamaru



Inspection – Oamaru Steam & Rail

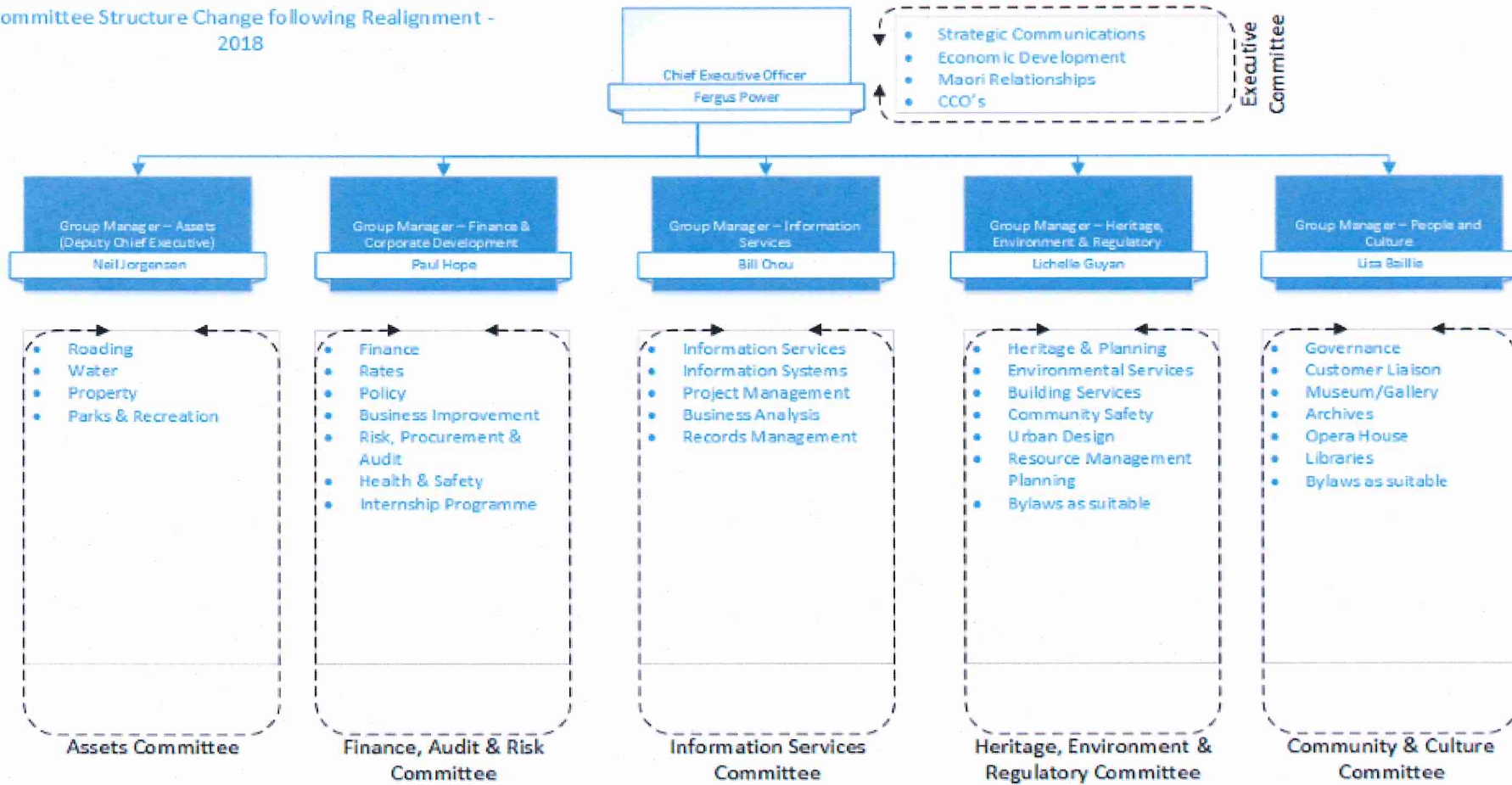
## 5. Meetings Attended

24 October	Glenn Campbell, Whitestone Contracting
25 October	LGNZ President and Vice President Roadshow Meeting, Oamaru
26 October	Brenda Reading, Horse Riding in the District/ Building Department
26 October	Paul Mutch, Palmerston AMP
27 October	John Hutchings (Henley-Hutchings) – Mackenzie Agency Alignment Project
30 October	Canterbury Chief Executives Forum, Christchurch
30 October	Struan Purdie, film maker, Christchurch
02 November	Professor Richard Walter
02 November	Whitestone Contracting Ltd Shareholders' Meeting
02-03 November	Otago Mayoral Forum, Oamaru
03 November	Whitestone Contracting Ltd
03 November	Annalisa Haskell (CEO, LG Professionals Australia, NSW)
03 November	Alicia Mackay (Structured Conversations)
06 November	Alps 2 Ocean Joint Committee Meeting, Omarama
06 November	Andrew Ballantyne, Chair, Waitaki Valley Winegrowers Association
06 November	Alps 2 Ocean Annual Summit 2017, Omarama
07 November	Qrious big data meeting
07 November	Maddy Maxwell, discussion re filming opportunities in Waitaki district
07 November	Steampunk NZ Trust (Helen Jansen, Trustee, Iain Clark, Trustee Caitriona Prunty, Festival Coordinator)
08 November	Bill Bayfield, CEO, ECan and Suzette van Aswegen (CE Mackenzie District Council) – Mackenzie Review
09 November	Philip Jones (LGNZ Equip (Development Contributions)
09 November	Speech and panel for Library Managers Conference, Oamaru
10 November	South Island Library Manager's Dinner Meeting, Oamaru
10 November	Library Conference Opening, Oamaru
16-17 November	LGNZ Rural and Provincial Meeting, Wellington
18 November	Victorian Fete, Oamaru
19 November	Victorian Fete, Oamaru
20 November	Alicia Mackay (Structured Conversations)
21 November	BERL – discussion re economic benefit of Steampunk to Oamaru and Waitaki district
23 November	Rob Greaney, Healthsongs
23 November	Jacqui Dean, MP
23 November	Helen Stead
30 November	Canterbury Mayoral Forum
01 December	Canterbury Mayoral Forum
04 December	Film Otago Southland
05 December	Fi McKay (MBIE)
05 December	A2O Ultra Partners Function

  
 Fergus Power  
 Chief Executive Officer

APPENDIX A

Committee Structure Change following Realignment - 2018



# *Waitaki District Council Report*

**From** Chief Financial Officer

**Date** 6 December 2017

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## **Recommendations from Finance, Audit and Risk Committee Meeting 8 November 2017**

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### **1. Second Quarter 2017-18 Treasury Strategy**

RESOLVED  
FAR17/072

Cr Hopkins / Cr Garvan

"That the Finance, Audit and Risk Committee recommends:

That Council:

1. Adopts the proposed Treasury Strategy for the second 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



Paul Hope  
Chief Financial Officer



# Waitaki District Council Report

**From** Assets Group Manager

**Date** 6 December 2017

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## Recommendations from Assets Committee Meeting 22 November 2017

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### 1. Acquisition of Land – Weston

The report, as circulated, presented information to assist Council with a decision about whether to accept ownership of this gifted piece of land at Weston.

RESOLVED  
AC17/054

Cr Tavendale / Cr Hopkins

“That the Assets Committee recommends:

That Council:

1. Accepts the gift of land known as Weston Triangle from the North Otago Tree Planting Association Incorporated contained in certificate of title OT58/161 (Sec 53, Block III District of Oamaru).”

CARRIED

### 2. Waterfront Road Extension

The report, as circulated, sought to obtain Council's final approval for the Annual Plan project to realign Arun Street between Tyne Street and Waterfront Road so that the work can be completed this financial year, and to confirm the new road will be an extension of Waterfront Road.

RESOLVED  
AC17/055

Cr Tavendale / Cr Dawson

“That the Assets Committee recommends:

That Council:

1. Approves the tendering and construction of the realigned route of Arun Street between Tyne Street and Waterfront Road within approved budgets.
2. Approves the naming of the new route as Waterfront Road.”

CARRIED

### 3. Closed Portion of Beach Road

The report, as circulated, sought to resolve driveway access issues created by coastal erosion and protect road users in vehicles using this section of Beach Road.

RESOLVED  
AC17/056

Cr Hopkins / Cr Tavendale

“That the Assets Committee recommends:

That Council:

2. Approves expenditure of \$12k +GST to relocate access to a dwelling from the unmaintained portion of Beach Road to Gardiners Road, funded from the Extent of Network budget.
3. Restricts access to vehicles along the unmaintained section of Beach Road due to increasing safety concerns.”

CARRIED

#### 4. Oamaru Creek Bridge: Decorative Enhancements

The report, as circulated, sought to present to the Committee the construction drawings for the Oamaru Creek Bridge, and information about how they can be used for decorative designs.

RESOLVED  
AC17/058

Mayor Kircher / Cr Wollstein

"That the Assets Committee refers the bridge design to the Harbour Area Committee to look at the possibility of decorative enhancements, and reports back to Council in due course."

CARRIED



Neil Jorgensen  
**Assets Group Manager**

# Waitaki District Council Report

**From** Acting Community Services Group Manager

**Date** 6 December 2017

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## Recommendations from Community Services Committee Meeting 22 November 2017

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### 1. Infants' Area – Oamaru Cemetery

The report, as circulated, presented refurbishment concept plans for the infants' area at the Oamaru Cemetery, for consideration and recommending to Council.

RESOLVED  
CSC17/038

Cr Kingan / Cr Wollstein

"That the Community Services Committee recommends:

That Council:

1. Sends a letter from the Mayor, thanking Roseanne Sheridan and donors for their initiative and contributions.
2. Approves refurbishment of the infants' area of the Oamaru Cemetery in accordance with the concept plans provided in Attachment Two to this report.

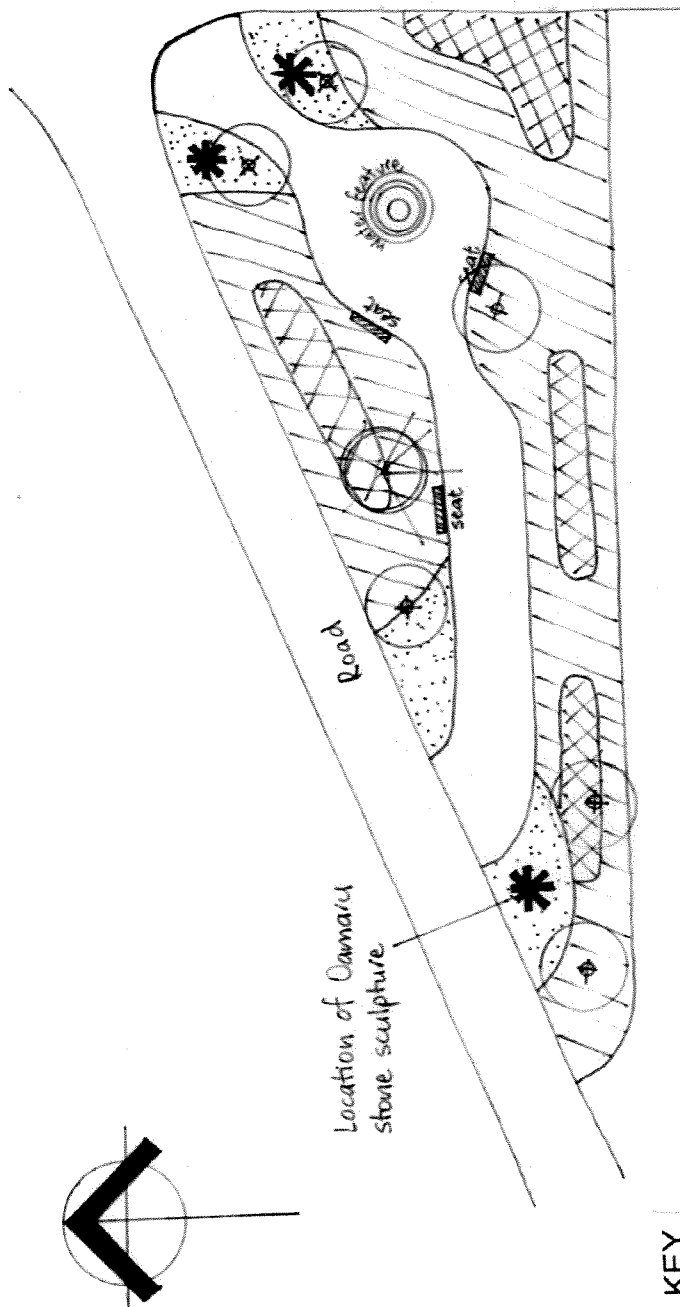
CARRIED



Lichelle Guyan  
Acting Community Services Group Manager

**Attachment – Concept Plan (Attachment 2 to original report)**

## Attachment Two – Draft Concept Plan



## KEY

- |  |  |  |  |
|--|--|--|--|
|  | Existing totara  |  | Roses and lavender planted at entranceways                         |
|  | Sophora microphylla  |  | Shrub planting (1 metre) to help create privacy, includes Magnolia |
|  | Features at entranceways including a sculpture and a piece of granite with a plaque. |  | Lower shrub and groundcover plantings                              |

## DRAFT CONCEPT PLAN

Infant's Cemetery

Oamaru Cemetery, Oamaru

Note: Not to Scale

Prepared by Stephanie Scott, Landscape Architect

PH: 0274 387 875

1 September 2017



# Waitaki District Council Report

**From** Customer Services Group Manager

**Date** 6 December 2017

## Adoption of Waitaki District General Bylaw 2017

### Recommendations

The Customer Services Committee recommends:

That Council:

1. Agrees to the implementation of changes to the Draft Waitaki District General Bylaw 2017 as provided in Appendix 3.
2. Notes that the changes to the Draft Waitaki District General Bylaw 2017 do not represent a significant departure from the Draft Bylaw as consulted, and that community feedback and national direction was received and considered around these matters.
3. Having regard to sections 155, 159 and 160 of the Local Government Act 2002 (the Act):
  - i) Agrees that the Waitaki District General Bylaw 2017 provided in Appendix 4 is considered the most appropriate and proportionate way of addressing the perceived problems to protect persons using and trading in reserves and public places, and minimise nuisance and maintain public health and safety associated with the keeping of animals, birds and bees; and
  - ii) Revokes and replaces the Waitaki District Council General Bylaw 2006 with a new Bylaw;
  - iii) Agrees that the proposed Bylaw attached as Appendix 4 (with amendments as Council sees fit) is the most appropriate form of bylaw;
  - iv) Agrees that the proposed Bylaw is consistent with the New Zealand Bill of Rights Act 1990 as the controls are reasonable and justifiable in the circumstances.
4. Adopts the Waitaki District General Bylaw 2017 (as set out in Appendix 4 with amendments as it sees fit), and subject to the approval from the Minister of Conservation – Reserves section to come into effect on 1 July 2018.
5. Commits for consideration through the 2018-28 Long Term Plan an amount of \$10,000 per annum for two (2) years to support responsible cat ownership in the District.
6. Supports the development of a Cat Management Strategy in line with national direction with a view to promoting responsible cat ownership and management in the Waitaki District which may include a joint campaign with vets, the SPCA and regional councils.

### Summary

Council has implemented a robust process to review the Waitaki General Bylaw 2006 (commencing in September 2016), and now, having consulted with the community, is entering the final stage of deciding the form of a new General Bylaw to take Council forward for the next 10 years.

Community feedback through the consultation process, and Councillor consideration in various forums has resulted in changes that are now reflected in the Waitaki District General Bylaw 2017 provided as Appendix 4. These changes are scheduled in Appendix 3.

The recommendations of this report incorporate those resolved at the Customer Services Committee Meeting of 22 November 2017, and additional changes arising from legal advice sought on matters raised there.

### Summary of Decision Making Criteria

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	Key	Environmental Considerations	No
Legal	Key	Cultural Considerations	No
Significance	Key	Social Considerations	Key
Financial Criteria	Moderate	Economic Considerations	Moderate
Community Views	Key	Community Board Views	Key
Consultation	Key	Publicity and Communication	Key

## Background

The Draft Waitaki District General Bylaw 2017 was consulted on with the Waitaki community over the period 3 July to 3 August 2017. Thirty-one (31) written submissions were received and considered by Council at the 9 August 2017 Extraordinary Council meeting. In addition, approximately thirty (30) Facebook comments were also considered by Council. Council further workshopped and deliberated around General Bylaw matters at the 11 October 2017 and 22 November 2017 Customer Services Committee meetings, and three other Council workshops.

Appendix 2 to this report provides a detailed analysis of the issues raised in the submissions. A summary of key policy issues raised includes:

### RESPONSIBLE CAT OWNERSHIP

- A request for Council's rationale for micro-chipping companion cats;
- Micro-chipping and the effects on senses and the nervous system of cats affected by Wi-Fi, radio, TV, mobile phones, smart meter pulsing and other electric signals;
- Recommendations that all companion cats should be micro-chipped, nationally registered, de-sexed and vaccinated (not just for multi-cat households);
- A request for clarification of Council's process around managing stray and feral cats, and cat colonies;
- A suggestion for the definition of stray and feral cats to be included in the bylaw;
- A suggestion for cat-free zones for new housing subdivisions and builds adjacent to reserves or ecologically sensitive areas, eg Moeraki peninsula;
- Several calls for cat curfews at night;
- Several recommendations for the keeping of less than three (3) companion cats per property (eg 1, or 2);
- A call to differentiate urban and rural properties for proposed maximum number of cats per property.

### KEEPING OF ANIMALS AND BIRDS IN URBAN AREAS

- A call for more prescriptive provisions, eg maximum numbers, conditions around keeping animals and birds within the bylaw.

### KEEPING OF BEES IN URBAN AREAS

- A suggestion that a permit be required to keep all bees in urban areas to ensure biosecurity requirements are met.

### KEEPING OF ROOSTERS IN URBAN AREAS

- Seeking confirmation on how Council will contact existing owners of roosters in urban areas;
- A concern around exemptions being available to keep roosters in urban areas for members of a club/society affiliated to national association (all roosters crow).

### HEALTH PROTECTION – TATTOOISTS AND BEAUTICIANS

- A concern that the issue of public health protection (tattooists and beauticians) has not been addressed through a regulatory provision (eg the requirement to license premises).

### Outcomes of 22 November 2017 Customer Services Committee meeting

Councillors further debated the proposed companion cat bylaw provisions and approach, and made other suggested refinements to the Bylaw.

Officers were requested to progress the following actions prior to Council adopting the Bylaw:

- Obtaining legal opinion on the use of the term "amenity" in the general nuisance clause 55;
- Obtaining legal opinion on the term "reduce" in the general nuisance clauses 55 (animals/birds) and 67 (companion cats) and, in particular, whether this empowers Council to exercise judgement on this matter (eg elimination of all cats if this was deemed necessary);
- Enabling Councillors to view the draft guidelines for busking in public places prior to the bylaw being adopted (to support proposed clause 24 – busking in public places).

### ***Officer Responses to requests for further action:***

#### ***Legal opinions received***

- **Amenity:** legal advice has confirmed that the concept of a "nuisance" is a valid reason to have this Bylaw, and that it would relate to potential impacts on people's amenity, being their enjoyment of their property which is affected by neighbouring animals and birds. In relation to proposed clause 67 (general nuisance clause for companion cats), legal advice has recommended that Council delete this provision, because worded the same as clause 55, it is an unnecessary duplication.

In response to legal advice received, officers recommend to Council that "amenity" is retained within the general nuisance clause 55, and that clause 67 be deleted. This removes the separate section on companion cats from the bylaw, to be covered in the animals and birds section of the bylaw. Domestic companion cats are included in the definition of animals within the Bylaw.

- **Reduce:** legal advice has confirmed that enforcing the Bylaw would require an Authorised Officer to take reasonable steps to ensure that the Bylaw is serving its purpose (to avoid nuisance, injury or hazardous activities to the health or safety or amenity of any persons on their property). Council can only require removal of cats necessary to bring about a situation where a nuisance, or impacts on health or safety of people, are no longer being created. This would require assessment of the particular circumstances and a judgment formed as to what is an appropriate response in those circumstances. Importantly, Council could not reasonably use its power under this clause to require removal of all cats as a matter of policy.

In response to legal advice received, officers recommend to Council that no further amendment is required to clause 55.

#### ***Busking***

The draft guidelines for busking in public places are attached in Appendix 4. Councillors are asked to note that, while these guidelines will sit outside of the Bylaw, they do support clause 24 of the bylaw (busking in public places).

### **Recommended changes pursuant to discussions and resolutions at the 22 November Customer Services Committee Meeting and incorporating responses to Councillor requests for legal opinion and additional information**

A summary of the proposed changes to the Draft Waitaki District General Bylaw 2017 follows, pursuant to the recommendations resolved by the Customer Services Committee at its 22 November 2017 meeting and in accordance with the legal opinions received to the questions raised by Councillors during that meeting discussion. Details of the key submission points, Council's response to these, and the proposed changes to the Draft Bylaw are found in Appendices 2 and 3.

- The requirement to obtain a permit from Council to keep up to two bee hives in an urban area (change to clause 62);
- Additional provisions around the keeping of animals and birds requiring effective containment (excluding domestic companion cats), and to ensure the welfare needs of animals and birds have been met (change to clause 54) – this includes a re-ordering of words to clarify that domestic companion cats are required to be well housed and their welfare needs met but not required to be contained;
- Minor change to clause 27 (crossing of stock in a public place), only permitting this activity if the written approval has been obtained from the Chief Executive (originally proposed to be prohibited);
- An amendment to clause 58 (roosters) to clarify exemptions for breeders and/or exhibitors;
- The removal of clauses 67-72 (domestic companion cats) – noting a general nuisance provision for all animals and birds remains in clause 55 (including domestic companion cats);
- Minor amendments to clauses 10 and 42 clarifying Council's powers to fine (on conviction) under the Health Act 1956 and the Reserves Act 1977;
- Minor grammatical corrections throughout the bylaw.



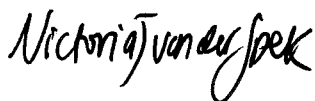
### Assessment of preferred options

The changes proposed in Appendix 3 to the Draft Waitaki District General Bylaw 2017 follow as recommended by the Customer Services Committee at its 22 November 2017 meeting. The proposed regulatory options are considered to be the most appropriate and proportionate way of addressing the perceived problems to protect persons using and trading in reserves and public places, and to minimise nuisance and maintain public health and safety associated with the keeping of animals, birds and bees (including domestic companion cats).

### Conclusion

The recommendations to this report were tabled, discussed and resolved at the 22 November 2017 Customer Services Committee for approval by Council at its 6 December 2017 meeting. Officers were also asked at the 22 November 2017 Committee meeting to obtain legal opinions and provide additional information. Responses to those requests have been provided in this report, and the bylaw document (attached as Appendix 5) has been updated to reflect this information.

The Waitaki District General Bylaw 2017 is scheduled for Council adoption at this Council meeting on 6 December 2017, subject to sign-off from the Minister of Conservation for the Reserves Act provisions of the Bylaw. It is proposed to come into effect on 1 July 2018.



Victoria van der Spek  
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Policy and Planning**



Mike Roesler  
**Policy and  
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Lisa Baillie  
**Customer Services  
Group Manager**

### Appendices

1. Additional decision-making considerations
2. Summary and analysis of key issues arising from consideration of submissions to Draft Waitaki District General Bylaw 2017
3. Proposed changes to Draft Waitaki District General Bylaw 2017 following submissions
4. Draft Waitaki District busking in public places guidelines
5. Waitaki District General Bylaw 2017

## Appendix 1: Additional Decision Making Considerations

The following matters have been considered in making the decisions.

### Waitaki Community Outcomes

This project will contribute to the following community outcomes:

- We maintain the safest community we can
- We understand the diverse needs of our community

### Policy and Plan Considerations

The Waitaki District General Bylaw 2017 is consistent with Council's bylaw making powers under the Local Government Act 2002 (LGA02) including:

- Protecting the public from nuisance;
- Protecting, promoting and maintaining public health and safety; and
- Minimising the potential for offensive behaviour in public places.

The Waitaki District General Bylaw 2017, in its recommended format, is consistent with the New Zealand Bill of Rights Act 1990 as the controls are reasonable and justifiable in the circumstances.

### Legal

It is not a legal requirement for Council to have a General Bylaw. However, without a bylaw, Council has limited powers to protect persons using and trading in reserves and public places, and to minimise nuisance and maintain public health and safety associated with the keeping of animals, birds and bees. Council has a duty of care under the LGA02 to protect the health and safety of the local community and minimise other public nuisances.

### Significance

An updated General Bylaw will provide the community and relevant agencies with certainty around how Council wishes to manage public health and safety and public nuisances.

### Financial and Economic Considerations

The Bylaw will assist in Council decision-making and in setting levels of service which drive budgets.

### Community Views and Consultation

The draft General Bylaw was consulted on with the community over a one-month period as required under the special consultative procedure of the LGA02. Submissions were considered, and a final format for the bylaw has been proposed for adoption by Council.

### Environmental Considerations

There are no specific environmental considerations resulting from the development of the Bylaw.

### Cultural and Community Board Considerations

There are no specific considerations resulting from a review of the General Bylaw. Iwi and Community Boards have had the opportunity to express their views as part of the submissions process.

### Social Considerations

This Bylaw will affect social wellbeing.

## Appendix 2: Summary and analysis of key issues arising from consideration of submissions to Draft Waitaki District General Bylaw 2017

Issue	Comments	Recommended change to Draft Waitaki District General Bylaw 2017
<b>RESPONSIBLE CAT OWNERSHIP</b>		
Council's rationale for micro-chipping companion cats	<ul style="list-style-type: none"> <li>• To provide for the identification of companion cats, giving the animal a degree of protection and a higher chance of being returned to their home when lost (especially in conjunction with other cat management techniques, eg trapping).</li> <li>• The proposed bylaw provisions only required multi-cat households to do so (greater than 3 cats).</li> <li>• National direction received following the notification of the draft Bylaw has led to Council proposing the removal of the proposed provisions around requiring cats living multi-cat households to be micro-chipped, registered and de-sexed (see Appendix 3).</li> </ul>	<ul style="list-style-type: none"> <li>• Remove clauses 67-72.</li> </ul>
Micro-chipping and the effects on senses and the nervous system of cats affected by Wi-Fi, radio, TV, mobile phones, smart meter pulsing and other electric signals	<ul style="list-style-type: none"> <li>• Officers are unaware of research to indicate radiofrequency from other devices has the ability to affect the nervous system of a micro-chipped cat.</li> <li>• The Draft National Cat Management Strategy 2016 promotes compulsory micro-chipping of all companion cats over six months of age.</li> <li>• National direction received following the notification of the draft Bylaw has led to Council proposing the removal of the proposed provisions around requiring cats living multi-cat households to be micro-chipped, registered and de-sexed (see Appendix 3).</li> </ul>	<ul style="list-style-type: none"> <li>• Remove clauses 67-72.</li> </ul>



<p>All companion cats should be micro-chipped, nationally registered, de-sexed and vaccinated (not just for multi-cat households)</p>	<ul style="list-style-type: none"> <li>• The draft Bylaw provisions only require these measures to be undertaken if there are greater than three cats on a property.</li> <li>• Given that Council is currently silent on the management and/or regulation of companion cats, it was considered that the proposed bylaw provisions were a starting point and will send a signal to the community that responsible cat ownership is important.</li> <li>• Further traction at the central government level may occur during the lifetime of the bylaw, including the possibility of national cat regulations.</li> <li>• National direction received following the notification of the draft Bylaw has led to Council proposing the removal of the proposed provisions around requiring cats living multi-cat households to be microchipped, registered and de-sexed while still retaining a general nuisance clause for animals and birds (includes domestic companion cats) (see Appendix 3).</li> </ul>	<ul style="list-style-type: none"> <li>• Remove clauses 67-72.</li> </ul>
<p>Council's process around managing stray and feral cats, and cat colonies</p>	<ul style="list-style-type: none"> <li>• Council does not currently manage cats as part of its animal control operations (cats are excluded from the 2006 General Bylaw provisions). However, if additional funding and resourcing was available, there is the opportunity to partner with other agencies (eg SPCA and the two regional councils), and to be guided by national direction. Education is an important factor in influencing the growth of cat colonies.</li> <li>• Council is proposing to develop and support a Cat Management Strategy in line with national direction with a view to promoting responsible cat ownership and management in the Waitaki District.</li> </ul>	<ul style="list-style-type: none"> <li>• No changes to bylaw proposed.</li> </ul>

<p>Definition of stray and feral cats to be included in the bylaw</p>	<ul style="list-style-type: none"> <li>• Stray and feral cats are not referred to in the bylaw.</li> <li>• The management of stray and feral cats is more appropriately addressed through non-regulatory measures, eg partnership with SPCA and regional councils.</li> <li>• Council is proposing to develop and support a Cat Management Strategy in line with national direction with a view to promoting responsible cat ownership and management in the Waitaki District.</li> </ul>	<ul style="list-style-type: none"> <li>• No changes to bylaw proposed.</li> </ul>
<p>Cat-free zones for new housing subdivisions and builds adjacent to reserves or ecologically sensitive areas, eg Moeraki peninsula</p>	<ul style="list-style-type: none"> <li>• Council considers that cat-free zones are more appropriately dealt with outside of the bylaw through other mechanisms.</li> <li>• Council, through its planning assessments (new subdivisions and new builds), could consider a condition of consent requiring an area to be cat-free particularly adjacent to highly threatened environments where there are known populations of skinks, shags, penguins, lizards, native birds etc.</li> <li>• Council could designate areas of reserves in sensitive ecological locations as pest-free, and undertake trapping of feral cats, or supply traps and related training as necessary to private land owners adjoining the reserve to undertake this work.</li> <li>• Another alternative is to encourage volunteers to trap feral cats in sensitive environments, eg Moeraki peninsula. Council could consider subsidising or supplying traps for this purpose.</li> <li>• Council is proposing to develop and support a Cat Management Strategy in line with national direction with a view to promoting responsible cat ownership and management in the Waitaki District.</li> </ul>	<ul style="list-style-type: none"> <li>• No changes to bylaw proposed.</li> </ul>

Calls for cat curfews at night	<ul style="list-style-type: none"> <li>• The submitter refers to the Australian context (State of Victoria) where there is legislation in place to control cats. Without similar legislation in place in New Zealand, Council – through a bylaw provision under the LGA02 – has limited powers available to request cat curfews at night.</li> <li>• Voluntary measures through education would be a more effective mechanism.</li> </ul>	<ul style="list-style-type: none"> <li>• No changes to bylaw proposed.</li> </ul>
Recommendation for less than 3 cats per property (1, or 2)	<ul style="list-style-type: none"> <li>• Some submitters were supportive of more restrictions on the number of cats per rateable property to encourage Councils position around responsible cat ownership.</li> <li>• As discussed above, given that Council is currently silent on the management and/or regulation of companion cats, it was considered that the proposed bylaw provisions were a starting point and would send a signal to the community that responsible cat ownership is important.</li> <li>• National direction received following the notification of the draft Bylaw has led to Council proposing the removal of the proposed provisions around a maximum number of cats per rateable property, while still retaining a general nuisance clause for animals and birds (includes domestic companion cats) (see Appendix 3).</li> </ul>	<ul style="list-style-type: none"> <li>• Remove clauses 67-72.</li> </ul>
Differentiating urban and rural properties for proposed maximum number per property	<ul style="list-style-type: none"> <li>• The draft Bylaw provisions related to both urban and rural properties to make easier bylaw implementation.</li> <li>• National direction received following the notification of the draft Bylaw has led to Council proposing the removal of the proposed provisions around a maximum number of cats per rateable property, while still retaining a general nuisance clause for animals and birds (includes domestic companion cats) (see Appendix 3).</li> </ul>	<ul style="list-style-type: none"> <li>• Remove clauses 67-72.</li> </ul>

<b>KEEPING OF ANIMALS AND BIRDS IN URBAN AREAS</b>		
Keeping of animals – call for more prescriptive provisions	<ul style="list-style-type: none"> <li>• One of the principles of the bylaw review was to create a streamlined bylaw with provisions that give Council staff the ability to act on major nuisance and health and safety issues.</li> <li>• Prescribing maximum numbers of poultry per section does not address all nuisance-related matters due to an inconsistent size in urban properties – there is also an increased administrative component if permits were to be required.</li> <li>• As there is no mechanism to fine under the bylaw, educational and best practice approaches (including guidelines around the keeping of animals) are considered to be most appropriately placed outside of the bylaw, but can be referenced by animal owners and Council enforcement staff.</li> <li>• There is a general provision in the Bylaw that allows – on a complaints basis – for nuisance issues to be addressed, including requiring steps to be taken if necessary.</li> </ul>	<ul style="list-style-type: none"> <li>• Amend clause 54 to require animals and birds to be effectively contained (excluding domestic companion cats), and ensure that the welfare needs of the animals or birds are met – this includes domestic companion cats (see Appendix 3 for details).</li> <li>• Proposed guidelines to be included on Council's website around the keeping of animals, birds and bees and Council expectations around the keeping of animals in urban areas (eg around welfare, hygiene, size of property).</li> </ul>
<b>KEEPING OF BEES IN URBAN AREAS</b>		
Permit requirement to keep all bees in urban areas to ensure biosecurity requirements are met	<ul style="list-style-type: none"> <li>• The proposed bylaw provisions require a permit for the keeping of more than two (2) beehives per property in urban areas.</li> <li>• The proposed bylaw provisions also require beekeepers to be registered on the national database and to meet legal requirements of the national body.</li> <li>• Council is not proposing any controls around beekeepers in rural areas.</li> </ul>	<ul style="list-style-type: none"> <li>• Amend clause 62 to require a permit to keep beehives in urban areas (not just more than two as currently drafted), and to enable the sighting of documentation to prove that hives are registered with the national body (see Appendix 3 for details).</li> </ul>
Council should encourage bee strips/gardens in its reserves across the District	<ul style="list-style-type: none"> <li>• Council has the ability to implement these measures outside of a bylaw, through its day to day reserves management activities, eg planting some neighbourhood reserves with wild grasses, reducing the use of pesticides and herbicides. This information will be passed on to Council's Recreation unit.</li> </ul>	



<b>KEEPING OF ROOSTERS IN URBAN AREAS</b>		
Roosters – confirmation on how Council will contact existing owners of roosters in urban areas	<ul style="list-style-type: none"> <li>Council proposes to notify existing rooster owners in urban areas through the usual communication channels, and encourage them to identify their birds, e.g through registration or micro-chipping (to meet the proposed existing use rights status), otherwise the keeping of roosters in urban areas is proposed to be prohibited.</li> </ul>	<ul style="list-style-type: none"> <li>No changes to bylaw proposed.</li> </ul>
Concern around exemptions being available to keep roosters in urban areas for members of a club/society affiliated to national association (all roosters crow)	<ul style="list-style-type: none"> <li>The proposed bylaw provisions provide for general nuisance issues to be addressed irrespective of whether the owner has an exemption or not to keep roosters in urban areas.</li> </ul>	<ul style="list-style-type: none"> <li>Minor change to clause 58 clarifying the exemptions for breeders and/or exhibitors.</li> </ul>
<b>HEALTH PROTECTION – TATTOOISTS AND BEAUTICIANS</b>		
The issue of public health protection (tattooists and beauticians) has not been addressed through a bylaw provision	<ul style="list-style-type: none"> <li>Public Health South recommended that Council did not impose regulations in this area, and suggested that non-regulatory mechanisms were often more effective to address health issues.</li> <li>Council proposes to initiate some non-regulatory measures to make the community aware of the lack of regulations in the tattooist and beautician industries, and where the opportunity arises for environmental health, officers to point these sectors to best practice measures to minimise risks to public health.</li> <li>Council already has a page on its website dedicated to this issue, including industry best practice.</li> </ul>	<ul style="list-style-type: none"> <li>No changes proposed.</li> </ul>

### Appendix 3: Proposed changes to Draft Waitaki District General Bylaw 2017 following submissions

Issue	Clause	Recommended changes to Draft Waitaki District General Bylaw 2017 (to become final)
Offences/Penalties/Powers	10	Amend to read:  “Any person that commits a breach of a provision of this Bylaw made under section 64 of the Health Act 1956 or subsequent amendment commits an offence and is liable <u>on conviction</u> to a fine under section 66 of the Health Act 1956 as follows: a. Not exceeding the amount fixed for any breach for which an infringement notice is issued; b. Not exceeding \$500.00 and if the breach is a continuing one, not exceeding a further \$50.00 per day thereafter. These fines are current at the time of adoption of this Bylaw.”
	42	Amend to read:  “Any person who commits a breach of a provision of this section of the Bylaw made under section 106 of the Reserves Act 1977 or subsequent amendment commits an offence and is liable <u>on conviction</u> to a fine under section 104 of the Reserves Act 1977 as follows: a. Not exceeding \$5,000.00 and, where the offence is a continuing one, a further fine not exceeding \$500.00 for every day on which the offence continues. These fines are current at the time of adoption of this Bylaw.”
Public places	27	Amend to read:  “A person must not lead or allow any stock, except horses, to cross any public place <u>without the written approval of the Chief Executive.</u> ”
Keeping of animals and birds	54	Amend to read:  “A person must not keep animals or birds unless <u>they are effectively contained (excluding companion cats) and are housed</u> in well-constructed and adequately maintained facilities <u>and their welfare needs have been met</u> to ensure the health and safety of any persons, and the animals and birds.”
Keeping of roosters	58	Amend to read:  “Clause 57 of this Bylaw shall not apply to breeders and/or exhibitors of purebreed poultry who are also members of any club or society affiliated to the New Zealand (SI) Poultry, Pigeon & Cage Bird Associations (Inc) subject to <u>those breeders and/or exhibitors not breaching clause 55 of this Bylaw.</u> ”

Issue	Clause	Recommended changes to Draft Waitaki District General Bylaw 2017 (to become final)
Keeping of bees in urban areas	62	<p>Amend to read:</p> <p>"Any person wishing to keep <del>more than two (2)</del> bee hives per Rateable Property in an urban area must apply in writing to the Chief Executive for a permit."</p>
Keeping of companion cats	67-72	<p>Remove the following clauses from the Draft Waitaki District General Bylaw 2017:</p> <p>67. No person may keep, on any one Rateable Property, more than three (3) companion cats over the age of six months.</p> <p>68. Where there is more than one Dwelling house on a Rateable Property, no more than one (1) companion cat per Dwelling house over the age of six months may be kept.</p> <p>69. The granting of an exemption to clauses 67 or 68 of this Bylaw may be granted if the Authorised Officer is satisfied that:</p> <ul style="list-style-type: none"> <li>a. All companion cats at the subject Property or Dwelling house have been micro-chipped, registered with the New Zealand Companion Animal Register, de-sexed and have up-to-date vaccinations.</li> </ul> <p>70. Clauses 67 and 68 of this Bylaw do not apply to:</p> <ul style="list-style-type: none"> <li>a. The keeping of companion cats under the age of six months;</li> <li>b. Vets;</li> <li>c. SPCA or similar registered charities;</li> <li>d. Registered cat breeders (subject to holding a valid registered prefix granted to them by the New Zealand Cat Fancy and in a cattery accredited under the Cattery Accreditation Scheme by the New Zealand Cat Fancy); and</li> <li>e. Animal boarding premises;</li> </ul> <p>All of which have the necessary permits and resource consents as may be required.</p> <p>71. If, in the opinion of any Authorised Officer, the keeping of companion cats on any Rateable Property or Dwelling house is, or is likely to become:</p> <ul style="list-style-type: none"> <li>a. A nuisance;</li> <li>b. Injurious; or</li> <li>c. Hazardous</li> </ul>

Issue	Clause	Recommended changes to Draft Waitaki District General Bylaw 2017 (to become final)
		<p>to the health, or safety of any persons or their property, then the Authorised Officer may by written notice require the owner of occupier of the Rateable Property or Dwelling house to do all or some of the following:</p> <ul style="list-style-type: none"> <li>i) Reduce the number of companion cats kept on the Rateable Property or Dwelling house;</li> <li>ii) Take other precautions as may be considered necessary to reduce the effects listed in the sub-clauses a. to c. above.</li> </ul> <p>72. Any person must comply with a written notice issued by an Authorised Officer under the Bylaw above.</p>
Minor corrections to grammar	Throughout the document	



## **Appendix 4: Draft Waitaki District busking in public places guidelines**

You must register your intention to busk with Council before you busk anywhere in a public place in the Waitaki District.

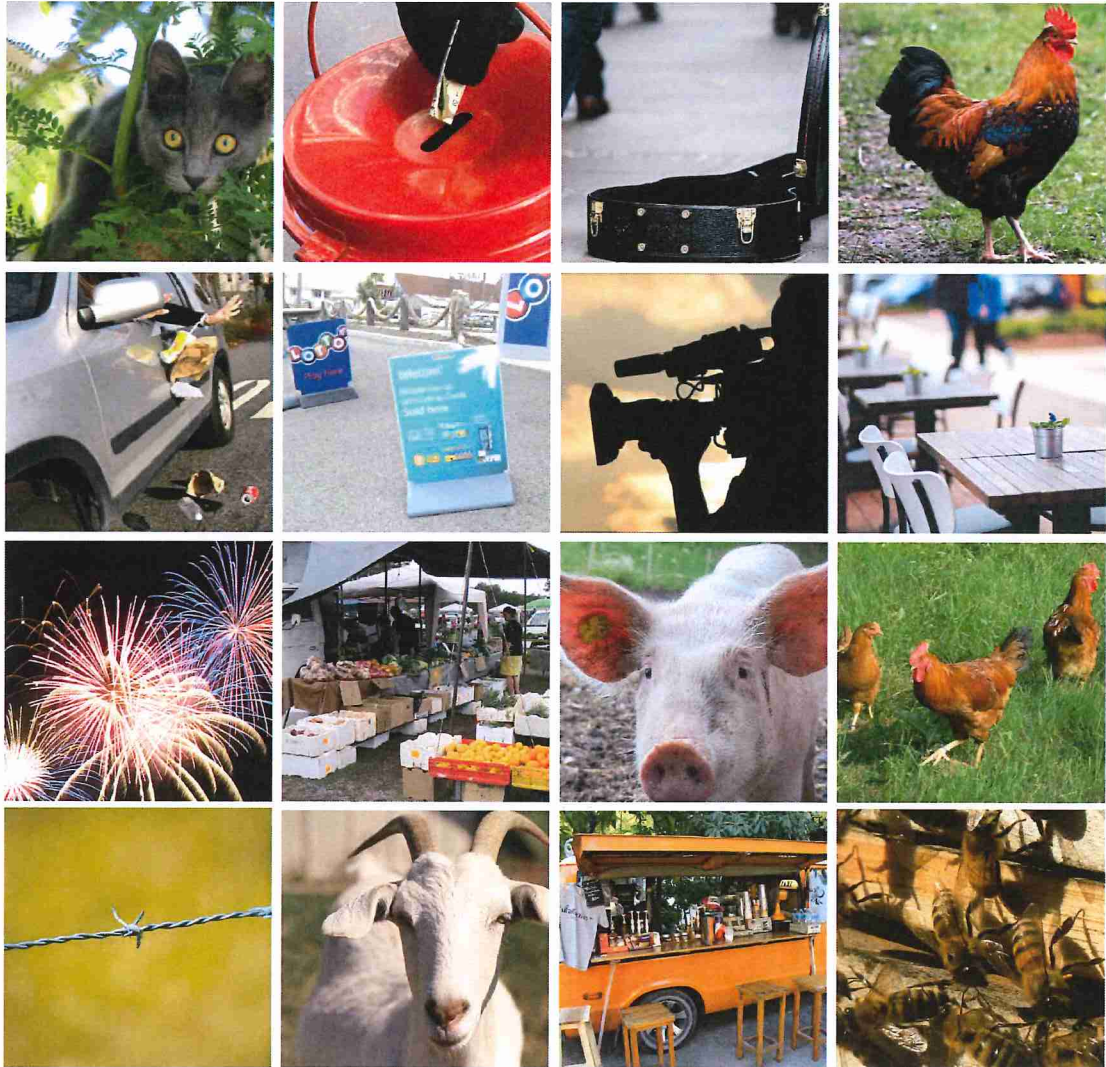
If you are under 14, you must have your parent or caregiver's consent. We may require proof of age.

There are some conditions that you must meet. These conditions are to make sure everyone enjoys our public places. Every person performing as a busker in any public place is required to:

1. Obtain the consent of the owner or Manager of the retail or commercial premises to which the busker is performing immediately adjacent to;
2. Not occupy any footpath or pedestrian way in such a way as to obstruct or impede the free movement of pedestrians along the footpath, or way or through the public place;
3. Not allow the persons forming the audience to obstruct or impede the free movement of pedestrians along the footpath or way or through the public place;
4. Not use language or behaviour which is abusive, insulting, threatening or offensive;
5. Not undertake or perform any busking activity which generates any noise which results in a nuisance to others;
6. Busk for a maximum of one hour in any public place (continuous occupation in any two hour period).

**Appendix 5: Waitaki District General Bylaw 2017 (refer following pages)**

# Waitaki District General Bylaw 2017



**Waitaki District General Bylaw 2017**

Published by Waitaki District Council  
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New Zealand

THE COMMON SEAL OF THE WAITAKI DISTRICT COUNCIL *TO GO HERE*

MINISTERIAL APPROVAL RECEIVED *TO GO HERE* (Reserves bylaws made under section 108 of the Reserves Act 1977)

**Version: Revised proposed final 23 November 2017 (to be approved by Council)**



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## Statutory authority

This Bylaw is made pursuant to the statutory powers under the Local Government Act 2002, the Reserves Act 1977, the Health Act 1956, and the Land Transport Act 1998.

## Title

1. This Bylaw may be cited as the Waitaki District General Bylaw 2017 (the Bylaw).

## Commencement

2. The Bylaw will come into force throughout the district on 1 July 2018.

## Revocation

3. The Waitaki District Council General Bylaw 2006 is revoked at the time the Waitaki District General Bylaw 2017 comes into force.

## Application of this Bylaw

4. This Bylaw should be read in conjunction with the operative Waitaki District Plan and any other relevant legislation or Waitaki District Council Bylaws.

# PART 1: PRELIMINARY PROVISIONS

## Interpretations and Definitions

5. Any words, phrases or expressions used in this Bylaw which have meanings assigned to them by the Local Government Act 2002, the Reserves Act 1977, the Health Act 1956, and the Land Transport Act 1998 (and subsequent amendments to these acts) will have the meanings as are respectively assigned in those Acts and any subordinate legislation, unless inconsistent with the context in which such words occur.

6. In this Bylaw, if not inconsistent with the context:

### **Animal**

Any domestic animal dependent on humans for their care and sustenance, and includes, but is not limited to, stock such as cattle, deer, lamas, alpacas, donkeys, mules, horses, sheep, goats, pigs and domestic companion cats. This definition **does not include dogs**. Dogs are excluded from the provisions of this Bylaw, and are covered in the Waitaki Dog Control Bylaw 2014 or any subsequent amendment.

### **Authorised officer**

A person appointed by Council to carry out duties and exercise powers under this Bylaw.

### **Chief Executive**

The chief executive of the Council and any person delegated to perform any duties of the chief executive.

### **Council**

Waitaki District Council.

**District**

Means the district of the Waitaki District Council.

**Domestic companion cat**

Common domestic cat (excluding a kitten under the age of 6 months) that lives with humans as a companion and is dependent on humans for its welfare.

**Encroach**

Means to occupy, develop, use, trespass or intrude on a reserve or public place for private benefit. This includes without limitation, allowing something to hang over or onto any reserve or public place from an adjoining property.

**Hive**

A box or container for the keeping or housing of bees.

**Itinerant Trader**

Means any person who carries or takes about any goods, wares or merchandise for speculative sale to any person, whether or not that sale is intended to be conducted on public or private property. This definition excludes the following:

- Any person who in response to an invitation by the owner or occupier of any private property to call, conducts a sale of any goods, wares or merchandise on private property;
- Any person who operates a mobile shop.

**Mobile Shop**

Means a vehicle, whether self-propelled or not, from which goods, wares or merchandise (including food) are offered or exposed for sale, or from which such goods, wares or merchandise may be ordered; while such vehicle is in any public place. This definition excludes any vehicle used for the purpose of transporting and delivering goods, wares or merchandise pursuant to a prior order placed for the delivery of such goods, wares or merchandise.

**Permit**

Any licence, permit or written approval granted under this Bylaw which includes all associated conditions.

**Reserve**

The same meaning as in the Reserves Act 1977 or subsequent amendment, and includes reserves under the control, or management of Council.

**Road**

The same meaning as in the Land Transport Act 1998 or subsequent amendment.

**Public place**

Any place under Council control, or management, and open to or used by the public as of right, including, but not limited to, roads, footpaths and beaches. This definition does not include a Reserve.

**Stock**

Any animal farmed, and dependent on humans for their care and sustenance, including but not limited to cattle, deer, llamas, alpacas, donkeys, mules, horses, sheep, goats and pigs.

**Trading in public places**

An activity undertaken by any person or organisation involving the sale of goods or services in a public place for payment, reward or other.

**Urban area**

All residential, township, business, commercial or industrial zones as defined in the operative Waitaki District Plan.

**Vehicle**

The same meaning as in the Land Transport Act 1998 or subsequent amendment.

**Exemptions**

7. A person is not in breach of this Bylaw if that person:
- a. proves the act was taken to avoid death or injury of a person;
  - b. was taken at the direction of an Authorised officer; or
  - c. acts in accordance with prior written permission obtained from the Chief Executive for any activity that would be in breach of any prohibition under this Bylaw.

**Offences/Penalties/Powers**

8. A person commits an offence under this Bylaw if that person contravenes the provisions of the bylaws contained within.

9. A person is in breach of this Bylaw who fails to comply with this Bylaw and commits an offence under section 239 of the Local Government Act 2002 or subsequent amendment, and is liable on conviction to the penalties set out in section 242(4) of the Local Government Act 2002, for which a person is liable on conviction to a fine not exceeding \$20,000. These fines are current at the time of adoption of this Bylaw.

10. Any person that commits a breach of a provision of this Bylaw made under section 64 of the Health Act 1956 or subsequent amendment commits an offence and is liable to a fine on conviction under section 66 of the Health Act 1956 as follows:

- a. Not exceeding the amount fixed for any breach for which an infringement notice is issued;
- b. Not exceeding \$500.00 and if the breach is a continuing one, not exceeding a further \$50.00 per day thereafter. These fines are current at the time of adoption of this Bylaw.

11. Any person that commits a breach of a provision of this Bylaw made under section 22AB of the Land Transport Act 1998 or subsequent amendment commits an offence and is liable to a fine under section 139 of the Land Transport Act 1998 as follows:

- a. Not exceeding the amount fixed for any breach for which an infringement notice is issued;
- b. Not exceeding \$500.00 and if the breach is a continuing one, not exceeding a further \$50.00 per day thereafter. These fines are current at the time of adoption of this Bylaw.

12. Council may remove, or cause to remove, from any reserve or public place, any vehicle, structure or object, that is there in breach of this Bylaw. Council may recover all charges in connection with the removal of any vehicle, structure or object from the person who has committed the offence.



13. Council may remove, or cause to be removed any animals, birds or bees, in breach of this Bylaw. Council may recover all charges in connection with the removal of any animals, birds or bees from the person who has committed the offence.

14. Any person acting contrary to this Bylaw may be asked to comply, or leave the public place or reserve by an Authorised Officer. Any person must comply with a request from an Authorised Officer to comply with this Bylaw.

### **Fees and charges**

15. Council may by resolution set fees and charges for the processing of approvals or permits under this Bylaw.

16. Any fee may be refunded, remitted, or waived at the Chief Executive's discretion.

## **PART 2: PUBLIC PLACES**

### **Purpose and Scope**

17. The purpose of this section of the Bylaw is to set the requirements for public places within the Waitaki District to ensure the health and safety of any persons, and to protect the public from nuisance.

18. This section of the Bylaw is made under the authority of section 145 of the Local Government Act 2002.

19. A person must not act in a manner that causes a nuisance, or interferes with the safety, use, enjoyment or right of any other person's use of the public place.

20. A person must not damage, interfere, move, remove, deface or destroy any Council property, vegetation or equipment on any public place.

21. A person must not set off any fireworks or other explosive devices on any public place without a permit.

22. A person must not light any fires on any public place without a permit.

23. A person may not undertake professional filming (for commercial gain) in any public place without a permit.

24. No person shall perform as a busker in any public place without having first provided their name and contact details to an Authorised officer, and they must comply with Council's relevant guidelines related to busking in public places.

25. Except where permitted by the operative Waitaki District Plan, or by way of a lease, licence, consent or other written permission granted by Council, a person must not, either:

- a. construct, use or maintain any awnings, blinds, porticos or similar extension item over any public place; or
- b. place any removable items on any public place, such as, but without limitation, sandwich boards or similar, that create an obstruction to users of the public place.

26. A person must not allow any vegetation to encroach on any public place that may obstruct or interfere with any person's access to that public place.
27. A person must not lead or allow any stock, except horses, to cross any public place without the written approval of the Chief Executive.
28. The owner of any animal in a public place must at all times ensure that animal does not intimidate or cause a nuisance to any other person and ensure that animal does not damage any property belonging to any other person in a public place.
29. A person must not construct a barbed wire fence or electric fence within 1 metre of any boundary of public place within an urban area, that could cause injury to any person using the public place.
30. A person must maintain any fence, wall or retaining wall on any boundary of any public place in a manner that is safe and unlikely to cause damage to any structures, or injury to any person.
31. A person must:
- a. keep in good repair any rail, grate, fence or cover, over or about any area or entrance to any cellar, basement or other place opening into or upon any public place;
  - b. not keep open any cellar, basement or other place for more than a reasonable time when putting articles into or taking articles out of it, and that person must protect the entrance when open for use to prevent any other person being injured.

## PART 3: RESERVES

### Purpose and Scope

32. The purpose of this section of the Bylaw is to set the requirements for reserves within the Waitaki District to ensure the health and safety of any persons, and to protect the public from nuisance.
33. This section of the Bylaw is made under the authority of sections 145 and 146 of the Local Government Act 2002 and sections 106 to 108 of the Reserves Act 1977.
34. Except where permitted by the operative Waitaki District Plan, other relevant legislation or Council Bylaw, or by way of a lease, licence, consent or other written permission granted by Council, a person must not undertake an activity on a reserve contrary to the activity controls defined in the Waitaki Reserves Management Plan 2014 or any subsequent amendment to this.
35. A person must not act in a manner that causes a nuisance, or interferes with the safety, use, enjoyment or right of any other person's use of a reserve.
36. A person must not use any vehicle on any reserve that causes damage to the reserve's surface or vegetation.
37. A person must not damage, interfere, move, remove, deface or destroy any Council property, vegetation or equipment on any reserve.

38. A person must not allow any vegetation to encroach on any reserve that may obstruct or interfere with any person's access to any reserve.

39. A person must not erect or leave any vehicle, structure or object on any reserve in any manner which causes a nuisance to other users or interferes with any person's right to use the reserve.

40. A person must not ride, lead or allow stock, birds or other animals (excluding companion cats) onto any reserve if they have not obtained the relevant written approval from the Chief Executive or signage indicates the stock, bird or animal is allowed.

41. A person must not conduct business on any reserve in the Waitaki District as an itinerant trader, or as an operator of a mobile shop, without a permit as per the requirement of Clauses 45 and 46 of this Bylaw.

42. Any person who commits a breach of a provision of this section of the Bylaw made under section 106 of the Reserves Act 1977 or subsequent amendment commits an offence and is liable to a fine on conviction under section 104 of the Reserves Act 1977 as follows:

- a. Not exceeding \$5,000.00 and, where the offence is a continuing one, a further fine not exceeding \$500.00 for every day on which the offence continues. These fines are current at the time of adoption of this Bylaw.

## **PART 4: TRADING IN PUBLIC PLACES**

### **Purpose and Scope**

43. The purpose of this section of the Bylaw is to set the requirements for trading in public places within the Waitaki District to ensure the health and safety of any persons, and to protect the public from nuisance.

44. This section of the Bylaw is made under the authority of section 146 of the Local Government Act 2002, and section 64 of the Health Act 1956.

### **Itinerant and mobile shop trading**

45. A person must not conduct business in the Waitaki District as an itinerant trader, or as an operator of a mobile shop, without a permit, except for an itinerant trader or a mobile shop participating in a Council approved street market or street stall.

46. Council may when issuing a permit:

- a. Prohibit itinerant and mobile shop businesses from operating in any specified public place within the District;
- b. Limit or restrict the classes or types of goods that these businesses may offer for sale;
- c. Limit the hours or days during which such businesses may operate.

### **Retail displays on footpaths**

47. No operator of a business within any urban area shall place, erect, or establish any display on the footpath adjacent to their business without a permit or in conjunction with a Council approved event.

### Street furniture on footpaths

48. No operator of a business within any urban area shall place any street furniture on the footpath adjacent to their business without a permit.

### Trading in public places permits

49. A person must display and trade in compliance with the terms and conditions of the relevant Council permit to undertake trading in public places.

50. No trading in public places permit issued under this Bylaw is transferrable to another person.

51. Council may cancel, amend or review a trading in public places permit issued under this Bylaw if:

- a. it is to protect the public from unhygienic, unsafe or hazardous practices;
- b. it is likely to cause a nuisance, obstruction or damage; and/or
- c. it is likely to interfere with public works permitted under legislation.

## PART 5: KEEPING OF ANIMALS, BIRDS AND BEES

### Purpose and Scope

52. The purpose of this section of the Bylaw is to set the requirements for the keeping of animals, birds and bees within the Waitaki District to ensure the health and safety of any persons, animals, birds and bees, and to protect the public from nuisance.

53. This section of the Bylaw is made under the authority of section 146 of the Local Government Act 2002, and section 64 of the Health Act 1956.

### Keeping of animals, birds and bees

54. A person must not keep animals or birds unless they are effectively contained (excluding domestic companion cats) and are housed in well-constructed and adequately maintained facilities and their welfare needs have been met to ensure the health and safety of any persons, and the animals or birds.

55. If, in the opinion of any Authorised Officer, the keeping of animals (including domestic companion cats) or birds on any Rateable Property or Dwelling house is, or is likely to become:

- a. A nuisance;
- b. Injurious; or
- c. Hazardous

to the health, safety or amenity of any persons or their property, then the Authorised Officer may by written notice require the owner or occupier of the Rateable Property or Dwelling house to do all or some of the following:

- i) Reduce the number of animals or birds kept on the Rateable Property or Dwelling house;
- ii) Take other precautions as may be considered necessary to reduce the effects listed in the sub-clauses of a. to c. above.

56. Any person must comply with a written notice issued by an Authorised Officer under the Bylaw above.



#### Roosters

57. A person must not keep or allow a rooster to be kept on any Rateable Property in an urban area.

58. Clause 57 of this Bylaw shall not apply to breeders and/or exhibitors of purebreed poultry who are also members of any club or society affiliated to the New Zealand (SI) Poultry, Pigeon & Cage Bird Associations (Inc) subject to those breeders and/or exhibitors not breaching clause 55 of this Bylaw.

#### Pigs

59. No person may keep or allow to keep pigs in an urban area.

60. A person must not keep or allow to keep a pig-sty on any Rateable Property that is within 50 metres from any Dwelling house or any other occupied building on an adjoining property or within 30 metres of the boundary of any adjoining property.

#### Bees

61. The maximum number of bee hives per Rateable Property in an urban area is **two (2)**.

62. Any person wishing to keep bee hives in an urban area must apply in writing to the Chief Executive for a permit.

63. All bee hives are required to be registered on the national register and meet the legal requirements of the national beekeeping body.

64. A person must not keep bees that cause a nuisance or threat to the health and safety of neighbours or the public.

65. A person must not keep bees unless in well-constructed and maintained facilities to ensure the health and safety of any persons and the bees.

66. Council may require the removal or relocation of a hive(s) if complaints are received and if the Authorised Officer is satisfied that the location of the hive(s) has resulted in the bees causing a nuisance or a threat to the health and safety of neighbours or the public.

67. Any person must comply with a written notice issued by an Authorised Officer under the Bylaw above.

# Waitaki District Council Report

**From** Assets Group Manager

**Date** 6 December 2017

## Enviroschools Programme

### Recommendation

That Council:

1. Approves the Enviroschools Programme for implementation in 2018.

### Objective of the Decision

To consider and agree to a programme so that Enviroschools can be implemented in the 2018 school year.

### Summary

Council asked for a programme to be provided and approved before the Enviroschools programme could be implemented.

### Summary of Decision Making Criteria

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	No	Environmental Considerations	No
Legal	No	Cultural Considerations	No
Significance	No	Social Considerations	Key
Financial Criteria	No	Economic Considerations	No
Community Views	No	Community Board Views	No
Consultation	No	Publicity and Communication	No

### Background

At its 25 October 2017 meeting, Council resolved to allocate \$25k to the Enviroschools programme subject to agreeing to the programme. The discussion at the meeting asked for the programme to come to this meeting.

### Enviroschools Funding

*RESOLVED (Amended)*

*WDC17/185*

*Cr Hopkins / Cr Wollstein*

*That Council:*

1. *Allocates \$25k to the Enviroschools programme from the Waste Minimisation Reserve to fund an agreed programme over the 2018 school year.*
2. *Includes provision for funding over further years in the Long Term Plan subject to consideration of the 2018 programmes and outgoings.*

### Summary of Options Considered

**Option 1** – Approve the programme (recommended)

**Option 2** – Do not approve the programme

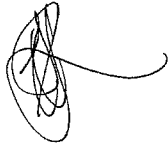
## **Assessment of Preferred Option**

### **Option 1: Approve the programme**

Officers have met with Robyn Zinc (who is the Regional Coordinator for Enviroschools) and Toimata (the National Coordinator Organisation) and developed a programme for implementation. The programme is attached to this report.

Having considered the options summarised above, the following conclusions have been reached:

1. Officers believe that the programme will enable the implementation of the Enviroschools programme across the Waitaki District as intended by Council.
2. It is recommended that Council approve the programme so that it can be implemented.



Neil Jorgensen  
**Assets Group Manager**

### **Attachments**

Additional decision making considerations  
Enviroschools Programme

**Additional Decision Making Considerations**

The following matters have been considered in making the decisions.

**Outcomes**

We provide and enable services and facilities so people want to stay and move here.

We understand the diverse needs of our community.



## Waitaki District Council – Enviroschools Programme Implementation Proposal

Key Activities	Steps	Responsibilities	Time Frame
<b>Setting the framework</b>	Establishing a good working relationship between WDC and ES, eg understand expectations and objectives, identify lines of communication, areas of responsibility, protocols and processes for working together.	WDC staff and ES	Immediate and ongoing
	Explore alternative models for the delivery of the ES programme (eg where the programme will be housed, how it will be managed and by whom, budgets etc)	WDC staff and ES	By the end of 2017
	Establish framework and process for recruiting a facilitator and / or a host organisation	WDC staff and ES	By the end of 2017
<b>Recruitment process</b>	Advertise for facilitator / host organisation	WDC staff and ES	Mid-Jan / early February 2018
	Selection of facilitator / host organisation	WDC staff and ES	Mid-February 2018
	Recruiting Schools and Early Childhood Centers (ECE) <ul style="list-style-type: none"> <li>Initial information to all Schools and ECE late 2017</li> <li>Contact made with all schools / ECE (School term starts 29<sup>th</sup> Jan 2018)</li> <li>Host meetings for interested schools</li> </ul>	ES  ES  WDC staff and ES	Early Dec 2017 Early Feb 2018 End of Feb
	Select schools to join the programme	WDC staff and ES	Early March
<b>Gaining momentum</b>	Facilitator Induction – will include spending time with other Otago facilitators and working closely with the Regional Coordinator	ES	Ongoing
	The new Enviroschools inducted into the programme – 6 schools in 2018 (phase 1), additional 6 schools early 2019 (phase 2)	ES	First term 2018
	Event planned for teachers of selected schools to visit well-established Enviroschools in Otago	ES	First term 2018
	Facilitator Level 1 training Facilitator Māori perspectives training	ES ES	25-27 July 7-9 Nov
	Ongoing support for Facilitator and schools from Regional Coordinator	ES	Ongoing
	A student and teacher hui – usually an all-day event on a theme relevant to schools – Professional Development for teachers, intensive learning day for students	ES	Term 3 or early term 4

WDC – Waitaki District Council

ES – Enviroschools (could be referring to Toimata, the national foundation, or the Regional Coordinator)

# Waitaki District Council Report

**From** Payroll Administrator  
Customer Services Group Manager

**Date** 6 December 2017

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## Warrants of Appointment

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### Recommendation

That, subject to a successful Police Vetting clearance, Waitaki District Council resolves as follows:

- 1) Waitaki District Council hereby appoints **Grant Michael Rhodes** (Projects and Assets Officer – Property) as:
  - a) An ‘Enforcement Officer’ under Section 177 of the Local Government Act 2002 with authority to exercise the following powers:
    - i) Entry of private land or building other than a dwellinghouse (s171);
    - ii) Entry of land or building (including dwellinghouse, if accompanied by a constable) for enforcement purposes (s172);
    - iii) Entry of land or buildings in cases of emergency (s173); and
    - iv) Authority to act (s174).
  - b) An ‘Enforcement Officer’ under Section 38 of the Resource Management Act 1991 with authority to exercise all the powers of an Enforcement Officer under the Resource Management Act 1991, and in particular the following powers:
    - i) Avoid, Remedy or Mitigate Adverse Effects (s17);
    - ii) Acquire Information (s22);
    - iii) Carry out, at any reasonable time, inspections of any place or structure (except a dwelling house) (s332);
    - iv) Take preventative or remedial action (s330); and
    - v) Enter for survey (s333).
  - c) A ‘Litter Control Officer’ under Section 5 of the Litter Act 1979 with authority to exercise all the powers of a Litter Control Officer under the Litter Act 1979.
- 2) Waitaki District Council hereby appoints **Roger Charles Cook** (Building Services Manager) as:
  - a) An ‘Enforcement Officer’ under Section 177 of the Local Government Act 2002 with authority to exercise the following powers:
    - i) Entry of private land or building other than a dwellinghouse (s171);
    - ii) Entry of land or building (including dwellinghouse, if accompanied by a constable) for enforcement purposes (s172);
    - iii) Entry of land or buildings in cases of emergency (s173); and
    - iv) Authority to act (s174).
  - b) An ‘Authorised Person’ under Section 206 of the Building Act 2004 with authority to exercise all the powers of an Authorised Person/Enforcement Officer/Agent under the Building Act 2004, and in particular the following powers:
    - i) Inspection by building consent authority (s90);
    - ii) Inspection by territorial authority (s111);
    - iii) Measures to avoid immediate danger or to fix unsanitary conditions (s129);
    - iv) Inspection of building work under notice to fix (s167);
    - v) Request information or production of documents (s207a);
    - vi) Inspection by territorial authority (s222); and
    - vii) Issue infringement notices (s372).
  - c) An ‘Inspector’ under Section 6 of the Machinery Act 1950 with authority to exercise all the powers of an Inspector under the Machinery Act 1950.

- d) An 'Officer' under Section 23 of the Amusement Devices Regulations 1978 with authority to exercise all the powers of an Officer under the Amusement Devices Regulations 1978.
- e) A 'Litter Control Officer' under Section 5 of the Litter Act 1979 with authority to exercise all the powers of a Litter Control Officer under the Litter Act 1979.

### Background and Objective

These resolutions are required to provide enforcement powers for Council's new "Projects and Assets Officer – Property" and "Building Services Manager".

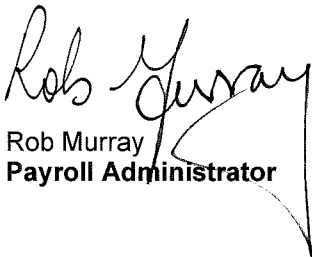
### Summary of Decision Making Criteria

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	No	Environmental Considerations	No
Legal	Key	Cultural Considerations	No
Significance	Low	Social Considerations	No
Financial Criteria	No	Economic Considerations	No
Community Views	No	Community Board Views	No
Consultation	No	Publicity and Communication	No

### Significance and Outcomes

This decision is of low significance. It relates to the following outcome:

- Our Local and Central Governments demonstrate efficient and effective use of resources.



Rob Murray  
Payroll Administrator



Lisa Baillie  
Customer Services Group Manager

# Waitaki District Council Report

**From** Mayor Gary Kircher

**Date** 6 December 2017

## Committee Structure / Membership Changes

### Recommendation

That Council adopts the proposed Committee Structure.

### Objective of the Decision

The purpose of the report is to make appropriate Committee structure and membership changes, as per the original intention to review Committees after 12 months since the implementation of the current Committee arrangement. This review coincides with the realignment of the organisational structure, confirmed on Friday 24 November 2017.

### Summary of Decision Making Criteria

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	No	Environmental Considerations	No
Legal	Key	Cultural Considerations	No
Significance	No	Social Considerations	No
Financial Criteria	No	Economic Considerations	No
Community Views	No	Community Board Views	No
Consultation	No	Publicity and Communication	Moderate

### Background and Discussion

Council adopted a Committee structure on 30 November 2016 (resolution WDC16/331). As part of that decision, Council also agreed to review the structure in 12 months' time.

I have had discussions with Councillors around possible changes which have been summarised in the table provided.

The main changes to the overall structure include the following:

- 4 main committees:
  - Assets Committee
  - Finance, Audit and Risk Committee
  - Heritage, Environment and Regulatory Committee
  - Community and Culture Committee
- Addition of the Information Services Committee

The addition of the Information Services Committee reflects the elevation of this group within the organisational structure. It will meet as and when required as a Committee of Council.

In an effort to balance workloads, it is suggested that the guiding criteria for Committee membership should be that Councillors are members of only one of either the Assets Committee or the Finance, Audit and Risk Committee, as well as a member of one of the remaining committees.

It is also suggested that the changes proposed should reflect the general wishes of individual Councillors, as well as sharing out the workload in an equitable and appropriate manner based on complementary skill sets.

### Summary of Options and Implementation of Preferred Option

Option 1 – Council agrees the changes to the Committee structure as set out in Attachment 1 – proposed Committee structure, to be effective from the commencement of the 2018 calendar year.

Option 2 – Council does not agree the changes to the attached Committee structure.

Option 3 – Council puts forward an alternative Committee structure to that in Attachment 1.

**Implementation of the Preferred Option**

Option 1 is the recommended option.

This option has been discussed with Councillors.

Under Option 1, the associated Committee structure and delegations will be updated to reflect the proposed changes, and adjustments made with the Remuneration Authority as required.

**Conclusion**

The matters addressed in this report are of low-moderate significance in terms of Council's policy of determining significance.



**Mayor Gary Kircher**

**Attachments:**

Additional Decision Making Considerations  
Proposed Committee Structure



## Additional Decision Making Considerations

### Legal Considerations

## 41A Role and powers of mayors

- (1) The role of a mayor is to provide leadership to —
  - (a) the other members of the territorial authority; and
  - (b) the people in the district of the territorial authority.
- (2) Without limiting subsection (1), it is the role of a mayor to lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.
- (3) For the purposes of subsections (1) and (2), a mayor has the following powers:
  - (a) to appoint the deputy mayor;
  - (b) to establish committees of the territorial authority;
  - (c) to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor —
    - (i) may make the appointment before the other members of the committee are determined; and
    - (ii) may appoint himself or herself.
- (4) However, nothing in subsection (3) limits or prevents a territorial authority from —
  - (a) removing, in accordance with [clause 18](#) of Schedule 7, a deputy mayor appointed by the mayor under subsection (3)(a); or
  - (b) discharging or reconstituting, in accordance with [clause 30](#) of Schedule 7, a committee established by the mayor under subsection (3)(b); or
  - (c) appointing, in accordance with [clause 30](#) of Schedule 7, 1 or more committees in addition to any established by the mayor under subsection (3)(b); or
  - (d) discharging, in accordance with [clause 31](#) of Schedule 7, a chairperson appointed by the mayor under subsection (3)(c).
- (5) A mayor is a member of each committee of a territorial authority.
- (6) To avoid doubt, a mayor must not delegate any of his or her powers under subsection (3).
- (7) To avoid doubt,—
  - (a) [clause 17\(1\)](#) of Schedule 7 does not apply to the election of a deputy mayor of a territorial authority unless the mayor of the territorial authority declines to exercise the power in subsection (3)(a);
  - (b) [clauses 25 and 26\(3\)](#) of Schedule 7 do not apply to the appointment of the chairperson of a committee of a territorial authority established under subsection (3)(b) unless the mayor of the territorial authority declines to exercise the power in subsection (3)(c) in respect of that committee.

*Section 41A: inserted, on 12 October 2013, by [section 21](#) of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).*

### Publicity and Communications

A media release will be issued subject to confirmed changes to the Committee structure.

## Proposed Committee Structure

### Council Committees / Portfolios

The Mayor is an ex-officio member of all committees, with the exception of the Hearings and the District Licensing Committees.

<b>Assets Committee (AC)</b> Bill Kingan (Chair) Guy Percival (Deputy) Melanie Tavendale Peter Garvan Jeremy Holding	<b>Heritage, Environment and Regulatory Committee (HERC)</b> Hugh Perkins (Chair) Jan Wheeler (Deputy) Jim Hopkins Craig Dawson Bill Kingan
<b>Community and Culture Committee (CC)</b> Melanie Tavendale (Chair) Jeremy Holding (Deputy) Guy Percival Colin Wollstein Peter Garvan	<b>Finance, Audit and Risk Committee (FAR)</b> Colin Wollstein (Chair) Craig Dawson (Deputy) Jim Hopkins Jan Wheeler Hugh Perkins
<b>Information Services Committee (IS)</b> Craig Dawson (Chair) Melanie Tavendale (Deputy Chair) Peter Garvan Bill Kingan Jeremy Holding	<b>Executive Committee (EXEC)</b> Gary Kircher (Chair) Craig Dawson Peter Garvan Melanie Tavendale Colin Wollstein
<b>Development Contributions Committee (DC)</b> Guy Percival (Chair) Peter Garvan (Deputy) Craig Dawson Jim Hopkins Hugh Perkins	<b>Grants and Awards Committee (GA)</b> Jeremy Holding (Chair) Bill Kingan (Deputy) All Councillors and Community Board Chairs – generally up to five members to attend any one meeting
<b>District Plan Review Committee (DPR)</b> Jim Hopkins (Chair) Craig Dawson Peter Garvan Bill Kingan Guy Percival Jan Wheeler Gary Kircher	<b>Cultural Facility Development Committee (CFDC)</b> Hugh Perkins (Chair) Jeremy Holding Jim Hopkins Guy Percival Melanie Tavendale
<b>Youth Council (YC)</b> Melanie Tavendale	<b>Community Board Representatives</b> Jan Wheeler – Waihemo Craig Dawson – Ahuriri

## Quasi-Judicial Committees

<b>Hearings Committee</b> Jim Hopkins (Chair) Peter Garvan Hugh Perkins	<b>District Licensing Committee "A"</b> Peter Garvan (Chair) Jim Hopkins Hugh Perkins
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## External and Joint Committees

<b>Lower Waitaki South Coastal Zone Committee</b> Jeremy Holding	<b>Upper Waitaki Zone Committee</b> Craig Dawson
<b>Safer Waitaki Coalition</b> Bill Kingan	<b>Otago Regional Land Transport Committee</b> Guy Percival Bill Kingan (Alternate)
<b>Donald and Nellye Malcolm Trust</b> Gary Kircher Jeremy Holding	<b>Alps 2 Ocean Joint Committee</b> Colin Wollstein
<b>Oamaru Whitestone Civic Trust</b> Gary Kircher	

## Portfolios

<b>Communications Portfolio</b> Gary Kircher Jim Hopkins Melanie Tavendale	<b>Emergency Management Portfolio</b> Gary Kircher
<b>Property Advisory Portfolio</b> Gary Kircher Peter Garvan Hugh Perkins	<b>Rural Roads Portfolio</b> Craig Dawson Bill Kingan Guy Percival Jan Wheeler
<b>Solid Waste and Recycling Portfolio</b> Bill Kingan Hugh Perkins Jan Wheeler	<b>Sport and Recreation Portfolio</b> Gary Kircher
<b>Cultural Facility Development Funding Portfolio</b> Gary Kircher Hugh Perkins Melanie Tavendale	<b>Waitaki Recreation Centre</b> Melanie Tavendale