

Waitaki District Council**Council**

**CONFIRMED MINUTES of a meeting of the
Waitaki District Council held in the Council Chamber,
Office of the Waitaki District Council, Third Floor, 20 Thames Street, Oamaru
on Tuesday 11 September 2018 at 9.00am**

Present	Mayor Gary Kircher (Chair), Deputy Mayor Melanie Tavendale, Cr Craig Dawson, Cr Peter Garvan, Cr Jeremy Holding, Cr Jim Hopkins, Cr Bill Kingan, Cr Guy Percival, Cr Hugh Perkins, Cr Colin Wollstein, and Cr Jan Wheeler
In Attendance	Fergus Power (Chief Executive) Paul Hope (Finance and Corporate Development Group Manager) Mike Searle (Policy and Strategy Manager) Roger Cook (Building Services Manager) Ainslee Hooper (Governance and Policy Advisor)
In Attendance	Jason Evered (Environmental Services Manager); Lisa Scott (Communications Specialist); Erik van der Spek (Recreation Manager)

The Chair declared the meeting open at 9.00am, and welcomed everyone present, including many people assembled in the public gallery for the Public Forum. He explained that there was a very full agenda for this meeting, and also a Finance, Audit and Risk Committee Meeting and two policy review hearings to get through as well.

The Chair provided a health and safety briefing, before then advising that today's agenda discussions about the zipline were a first step only. Councillors had some information now, and it was hoped that Select Contracts – through its presentation – would provide more. However, until Council gave its approval for officers to talk further with the company, then any other questions would remain unanswered. A resource consent application would also be required if the zipline project was to proceed, and that would allow the public to have further input to the process. With regard to an updated plan for the harbour area, Councillors had had some initial discussions and there had been some early engagement with key stakeholders to get their thoughts too. From that, a draft plan would be pulled together and go out for public consultation. The fact that there was a large crowd at today's Public Forum demonstrates that we have a community of passionate people, and that is to be celebrated. Council's intention is to be as inclusive as possible, and everyone here will have another opportunity to contribute to the planning process if there was a decision to proceed with further discussions after today.

1. Apologies

There were no apologies.

2. Declarations of Interest

There were no declarations of interest.

3. Public Forum

Kevin Boler: Mr Boler thanked Council for letting the Whitestone Riders use the airport for drag racing. He said the group also had been given access to a shed, which had greatly helped with transportation. The event would have its tenth anniversary this year. In response to a question, Mr Boler explained that the event had been able to make donations to St John's Oamaru, the Oamaru Special Olympics, the Oamaru Heart Foundation, and the Glenavy Fire Brigade over the years.

Bruce Comfort: Mr Comfort said he believed today was the day to support Group Manager Neil Jorgensen's recommendation to enter into an agreement in principle to lease at least some of the land so that the Zipline proposal could be investigated. Council owned the land, and its purpose was to generate revenue and to help the Harbour Board undertake its business. That role would

still be there for endowment land around the harbour. Mr Comfort believed that endowment land would still be honoured if there was Council agreement in principle today to lease some of the land to the Zipline proposal.

James Glucksman (Waitaki Tourism Association): The Association's goal is to develop tourism and while it supported the initiative to broaden tourism offerings, the Association did not want those offerings to detract from current amenities. Therefore, it was strongly opposed to installing a zipline close to the harbour. There were alternative locations (eg further away from the harbour or down the coast), and he urged Councillors to consider long-term issues. The Association recommended that Councillors finalise the harbour area strategy before pursuing the zipline proposal any further. In response to a question, Mr Glucksman advised that, to his knowledge, the Association had not been approached by officers requesting information or feedback.

Helen Stead: 1. Mrs Stead supported Council continuing to develop the overall eco-heritage, social, and economic heritage issues and these be aligned with any local or regional district plans. 2. She opposed Council granting Select Contracts either via lease or sale the opportunity to have a zipline over open water and public space without public consultation was required under the Resource Management Act; and 3. Mrs Stead said she believed that, if Council did agree to grant any such lease, then it lacked accountability, denied the public its democratic rights, represented an abuse of process and would mean that Council was acting outside of its delegated authority.

Donna Demente: Ms Demente believed the local community was not looking at its strengths, and was instead following an 'obsessive compulsive economic development thrust', and look what that had done to Queenstown, which lacked ambience and any sort of atmosphere. She questioned why Waitaki would want to go ahead and ruin what it had. What was needed was a clear sort of tourism that values our heritage and what we have got.

Kevin Murdoch, North Otago Yacht Club: Mr Murdoch wondered about the height of the zipline wire over the water, given that some yachts were over 16 metres high. He hoped that would be considered in the resource consent process. In response to a question, Mr Murdoch advised that the Club had not been approached by the developers for comment.

Sue Maturin (Forest and Bird): Ms Maturin said Forest and Bird supported option 4 in the agenda report, as did the Australasian Seabird group; they did not want the ground to be leased until the harbour plan had been developed first. The Harbour Strategy was the proper opportunity to consider the full range of opportunities for the harbour, to ensure that it was holistic and integrated, and would provide strong guidance about what would or would not be appropriate. If there was agreement to lease now, that might restrict what would be appropriate down the line. The Council report relied on suggesting that the resource consent process is the best one for providing public input, but at this stage, it was not clear that resource consent would be needed. There is no planning analysis in the report. Forest and Bird Waitaki Branch was founded for Oamaru's little blue penguins, and it was involved in restorative planting on Cape Wanbrow. How would that work continue if this zipline initiative went ahead? The Maititi colony has been reduced, but there were other opportunities for a predator-free fence; this proposal would restrict that, too. Ms Maturin urged Councillors to act on the side of caution, and consider the holistic plan first before one proposal was agreed in advance of it.

One Councillor sought clarification from Ms Maturin about why a resource consent may not be required for a zipline proposal. Ms Maturin noted that the report contained no analysis of the proposal, and it might not require a consent. The Chair noted that it was a recommendation from officers that, under the Resource Management Act, any applicant can request a fully notified process, and a condition of any decision to grant a lease would be that they would need to have one. Therefore, it will be a requirement of any lease agreement. In response, Ms Maturin said she was unsure what the legal background to that approach might be.

Graeme Clark (Oamaru Whitestone Civic Trust): Mr Clark said that the Trust was not anti-progress or development. However, trustees were disappointed that they had not been approached at any time about this proposal by the zipline company – informally or formally. It is obvious that the Trust would have an interest in such a proposal given its Constitution, and the Trust was indeed concerned that this proposed would have a negative impact. He wanted the company to consult with the public first prior to any decisions being made, and suggested that the zipline proposal and any other development in the harbour area be put on hold until the Harbour Strategy had been developed with input from key stakeholders. A “shared vision was required”.

Mike Harris, Friendly Bay Boat Society: Mr Harris said the Society supported option 4 – to defer any decision until the harbour strategy had been put out for public consultation and fully developed. That would allow the community to consider what it might want; whether a zipline fits with that or not would then remain to be seen.

Jay McMillan: Ms McMillan said she believed the zipline proposal was ‘a joke’ when she first read about it. She believed it would not enhance the quality of life for any Waitaki resident, and that was why people came to live here. She suggested Council adopt option 5.

Frances McMillan: Miss McMillan also supported option 5. A 900 metre long wire across the harbour area was enough for her to say “no”. The harbour is a special place. A petition had been started online in response to the proposal and it already had 800 signatures. When asked, Miss McMillan advised that it was not her petition, so she did not know whether it would be presented to Council or not. The Mayor confirmed that no such petition had been submitted to Council at this time.

Eden Bradfield: Mr Bradfield said he thought the zipline was contextually wrong in the harbour because it was not in line with the historic nature of the area. Many of those who had commented on the petition had shared this view.

Chris Lalas: Mr Lalas suggested moving the zipline landing southward, to eliminate any possible impact on the Otago shags. He noted that the Otago shags were the only bird species endemic to Otago, and they nested nowhere else. They had first nested on Sumpter Wharf in 2014, and their numbers could double and even triple. The original zipline proposal would have been a major threat and probably total disaster for the shags, so he was grateful that the new proposal had moved away from that initial position. If the landing moved another 100 metres southward then it would not go over the harbour at all, and would eliminate the problem for the shags completely. It would reduce the length of the zipline wire by about 15%, and move it closer to the cliffs.

Katrina Hazlehurst: Ms Hazlehurst was one of the volunteers building walking tracks on Cape Wanbrow, and none of them had been approached for comment on the zipline proposal. There were walkers, bikers, etc. She asked who would be responsible if the tracks were closed because of the zipline? There were big costs involved in getting the ground repaired. Secondly, sound carried a long way, and if there was any shrieking or screaming from the zipline, it would reverberate a long way around the valley as the acoustics there were the best on the Cape. Thirdly, she did not believe people would want to talk up to a zipline launch site, so there would be none there in wet conditions. There were also problems with erosion in that area, and what would happen if the road was washed out? She believed the zipline was a good idea, and the community needed to stop thinking everything needed to be centred on the harbour area. But she suggested it be placed elsewhere with other adventure tourism offerings, so that people would stay 2-3 nights and move around the district to participate in multiple activities.

John Baster: Mr Baster said he was passionate about Oamaru; believed that the town had many characters that could not be purchased; and that the harbour was the jewel in the crown. He supported having a holistic plan that looks at things. The zipline was a well-intentioned development for the town, but he believed the timing was wrong. He urged Councillors to take a moment, pause, and allow forward thinking and overall vision for the district to gel and then see how everything fits

Katie White: Ms White said the zipline proposal was “crass commercialisation”.

It was noted that the online petition had been started by ‘Anna Brown’, and it currently had 827 signatures. It was intended that the petition would be presented to Chief Executive Fergus Power.

The Chair then declared the Public Forum closed at 9.47am. He explained that Select Contracts representatives would now be invited to give their presentation, and then engage with Councillors in a question and answer session afterwards. He advised that the public were welcome to attend both the presentation and Q&A session. He then handed over the chair to Deputy Mayor Melanie Tavendale.

Deputy Mayor Melanie Tavendale assumed the role of Chair at 9.48am, and invited Select Contracts' Darron Charity to make a presentation.

Select Contracts presentation – Zipline Proposal

Mr Charity gave the Select Contracts presentation, and then engaged in a question and answer session with Councillors. He noted that the zipline was “not a done deal”; and that “just because we can do something doesn't mean we will do it”. The company wanted to start something and then finish it. However, ultimately, “if the community doesn't want it, and Council doesn't want it, then we will not proceed”.

The Acting Chair then directed the meeting to Agenda Item 17.

AGENDA ITEMS were taken out of order from this point forward. Discussion and resolutions that follow are recorded in the order of the meeting.

17. Select Contracts Zipline Proposal

The report, as circulated, sought to agree on Council's approach to a request from Select Contracts to enter into an Agreement to Lease for a zipline operation from Cape Wanbrow to land just beyond the Steampunk Playground in the Oamaru Harbour.

Policy and Strategy Manager Mike Searle introduced the report on behalf of the author who was away on other Council business. Mr Searle noted that Council's approach with the report was not a decision on the lease itself. Instead, officers had been asked by elected members to present options, and there were five in the report. There was a recommended best option, for the reasons stated, but it did not represent a final decision.

The Acting Chair highlighted that the viewpoint of officers was based on a policy direction from Councillors. Council wanted to be business-friendly. Officers said they would investigate the options and present them in a report. What Council chose to do with those options and the report was a matter for Councillors to decide.

Cr Hugh Perkins presented an alternate motion to the meeting, as follows:

MOTION

Cr Hugh Perkins / Cr Jim Hopkins

That Council defers consideration of Select Contract's lease request and invites the company to consult with the community in a public process before a decision is made.

Discussion on the motion:

The mover and another councillor spoke about the controversial nature of the zipline proposal, and the fact that they wanted more of a steer from the community, and more detailed information (eg about what will be in the playground; what the footprint would be; how it would affect businesses etc) first. There was a lack of detail attached to Option 1, and a staged approach – rather than a “yes or no” – was required in order to give the people of North Otago their democratic right to speak first.

Cr Jim Hopkins said he had seconded the motion because it was permissive and enabling. He believed that issues had been raised during the Public Forum today that needed to be explored, analysed and assessed. The company had genuinely asked for permission; and to come and have a chat. The community was being invited to do just that, which would help inform the next stage of the process.

The Acting Chair said she would vote against the motion, because she believed Council needed to own the consultation with the public and show some leadership. She wanted Council to talk to the community, not ask the company to do that. The biggest issue from her perspective was that Council had been told today there had been some consultation and that there is a petition, but

Councillors did not know what that all meant yet, and further work needed to be done. She favoured Option 3.

It was noted that the harbour strategy had featured during today's discussions, and yet, realistically, that was a good year away from being put out for public consultation. The proposal was on the table right now, and some felt that Council should move faster (than waiting for the strategy to be developed first). There was some agreement about the desire to move holistically, but the Acting Chair also suggested that the harbour plan would not necessarily resolve everything. Sometimes, things could get lost in an overall plan, and it was better to take the bigger things that really would make changes and consult on them individually. Voting against this motion would enable Council to go out to the community and consult on the zipline proposal before any lease is signed.

Cr Jim Hopkins proposed that the motion be amended slightly to take account of the issues raised, to invite the company to participate with the Council and consult with the community in a public process. The mover of the motion agreed.

Two other Councillors shared their view that everyone seemed to be in agreement that public consultation on this matter was absolutely essential. The lease would be conditional on it. Even if Option 1 was agreed today, the proposal remained very conditional on public consultation.

Another Councillor said he supported the motion and had listened to the other two Councillors who did not have a problem with agreeing to Option 1. His view was that the people must say what they want, so he would also support the motion as proposed.

RESOLVED
WDC 2018/155

Cr Hugh Perkins / Cr Jim Hopkins
That Council defers consideration of Select Contract's lease request and invites the company to participate with the Council and consult with the community in a public process before a decision is made.

CARRIED UNANIMOUSLY

The meeting was adjourned at 10.48am for morning tea, and reconvened at 11.07am. At that time, Mayor Gary Kircher resumed in the role of Chair.

4. Confirmation of Previous Meeting Minutes

RESOLVED
WDC 2018/156

Deputy Mayor Melanie Tavendale / Cr Craig Dawson
That Council confirms the public minutes of the 31 July 2018 Council Meeting, as circulated, as a true and correct record of that meeting, with two specific corrections, namely:

- Agenda Item 5, Mayor's Report, second bulletpoint on page 7, line three: "centralisation" be replaced with 'decentralisation'; and
- Agenda Item 14, Representation Review 2018: It was noted that Cr Jim Hopkins had voted against the resolution, but had not asked for the vote to be recorded. The word "unanimous" needs to be deleted.

CARRIED

5. 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 Chief Executive's Interim Performance Review; Oamaru Harbour and Heritage Quarter Strategy; New Kiwis; Sports and Events Centre; Te Waipounamu me Rakiura Tracks and Trails Strategy Project; Geopark Progress; Oamaru Courthouse Reopening; Harbour Accommodation; and Meetings Attended.

[NOTE: The full version of the Mayor's Report is available on Council's website as part of the "11 September 2018 Council Meeting Final Agenda Papers PUBLIC", and can be accessed through the pathway "Council / Council Meetings / Agendas and Minutes".]

RESOLVED
WDC 2018/157

Cr Jim Hopkins / Deputy Mayor Melanie Tavendale
That Council receives and notes the information.

CARRIED

6. 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 had arisen since the last Council meeting. Topics included: UNESCO Global Geopark Application; New Zealand Productivity Commission Final Report – Low-emissions Economy; Business and Site Visits; and Meetings Attended.

[NOTE: The full version of the Chief Executive's Report is available on Council's website as part of the "11 September 2018 Council Meeting Final Agenda Papers PUBLIC", and can be accessed through the pathway "Council / Council Meetings / Agendas and Minutes".]

Chief Executive Fergus Power advised that the highlight of the month had been the visit by the UNESCO New Zealand Commissioners. They had given the district an '11 out of 10' score in terms of its potential as a Geopark going forward.

There was brief discussion on the low-emissions economy, and the position being taken by central government which could be detrimental to rural economies. Mr Power acknowledged Councillors' concerns on that issue, which is why he had brought the productivity report to their attention at the earliest opportunity. The report noted that the matter was "a complex and difficult problem", and working through it could be expected to be a journey.

RESOLVED
WDC 2018/158

Cr Jim Hopkins / Cr Colin Wollstein
That Council receives and notes the information.

CARRIED

The Chair then directed the meeting to Agenda Item 20.

20. Waitaki Community Recreation Centre Annual Report (30 June 2018)

The memorandum, as circulated, provided Council with the Waitaki Community Recreation Centre Annual Report for the period ending 30 June 2018.

Waitaki Community Recreation Centre Manager Di Talanoa presented the report to Council. She noted that the Trust believed there was a good future for the Centre, and thanked Council for the loan it had provided. Facility hire was trending upwards, and Pacific Island and youth and family groups were using it regularly, which meant it was serving a significant social purpose.

During a brief discussion with Councillors, it was noted that the Board would have an important role to play in design discussions for the new recreation centre, and to be involved in what was happening nationally and how the centres could remain fresh and relevant into the future with new programmes and functions.

The Chair thanked Ms Talanoa for the report, and congratulated her on the Centre's successful year in what had been difficult operating conditions. Ms Talanoa thanked Council and in particular Cr Jeremy Holding for its support and assistance.

RESOLVED
WDC 2018/159

Cr Jim Hopkins / Deputy Mayor Melanie Tavendale
That Council receives and notes the information.

CARRIED

The Chair then directed the meeting back to Agenda Item 18.

18. Kurow Duntroon Irrigation Company Redevelopment Loan Proposal

The report, as circulated, sought Council's consideration of a request from the Kurow Duntroon Irrigation Company (KDIC) for funding assistance by way of a lending facility to facilitate the redevelopment and expansion of the existing irrigation scheme.

Group Manager Paul Hope introduced this agenda item. KDIC representatives Geoff Keeling and Jock Webster were in attendance for this agenda item.

The following points were highlighted / clarified during discussion on the report:

- At a Special General Meeting, KDIC shareholders had voted 94% in favour of continuing with the project and approving the funding levels, which included a prospective loan from Council.
- KDIC Directors are comfortable with the recommendations in the report, including due diligence.
- The economic and environmental benefit outweigh the financial burdens and risks.
- The proposal offered a better rate of return than having the money sitting in the bank.
- The environmental benefits go beyond job creation; streams will be replenished, environmental outcomes will be improved; and livelihoods and security for 900+ people will be guaranteed.
- Growth in the Waitaki district is about what happens in primary industries and the agricultural sector; the CIIL investment provides an opportunity – let's get on with it.

Group Manager Paul Hope highlighted that one of the key considerations was the impact CIIL has had on the project and particularly about its due diligence – its representatives had been very open and willing to accommodate any Council request for information and to share information going forward. From his perspective, as the designated Council officer involved, that had provided a great deal of comfort. Their work was highly professional; they had expert knowledge of the viability of the schemes; and were working closely with KDIC to make the proposal as viable as possible. Mr Hope recommended that level of assurance to Council, and this was acknowledged by those present.

RESOLVED

WDC 2018/160

Deputy Mayor Melanie Tavendale / Cr Bill Kingan

That Council:

1. Noting the potentially strong environmental, economic and social benefits of the redevelopment, agrees to make a debt facility available to the Kurow Duntroon Irrigation Company Limited (KDIC) to help fund the redevelopment of the scheme.
2. Confirms that the terms of the agreement are:
 - a. A term no longer than 15 years
 - b. The maximum amount of the facility is \$3 million (including principal and any capitalised interest)
 - c. That part of the principal and interest will be repaid/paid over the term of the loan on a basis equivalent to a "35 year term table mortgage" by way of quarterly payments commencing after practical completion of the redevelopment project.
 - d. Second ranking security will be taken over all assets of KDIC, which will include KDIC's rights under the water supply agreement that it has with shareholders
 - e. The interest rate charged will be set on an annual basis on 31 May each year based on the published BKBM one year swap rate plus 200 basis points (2.0%)
 - f. This funding will be the last funding called upon by KDIC, in particular after the shareholder contributions and Crown Irrigation Investment Limited.
3. Instructs the Finance and Corporate Development Group Manager to undertake appropriate due diligence and finalisation of all relevant terms and conditions.

CARRIED UNANIMOUSLY
(Vote recorded at the request of the Chair)

Mr Keeling thanked Council for its decision. Mr Webster said he echoed the words of Mr Hope regarding the excellent due diligence of CIIL. He believed that, by the end of September, the company will have met all of the Crown's requirements.

7. Recommendations from Heritage, Environment and Regulatory Committee Meeting, 5 June 2018

Building Control Manager Roger Cook confirmed that the education for this started on 1 August and the infringement fee will come into operation on 1 October.

Deputy Mayor Melanie Tavendale shared her view that workshop discussions around the amount of the fee had favoured \$30, rather than \$40, and she wanted to amend the report recommendation to reflect that. Environmental Services Manager Jason Evered advised that \$40 was specified in legislation. The Chair noted that that was a maximum level, and therefore Council could resolve a lesser amount if it wished to do so.

There was brief discussion on the proposed motion in the report, during which some Councillors believed the recommended \$40 infringement fee was 'right and proper' because it would only penalise those who did not put in any money at all when parking; others believed Council could charge less than the legislation required; still another noted the amount was not critical.

RESOLVED
WDC 2018/161

Deputy Mayor Melanie Tavendale / Cr Craig Dawson
That Council:

1. Approves no change for Animal Control fees.
2. Approves no change for Alcohol fees.
3. Approves an annual fee of \$50 for Street Furniture permit.
4. Approves introduction of \$30 infringement for 'failing to display' Pay and Display receipt.

CARRIED

8. Recommendations from Finance, Audit and Risk Committee Meeting – 14 August 2018

Agenda Item 4 – Carry Forward Report

RESOLVED
WDC 2018/162

Cr Jim Hopkins / Cr Craig Dawson
That Council approves that the projects listed in Appendix 1 (as amended) will be carried forward and undertaken in the 2018/19 year.

CARRIED

Agenda Item 11 – Sundry Year End Issues PE

(a) Oamaru Blue Penguin Colony

RESOLVED
WDC 2018/163

Cr Colin Wollstein / Cr Jim Hopkins
That Council approves an increase in the Oamaru Blue Penguin Colony Internal Loan from \$415,000 to \$566,000 to accommodate the actual cost of building improvements and to reimburse Tourism Waitaki this additional amount, and notes that the lease payments will increase in light of the increased loan amount.

CARRIED

(b) Kurow Jockey Club

RESOLVED
WDC 2018/164

Cr Colin Wollstein / Cr Craig Dawson
That Council approves a one-off adjustment of \$1,000 to the Kurow Jockey Club water account and that the Club be advised that this is a one-off adjustment.

CARRIED

Agenda Item 13(a) – Audit New Zealand Long Term Plan and Consultation Document Management Letters PE

RESOLVED
WDC 2018/165

Cr Jim Hopkins / Cr Craig Dawson
That Council receives and notes the two Audit New Zealand Management Letters on the Long Term Plan and the Consultation Document.

CARRIED

Agenda Item 13(b) – Audit New Zealand Interim Audit Report on the Waitaki District Council for the year ended 30 June 2018 PE

RESOLVED
WDC 2018/166

Deputy Mayor Melanie Tavendale / Cr Jim Hopkins
That Council receives and notes the Audit New Zealand Interim Audit Report on the Waitaki District Council for the year ended 30 June 2018.

CARRIED

Agenda Item 12 – Renewal of Quotable Value Contract PE

RESOLVED
WDC 2018/167

Cr Jim Hopkins / Cr Peter Garvan
That Council approves the extension of the contract with Quotable Value for Valuation and Database Management Services for a period of three years.

CARRIED

Agenda Item 15 – Accounts Payable Analysis PE

It was AGREED that this resolution did not need to be confirmed by Council.

9. Recommendation from Ahuriri Community Board Meeting, 27 August 2018

Temporary Alcohol Ban

The report, as circulated, sought the Board's recommendation that Council approve the extended Temporary Alcohol Bans in Otematata and Omarama for the extended period from Labour Weekend 2018 through to Queen's Birthday weekend 2019 inclusive.

Environmental Services Manager Jason Evered clarified that the Alcohol Ban (the subject of a separate agenda report to this meeting) – if it comes into effect – would replace this Temporary Alcohol Ban. When asked, he advised that there would be advantages if the ban was all year round, but that would be the next stage in the process.

RESOLVED
WDC 2018/168

Cr Craig Dawson / Cr Bill Kingan
That Council approves the extended Temporary Liquor Bans in Otematata and Omarama for the extended period from Labour weekend (9.00pm, Friday 19 October 2018) through to Queen's Birthday weekend (until 6.00am on Monday 3 June 2019) inclusive.

CARRIED

10. Recommendations from Assets Committee Meeting, 28 August 2018

Road Stopping – Island Street, Maheno

RESOLVED
WDC 2018/169

Deputy Mayor Melanie Tavendale / Cr Colin Wollstein
That Council stops portions of Island Street, Maheno described in the schedule and sells the land to the adjoining owners.

CARRIED

Road Stopping – 132 Haven Street, Moeraki

RESOLVED
WDC 2018/170

Deputy Mayor Melanie Tavendale / Cr Colin Wollstein
That Council stops a portion of Haven Street adjacent to 132 Haven Street, Moeraki described in the schedule and transfers the land to the adjoining owner.

CARRIED

Harbour Street Next Steps

It was noted that the survey to businesses had just been sent out to clarify what hours they would prefer for opening and closing. It was focused on the concept of closing Saturday, and Sunday and public holidays.

It was noted that consultation with retailers had already occurred, and that the topic had been discussed at length. The details had gone to the Assets Committee Meeting where they had been discussed, and now it was time to leave it to management to organise the times.

RESOLVED
WDC 2018/171

Deputy Mayor Melanie Tavendale / Cr Colin Wollstein
That Council supports closing Harbour Street based around Saturday, Sunday and public holidays from Labour Weekend to Easter.

CARRIED

11. Recommendations from Heritage, Environment and Regulatory Committee Meeting, 28 August 2018

2018 Dangerous and Insanitary Buildings Policy

RESOLVED
WDC 2018/172

Cr Jim Hopkins / Cr Hugh Perkins
That the Heritage, Environment and Regulatory Committee recommends:
That Council:

1. Receives this information
2. Approves the draft Dangerous and Insanitary Buildings Policy, with minor amendments
3. Approves the draft Statement of Proposal, with a consultation period of 13 September to 15 October 2018
4. Approves the draft Consultation Document
5. Approves the draft Engagement Plan
6. Notes that submissions will be heard in the week beginning 29 October 2018.

CARRIED

12. Warrants of Appointment

RESOLVED
WDC 2018/173

Cr Colin Wollstein / Cr Craig Dawson

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

- 1) Waitaki District Council hereby appoints **Toby James Armour** (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) Serve abatement notices (s322);
 - iv) Compliance with abatement notices (power to seize) (s323);
 - v) Issue and effect of excessive noise direction (s327);
 - vi) Compliance with an excessive noise direction (s328);
 - vii) Take preventative or remedial action (s330);
 - viii) Carry out, at any reasonable time, inspections of any place or structure (except a dwelling house) (s332);
 - ix) Enter for survey (s333); and
 - x) Issue infringement notices (s343C):
 - 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 **Sarahann du Plooy** (Property Officer – fixed-term) 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) Serve abatement notices (s322);
 - iv) Compliance with abatement notices (power to seize) (s323);
 - v) Issue and effect of excessive noise direction (s327);
 - vi) Compliance with an excessive noise direction (s328);
 - vii) Take preventative or remedial action (s330);
 - viii) Carry out, at any reasonable time, inspections of any place or structure (except a dwelling house) (s332);
 - ix) Enter for survey (s333); and
 - x) Issue infringement notices (s343C).
- 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.
- 3) Waitaki District Council hereby appoints **Lindsay Ronald Hyde** (Parks Officer - Urban) 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) A 'Ranger' under Section 8 of the Reserves Act 1977 with authority to exercise all the powers of a Ranger under the Reserves Act 1977.
 - 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.
 - d) An 'Enforcement Officer' under Section 32 of the Freedom of Camping Act 2011 with authority to exercise all the powers of an Enforcement Officer under the Freedom of 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 area (s36); and
 - iv) Seize or impound certain property (s37).

CARRIED

13. Waitaki Alcohol Ban 2018

The report, as circulated, sought Council's adoption of the Waitaki Alcohol Ban 2018 (previously titled Liquor Ban Bylaw) in order to avoid breaching the LGARAA 2012 and proceeding without an active bylaw in place.

Environmental Services Manager Jason Evered advised that the policy documents contained some typographical errors and incorrect numbering which would be corrected before they were released for consultation.

RESOLVED
WDC 2018/174

Cr Colin Wollstein / Cr Craig Dawson

That Council:

1. Receives and notes this information
2. Approves the draft Waitaki Alcohol Ban 2018 for consultation
3. Approves the draft Statement of Proposal
4. Approves the draft Consultation Document
5. Notes that all submissions will be heard.

CARRIED

14. Local Alcohol Policy

The report, as circulated, sought Council's approval to defer the development of a Local Alcohol Policy (LAP) as there is little evidence or information to indicate that a LAP would address the known alcohol issues in the district.

It was noted that the report mentioned working with other councils to develop a joint Local Alcohol Policy. In response, Environmental Services Manager Jason Evered suggested all opportunities could be explored, and Group Manager Lichelle Guyan may already have commenced those with other councils.

Cr Colin Wollstein and Cr Peter Garvan both held the view that the liquor industry would fight any attempt to have a Local Alcohol Policy. The Chair noted that the recent remit passed at the Local Government New Zealand Annual General Meeting was about strengthening LAPs to deal with such matters.

Another Councillor noted that legislation was not adequate to address the issues, and having a LAP at this time would be a waste of time and money.

RESOLVED
WDC 2018/175

Cr Jim Hopkins / Cr Colin Wollstein

That Council:

1. Receives and notes the information in this report; and
2. Approves the deferral of a Local Alcohol Policy (LAP).

CARRIED

15. Dog Control Policy and Practices Report 2018

The report, as circulated, sought to meet Council's legislative requirements by reporting on dog control and practices for 2018.

RESOLVED
WDC 2018/176

Cr Craig Dawson / Cr Jim Hopkins

That Council:

1. Adopts the report as required under section 10A 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

The meeting was adjourned for lunch at 12.32pm, and reconvened at 1.00pm.

The Chair welcomed intern Dominic Williams to the meeting. Building Services Manager Roger Cook introduced Dominic, noting that his energy, passion, interest and ability to fit into the team had been welcomed and appreciated; he had been an “absolutely superb” team member and contributor.

Intern Presentation – Dominic Williams

Dominic said he was studying planning, public policy and management at the University of Oregon. The focus of his degree was on sustainable economic development, and he was very interested in climate change mitigation and “smart cities”.

He loved New Zealand, and had particularly enjoyed the opportunity to travel around including to Arthur’s Pass, Franz Josef, Milford Sound (“the highlight of my life”), “having a blast in Dunedin” (rugby), and seeing “amazing” Queenstown.

His intern work at Council had been varied, and including reviewing the Dangerous and Insanitary Buildings Policy and the Alcohol Ban Policy. He had also worked with others on projects and issues like Warmer Kiwi Homes; Researching Voluntary Rates Schemes; erosion, waterfront redevelopment; tiny housing; Enviroschools; local energy usage; gambling and TAB venues; UNESCO heritage site (eg buffer zones and penguins); and UNESCO geoparks and associated policies.

He had had five learning goals, as follows:

- Experience the real-world working environment of a potential career field – this was his first time working 40 hours per week!
- Improve organisational skills in terms of efficiency
- Expand knowledge of climate change and the unique needs of individual regions
- Experience urban planning from a public sector perspective (incredibly interesting and fulfilling)
- Develop his presentation skills.

Dominic believed he had nailed all of them, and had enjoyed the experience throughout! His experience at WDC had been “enlightening”.

He would be graduating in December, and would then do some more travel before getting into work. He hoped to come back to New Zealand to see more, before his visa expired in June next year.

Dominic then engaged with Councillors for a Q&A session, where topics raised from tiny houses (is Oamaru ready for them? Yes, he believed so); local energy – options to replace some forms of heating would be referenced in his report; “smart cities” – in reality, this was about connections and interconnections, creating things that are more sustainable, reducing energy use in buildings; the number of vehicle miles driven; and using sensors to use energy at the best times and for maximum benefit.

Mayor Gary Kircher thanked Dominic for his presentation, and highlighted the interesting array of projects and topics that he had been involved with during his time with Council. He presented Dominic with an internship completion certificate and wished him all the best for the future.

The Chair then declared the Council Meeting adjourned, at 1.18pm, to enable the Finance, Audit and Risk Committee Meeting to be held.

The Chair reconvened the Council Meeting at 2.10pm, and directed discussions to Agenda Item 16.

16. Event Coordination Budget

The report, as circulated, sought to determine whether Council establishes an Event Coordination budget to provide support to those local events that fall outside the coordination of Tourism Waitaki.

The following points were highlighted / clarified during discussion on the report:

- An original concept for assistance with event coordination was for a full-time temporary role for three months, but it had been determined that that would not deliver what was required. Therefore, a part-time role for a longer period of time was being sought.
- The proposed budget of \$35k could be reduced to \$20k-\$25k to see how that goes initially, and then it could be added to later as required.
- The report does not discuss how the role will deliver the event coordination, to provide some flexibility on that – it might start with one day a week, and then move to two days as required.

Deputy Mayor Melanie Tavendale said she wanted to move the motion as it was recommended in the report. She supported having \$20k for the position, and then \$5k for each major event. She favoured stating the amount to be spent on each event and where the funding was to come from. The Chair suggested the Whitestone Dividend could be the funding source for this year, with a funding review to be done for subsequent years.

Another Councillor suggested a contestable fund could be established instead. Yet another proposed to vote against the motion because there was no information in the report about whether the event coordination budget was required to meet increased demand for entertainment.

RESOLVED Deputy Mayor Melanie Tavendale / Cr Craig Dawson
 WDC 2018/177 That Council establishes an Event Coordination budget of \$35,000 funded from the Whitestone Dividend to provide additional support to smaller key events within the district, with funding for future years to be reviewed as part of the 2019/20 Annual Plan.

CARRIED

AGAINST: Cr Hugh Perkins, Cr Jan Wheeler, Cr Guy Percival

The Chair adjourned the meeting at 2.28pm for the Council Hearings on the Class 4 TAB and Gambling Policy Reviews.

At 2.57pm, the Chair reconvened the Council Meeting, and signalled his intention to move into Public Excluded.

22(a) Resolution to Exclude the Public

RESOLVED Deputy Mayor Melanie Tavendale / Cr Hugh Perkins
 WDC 2018/178 That the public be excluded from the following part of the proceedings of this meeting, namely agenda items 23, 24, 25, 26, 27, and 28.

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:	
23. Confirmation of Public Excluded Meeting Minutes – Council Meeting 31 July 2018 PE	To protect the privacy of natural persons. Section 48(1)(a) (The disclosure of the information would cause unnecessary personal embarrassment to the persons concerned.)
24. Recommendations from Assets Committee Meeting, 28 August 2018 PE	To enable the Council to carry out commercial negotiations without prejudice or disadvantage.
25. Lease of Lands PE	Section 48(1)(a)
26. Harbour Visitor Accommodation PE	(Premature disclosure of the information would detrimentally affect the Council's position in the negotiations.)
27. Waitaki Heritage Fund PE	
28. Decisions Regarding 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.

CARRIED

Public Excluded Minutes apply

29. Resolution to Return to the Public Meeting

RESOLVED
WDC 2018/185

Deputy Mayor Melanie Tavendale / Cr Craig 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

The Chair then directed the meeting back to the remaining Public Agenda Items, namely 19 and 20.

19. Grants and Awards (January – June 2018)

The memorandum, as circulated, summarised and advised Council of the distribution of funding that has been approved by the Grants and Awards Committee for the period January – June 2018.

It was noted that this reporting would be provided every six months in future.

There was a query about whether Moeraki Cliffs' biodiversity funding application had not been granted. Cr Jeremy Holding confirmed that it had been granted, so that was an error in the report.

RESOLVED
WDC 2018/186

Cr Bill Kingan / Cr Craig Dawson
That Council receives and notes the information.

CARRIED

20. Development Contributions Decisions Made Under Delegated Authority

The report, as circulated, sought to ensure that Council is informed of the decisions made by the Development Contributions Committee under delegated authority.

Group Manager Paul Hope noted that there had been concerns about the number of deferred payment arrangements being put in place. Most were long-standing issues that have come up, and some had been a surprise for applicants. The process was coming to an end now, though, and the intention was to get matters sorted in a more timely manner.

RESOLVED
WDC 2018/187

Cr Jim Hopkins / Cr Craig Dawson
That Council receives and notes the information.

CARRIED

30. Release of Previously Public Excluded Information

In accordance with Clause 17.5 of the Waitaki District Council Standing Orders 2016 to 2019, and with Resolution WDC 2018/184 of this meeting, Council agreed to release in the public minutes of this 11 September 2018 Council Meeting the following previously public excluded information:

23. Confirmation of Public Excluded Meeting Minutes PE

RESOLVED
WDC 2018/180

Cr Jim Hopkins / Cr Craig Dawson
That Council confirms public excluded minutes of the 31 July 2018 Council meeting, as circulated, as a true and correct record, with minor typographical corrections.

CARRIED

25. Lease of Lands PE

RESOLVED
WDC 2018/182

Cr Craig Dawson / Cr Colin Wollstein
That Council:

1. Pursuant to the Reserves Act 1977, and within the delegation from the Minister of Conservation, leases the Omarama property to Fire and Emergency New Zealand (FENZ).
2. Pursuant to the Local Government Act 2002, leases the Hampden and Kakanui properties to Fire and Emergency New Zealand (FENZ).
3. Agrees that all leases will be for a period not exceeding 35 years (less one day).
4. Conditionally transfers the improvements on the Hampden, Kakanui and Omarama sites to Fire and Emergency New Zealand (FENZ).
5. Transfers the assets at the Windsor Fire and Emergency New Zealand (FENZ) occupied site to Fire and Emergency New Zealand (FENZ) at a nominal consideration.
6. Resumes full ownership of the Macraes Fire and Emergency New Zealand (FENZ) occupied property and subsequently authorise officers to commence proceedings to sell the property.
7. Authorises the Chief Executive to take the relevant action.

CARRIED

26. Harbour Visitor Accommodation PE

RESOLVED
WDC 2018/179

Cr Colin Wollstein / Cr Guy Percival
That Council approves the final development design for the Harbour Visitor Accommodation situated on the corner of Tyne Street and (now closed) Arun Street submitted by Pacific View Suites Limited.

CARRIED
AGAINST: Cr Jim Hopkins

27. Waitaki Heritage Fund PE

RESOLVED
WDC 2018/183

Cr Jim Hopkins / Deputy Mayor Melanie Tavendale
That Council:

1. Increases the membership of the Waitaki Heritage Fund Committee to six, consisting of three Councillors or Council-appointed representatives and three other members as Heritage New Zealand representatives, with a quorum of four;
2. Approves that, once the Waitaki Heritage Fund Committee membership has been formed as in (1) above, the Waitaki Heritage Fund Committee will review and update the Waitaki Heritage Fund Agreement and the Waitaki Heritage Fund Criteria;
3. Agrees that the Waitaki Heritage Fund Committee will report to Council twice a year on applications received and funding dispersed.

CARRIED

There being no further business, the Chair declared the meeting closed at 4.06pm.

CONFIRMED at the Council Meeting held on the 30th day of October 2018 in the Council Chamber, Third Floor, Office of the Waitaki District Council, 20 Thames Street, Oamaru.

(signed)

Chairperson