



# Waitaki

DISTRICT COUNCIL

*TE KAUNIHERA Ā ROHE O WAITAKI*

**Date:** Tuesday, 23 April 2024  
**Time:** 9.00am  
**Location:** Council Chamber, Third Floor  
Office of the Waitaki District Council  
20 Thames Street, Oamaru

## Agenda Addendum

### Waitaki District Council Meeting

### 23 April 2024

**Alex Parmley**  
Chief Executive

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## Agenda Items

<b>L</b>	<b>Urgent Business</b> .....	<b>3</b>
	4.2 Public Minutes of the Additional Council Meeting held on 19 December 2023.....	3
	4.6 Public Minutes of the Council Hearing held on 15 May 2023.....	24
<b>7</b>	<b>Resolution to Exclude the Public</b> .....	<b>41</b>
<b>8</b>	<b>Public Excluded Section</b> .....	<b>42</b>
	8.3 CCO Director Remuneration Review 2023 PE .....	42
	8.4 Water Services Procurement PE (new urgent item; not on principal agenda).....	42
<b>9</b>	<b>Resolution to Return to the Public Meeting (refer to principal agenda)</b> .....	<b>42</b>
<b>10</b>	<b>Release of Public Excluded Information</b> (related to new urgent item 8.4 only; other PE items will be addressed via item 10 on the principal agenda).....	<b>42</b>

### Additional Officer Comments (an amended summary for the public version):

1. Due to technical matters that could not be resolved this evening, the agenda report for Public Excluded Agenda Item 8.3 (CCO Director Remuneration Review 2023 PE0 was not able to be finalised for inclusion in the Public Excluded Agenda Addendum PE being published tonight. It will be published (to PE recipients only) as soon as possible.
2. Public Excluded Agenda Item 8.4 is a new urgent item that was authorised for inclusion in this Agenda Addendum PE version by the Chief Executive yesterday (17 April 2024). It does not appear on the principal agenda that was published on 17 April 2024.

**L URGENT BUSINESS**

**4.2 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 19 DECEMBER 2023**

**Author:** Ainslee Hooper, Governance and Policy Advisor

**Authoriser:** Lisa Baillie, People and Transformation Group Manager

**Attachments:** 1. **Public Minutes of the Additional Council Meeting held on 19 December 2023**

**RECOMMENDATION**

That Council confirms the Public Minutes of the Additional Council Meeting held on 19 December 2023, as circulated, as a true and correct record of that meeting.

**UNCONFIRMED MINUTES**  
**OF THE WAITAKI DISTRICT COUNCIL MEETING**  
**HELD AT THE COUNCIL CHAMBER, THIRD FLOOR,**  
**OFFICE OF THE WAITAKI DISTRICT COUNCIL, 20 THAMES STREET, OAMARU**  
**AND VIA ZOOM VIDEO-CONFERENCE**  
**ON TUESDAY, 19 DECEMBER 2023 AT 1.00PM**

**PRESENT:** Mayor Gary Kircher (Chair), Deputy Mayor Hana Halalele (Deputy Chair), Cr Tim Blackler, Cr Jeremy Holding, Cr Jim Hopkins, Cr Courtney Linwood (late), Cr Guy Percival, Cr John McCone, Cr Rebecca Ryan, and Cr Jim Thomson

**APOLOGY:** Cr Brent Cowles (absent), Cr Courtney Linwood (for lateness)

**IN ATTENDANCE:** Mr Simon Neale (Independent Chair of PAR – via Zoom)  
Alex Parmley (Chief Executive)  
Paul Hope (Finance and Corporate Development Group Manager and Acting Assets Group Manager)  
Lisa Baillie (People and Culture Group Manager / Deputy Chief Executive)  
Roger Cook (Heritage, Environment and Regulatory Group Manager)  
Ainslee Hooper (Governance and Policy Advisor)

**IN ATTENDANCE FOR SPECIFIC AGENDA ITEMS:**

Erik van der Spek (Project Manager – Major Projects)  
Joshua Rendell (Assets Operations Manager)  
Amanda Nicholls (Chief Financial Officer)

The Chair declared the meeting open at 1.00pm and welcomed everyone present.

**1 APOLOGIES**

**RESOLVED WDC 2023/215**

Moved: Cr Jeremy Holding  
Seconded: Cr Rebecca Ryan

That the apology for absence from Cr Brent Cowles and apology for lateness on behalf of Cr Courtney Linwood be accepted.

**CARRIED**

**2 DECLARATIONS OF INTEREST**

Cr Rebecca Ryan declared that she has an interest in Agenda Item 7.2 because she is currently serving as the President of North Otago Tennis. She said she would manage her interest by not participating in the vote relating to the surfacing of the proposed Indoor Sports and Events Centre.

**3 PUBLIC FORUM**

As this was an Additional Council Meeting, no Public Forum was held.

## 7.2 NETWORK WAITAKI EVENT CENTRE

The Chair welcomed representatives from key sports codes and advised that he had agreed to allow them to present information to the meeting relating to design aspects that would apply to their users, and opportunities that they believed would be available at the Network Waitaki Event Centre.

### Sports Code representatives' presentations

A summary of key points made by each sports code and their representatives is provided below.

**Mike Stewart (Oamaru physiotherapist):** Jumping has the highest risk of traumatic and overuse injuries, and to the greatest number of players. Good shock-absorbing flooring is required. Each sport has specific needs for flooring, which adds massive challenges when designing and deciding on flooring for a multi-use stadium. There is a need to do it once and do it right because anything less is a legacy that we will end up living with.

**Tony Natapu (volleyball player who had represented New Zealand):** Volleyball used to be played on lino-covered concrete floors; in the longer term, players need double-knee or double-hip replacements. Some evidence that sprung floors will be essential in the future. Volleyball is a growing sport, and it cannot be played on a multi-purpose floor in another region. Dunedin's Edgar Centre will put in sprung floors at a cost of \$180k, but they consider that pain now will be matched by gain later. Volleyball will be important regarding Council's return on investment. There are 20 players on court at any one time; basketball had 10; tennis had 2. It makes economic sense to have as many volleyball courts as possible. The volleyball tournament committee is reviewing locations for future events and would like to run satellite tournaments which presents an opportunity for Oamaru. Ultimately, hardwood sprung floors would be best, and to have seating around them without covering the floor. Softwood sprung floors would be fine, but the surface would need protecting from seats being moved around if that was part of the arrangement.

It was clarified that the Edgar Centre had six volleyball courts at the moment; they were sprung courts and basketball used them as well.

**Robin Jamieson and Belinda Hughes (North Otago Tennis):** There are no dedicated facilities for tennis in North Otago. The sport was growing in Waitaki since there was a good coaching system in place. Outdoor courts only allowed tennis to be played five months a year. North Otago Tennis felt there was a need for as many codes as possible to be considered throughout the wider Waitaki district, and tennis was one of them.

Tennis caters for a wide range of ages, from three to Masters levels. Players at junior level had jumped 500% in two years. Tennis was being delivered to schools – 1,500 students had been learning in the last 12 months. There was also steady growth at the senior and Masters levels. Large portions of the Pasifika community played tennis. Successes for tennis players over the years had included the Otago interclub doubles grade, and the Masters team had been undefeated for the last year against other regions.

Indoor courts were required to be able to futureproof tennis, and avoid the problems associated with fields being flooded and games cancelled. At the moment, training had to be located out of the area, but employment opportunities for the coaching team were high and there was a very proactive committee. There is also a health and safety framework to build resilience and to be able to provide cardio and fitness sessions and anything that could be flood-lit.

Preferences for surfacing for tennis were initially sprung and synthetic. If that was possible, it would be a true multi-use stadium. All activities can use a synthetic surface, and a wider range of footwear could be used on them than on sprung floors. The cost is similar and maintenance over the years would require half the expenditure to maintain a wooden floor.

It was noted that Council's vision was about empowering power, and tennis representatives believed that was about servicing those in the community now. Strong and inclusive communities

– they wanted tennis brought into the stadium. Resilience and teamwork aligns with empowering. They want to have a place with equitable resources. Tennis could do more with two courts than none.

Asked what funding North Otago Tennis had committed to the Events Centre process, the response was that they have not been in any part of the discussions. They could contribute, but also believed that other codes have not contributed, either, but they would benefit from having it.

Asked what tournaments tennis would bring to the district if they had two courts, Ms Hughes said three tournaments were here already but the Events Centre would enable them to be held when rain might otherwise require them to be called off. Four courts would be better. A mid-week event could be held; and interclub competitions are held on Thursday evenings. Mr Jamieson added that North Otago Tennis would be able to offer to host tournaments with surety and that would bring more opportunities in the future.

Asked if North Otago Tennis would be willing to contribute if what they needed is agreed to by Council, Ms Hughes said it would be a great conversation to have but so far, they have not been approached by the Trust. The opportunity to talk about that would be great.

Asked if moving from having outdoor to indoor lessons could make a difference (as it had to swimming), Ms Hughes said “absolutely”. If there is nowhere to train them outside, tennis players could not even practice. If they had access to the Events Centre facilities, it would raise standards, and not just for juniors.

**Mike Turner (North Otago Basketball):** He respected the process to date and understood the work that was going on behind the scenes. He wanted Council to reconsider the proposal and move to six wooden courts. Basketball games were played 3-4 nights a week; 300 young people played basketball on Monday or Tuesday nights. Six wooden courts could see the sport grow more. Regarding revenue from representative basketball, if there was only four courts, there would be very limited opportunities to host tournaments. In discussions with Basketball New Zealand, Oamaru is regarded as a central area so it could be an ideal location. Waitaki had sent teams to Nelson, and that was too far and costly. The requirement for such tournaments is six wooden courts. All players needed accommodation (they could easily book out 100 motel spaces), and the eat and drink too, which puts additional money into the local economy. Timaru was now building extra courts (it had only three) and was incurring huge costs to do so. If they have six, Oamaru may miss out. The sport is growing and there was a need to spend more now rather than have to find additional funding to add more in the future.

Basketball Otago – three courts might enable hosting of small zone tournaments, with a maximum of 15 teams at a time if they could share spaces. Six courts would put Oamaru on the map with school tournaments. Other venues are building an increasing number of wooden courts.

In noting that the current courts were not sprung, the question was asked if four sprung courts would allow the sport to grow. Mr Turner said yes, but regional tournaments would not be possible.

Asked how much funding Basketball New Zealand had pledged to the Events Centre, Mr Turner said they had not really had a lot of engagement in the process. That was not to say that they would not look to invest in it if it went forward. When a Member said they were looking for a consistent answer to the same last question, Mr Turner advised that he had a direction to share if that was permitted. The Chair ruled that it could be heard. Mr Turner said that the Events Centre had received \$100k from one of Basketball’s members.

The Chair noted that the business case was originally for 3 sprung and 3 synthetic courts and he wanted to know why Basketball was now asking for six sprung floors in its submission. Mr Turner was unsure. The Chair noted that it put Council in a difficult position to try and pull back from where it was. There had already been an increase from 3 sprung courts to 4, with 2 synthetic courts. When he asked what the realistic chance was of getting tournaments if the Events Centre had 6 courts, Mr Turner said, a couple of tournaments at least every second year.

Asked what the situation would be if Timaru also went to six courts, Mr Turner said they could be looking at the same tournaments, and tournaments were unlikely to be shared around.

**Netball Otago (three representatives):** They supported the Events Centre having six wooden courts. There was growth in the sport in all genders, from junior school through secondary school and to senior teams. In total, there were 900 registered netballers in Netball Otago, including males. Strong growth was occurring amongst juniors and the current courts could not accommodate everyone. St Kevin's gymnasium courts have had to be used. Games have had to be shortened to 40 minutes to fit more in. Netball cannot be played on wet courts and they do not want games to be played on concrete.

If there was not six wooden courts, then they would have to choose which age group could or could not play. There was an exciting future for netball, with growth happening at the grassroots level. Netball Otago would need six courts in order to host national or regional tournaments for Masters or secondary school level. They could attract teams from around New Zealand. Over 285 people attended such tournaments, and they would spend \$200 a night on accommodation and food and other activities. There were other advantages of having the facility here. Currently all North Otago representative teams had to travel out of the district to participate.

Netball players are unable to play across two different surfaces during a tournament. If only four were wooden and one or more was synthetic, then no tournaments could be hosted there.

Regarding growth opportunities, men's and boys' netball was growing, and there was an opportunity to introduce mixed leagues on Saturdays. Netball had become a faster and more physical game. Many were leaving after sustaining injuries on concrete. Netball was also leading with initiatives in sport injury prevention. Dunedin's Edgar Centre was a good example – adding two wooden courts and removing concrete. Wooden courts allow short and sharp movements to be completed quickly and safely.

Netball New Zealand has a focus on 'no limits netball' which included opportunities for people with disabilities to play as well, which required wooden floors. Walking Netball had also been introduced to the summer programme, which caters to all ages and demographics.

It was highlighted that Netball New Zealand knows that the decision on the Waitaki Events Centre had to cater for the future.

Through questions, it was clarified that the St Kevin's gymnasium had a sprung court; and that Netball Otago has made a contribution to the Events Centre, but the representatives were not able to answer for Netball New Zealand.

Regarding attracting events, Dunedin was due to host the March pre-season tournament, and that was the kind of event that the Southern Steel would like to bring to Oamaru. Plans were in development for the next year, and that presented a direct opportunity to achieve that. If the pre-season tournament was to be brought to Oamaru, then six sprung courts would be required.

The Chair highlighted that it was a 'bit of an arms race about how many courts were required. Some of the bigger tournaments might have larger accommodation requirements than Oamaru could manage, but equally that was one of the reasons Council wanted to build the Events Centre. The challenge would come if it was not possible to provide as many courts as Netball New Zealand needed, then the opportunities presented would be lost.

The netball representative advised that, when teams went to national tournaments, they had to use outside courts. Regarding our players having to go to Alexandra and Gore, they had the ability there to have the same surface which was needed for tournaments. Asked if larger tournaments could outsource games so that the six minimum court number for the Waitaki Events Centre would suffice, the representative said accommodation, not games, would be outsourced. It was noted that some Oamaru-based children had to go to Christchurch, and the netball representative advised that that had been an historical location. Games would move indoors next year because there was a purpose-built stadium there.



### **Discussion on officer report**

The Chair thanked the sports code representatives for their presentations and then directed the discussion to the agenda report and invited Chief Executive Alex Parmley to speak to it. The report, as circulated, sought consideration of the results of negotiations with the highest scoring tenderer for a design and build contract for the construction of the Network Waitaki Event Centre and to determine whether to award a contract.

Mr Parmley thanked the many people involved in backing the project to this stage, and commended Mr van der Spek as the project manager and 'chief of herding'. He also thanked the Events Centre Trust for raising funding, members of the project board for moving the project forward, and Mr Doug Hurst for his personal support. He also acknowledged the preferred contractor for their help and flexibility in dealing with Council's many demands and accommodating the many needs put forward. He acknowledged that there were many others as well who were also to be thanked for their contributions. Mr Parmley highlighted that it was a long-running ambition for the community and this Council to provide a modern sporting centre and events centre for the community. He referenced the feasibility study that was completed in 2016 and the Investment Logic Mapping (ILM) exercise completed in 2021, and he spoke about the economic benefits that had been identified through them. In addition to that, there was also the need to attract more people to this community to help it thrive and prosper and the need to provide the amenity to retain them here.

Mr Parmley noted that the report provided details of the facility, and the design of that facility that would be delivered in phases. The officer recommendations sought agreement to deliver and award the contract. It also highlighted that the second phase of the grandstand would be contingent on additional funding and that it was not an expectation that that would be funded by Council. The design also allowed for further expansion of the facility if funds were raised for more courts.

Mr Parmley then highlighted the sections that focused on funding risk. He acknowledged that not all of the required funding had been raised – there was \$28.9 million of the \$32.6 million required, which left a funding shortfall of \$3.7m that would be needed to deliver phase 1. To mitigate those risks, important steps would need to be taken. The major mitigation was to get a fixed price contract, to prevent overruns. But that had a validity period so there was a need to sign the contract before that ran out to realise that mitigation option. More funding could be sourced from some of the existing external funding agencies, but it would likely be provisional on the building having been started.

Mr Parmley also spoke about the two stages. The core build would occur first, which would allow for more fund-raising to take place. If the community wants the facility it desires, then it would need to continue fund-raising. There were some potential savings in the project budget, due to a healthy contingency. What went into the ground would be the biggest risk. Once the structure was out of the ground, then that could reduce the requirement for that contingency and it could help offset some of the cost. However, that could not be relied on yet.

On the basis of what was presented, Mr Parmley advised Council to consider the recommendations in the report, to approve the business case, to use the \$600k of depreciation, and to build in changing rooms and delegate authority to himself to finalise the contract. He recognised it was a big decision for Council to make, and that there was a large sum of money involved. Like all big decisions, it came with imperfections and risks attached to it. He highlighted that what was before Council was the nature of the risk that was present. If Council waited, then it could be a while in coming back to Council and it might not be possible to deliver what the community wants at a later time. He encouraged Council to have the confidence that this project could be delivered by working together with all parties.

The Chair invited the two Elected Members who were on the Project Board to speak.

Deputy Mayor Hana Halalele highlighted how exciting this project was and that it would give the community a lift. She thanked all the codes for presenting and acknowledged the many volunteers involved in supporting what they were delivering as sports opportunities in the district. From her



perspective, this project offered future-proofing, wide participation, health and wellbeing, injury prevention, and hosting opportunities. She acknowledged the competition between codes for what was needed and believed that they should come together for the betterment of the wider community. Costs were a concern, but she remained supportive of the opportunity for a fit-for-purpose facility to be built. She advised that she would be willing to move the report's recommendations.

Cr Rebecca Ryan acknowledged that she was involved with North Otago Tennis, and also played basketball and other sports. She believed the opportunities were 'massive' and that, whatever form the Events Centre finally had, she was 'jingling with excitement' and hoped that Council would get it over the line at this meeting.

Another Member said they were a supporter but they also recalled that no shovel would go into the ground until all the funding had been received. He asked what had happened to that thinking. Mr van der Spek said he was unable to speak to that point. The project was where it was now. Lotteries and the Otago Community Trust had opened their doors for the possibility of more funding, but time was running out – the project was now confronting racing cost and the possible withdrawal of funding that had been secured if a decision to proceed was not taken.

In response to a question, Events Centre Trustee Adair Craik advised that Netball Otago had promised a \$250k contribution about two years ago. It was clarified that that would have been made after the change to a 3/3 split between sprung and synthetic courts. However, they had told the project board meeting that they now wanted 6 sprung courts.

It was clarified that the project board had no particular weighting for the criteria.

Ms Craik advised that the Trust had done significant research into court facilities around the country, asking what they would go with based on their experience. Synthetic courts were not supported. If wooden floors were polished regularly, then it would save the flooring and save significant costs in ongoing maintenance.

One Elected Member noted that they were aware the project board meeting had reached one decision about the type of courts and then two members had subsequently changed their minds. They also wanted to know when the Trust had commenced its detailed investigations and why had that information not been brought to Council sooner?

Mr van der Spek advised that the vote did take place, and then further information was provided to the project board from some of the sports codes. Another Board meeting was held last week, and the vote had gone to six sprung courts. The project flooring had been a topic of discussion in the last four months. Ms Craik added that, to get appropriate surfacing for more sports and activities, the Ashburton facility rolled out a carpet like a pool cover, which was easy to do. It would not be possible to hold a Davis Cup tournament on it, but it would be fine for training purposes. The Trust did not want any sport excluded, but there would be a need to find a way for tennis to still do their coaching, which was important. Nets are very expensive and the Events Centre would need to have nets on all sides and the roof. One net was quoted today at \$200k, so being able to provide a facility for tennis would not be cheap but the carpet arrangement could be helpful. Stadium Southland wanted to get rid of their nets, which could make for different opportunities for Oamaru.

The Chair advised that the meeting was now in debate and redirected the conversation to it.

Mr van der Spek advised that Tennis wanted to respond to the previous comment from Ms Craik, and the Chair agreed to allow that. One of the tennis representatives advised that the 'carpet rollout' surface would be 'absolutely inappropriate' and it could cause more injuries if it was not laid properly. Ashburton and Gore used outdoor courts; they do not need the indoor courts as tennis did here.

Cr Jim Thomson said he was willing to test the mood of the meeting with a motion. The Chair advised that the Deputy Mayor had already highlighted her intention to put forward a motion and he invited her to do that.

## **MOTION**

Deputy Mayor Hana Halalele sought first to go through the report recommendations. She was still mindful of the 4-2 court split because of the principles of equity for all codes. She was hearing advocacy for six courts, but there was a need for everyone to be unified and working for the benefit of all the community and there was no representation for many community groups here. With regard to recommendation 1, the Deputy Mayor said she wanted to advocate for a 4-2 split.

When asked by the Chair if wanted to second the Deputy Mayor's motion, Cr Thomson declined.

Cr Jim Hopkins said he would second it, and the Chair accepted the motion for recommendation 1 only, with a court split of 4-2.

## **Discussion on the motion**

Cr Jim Hopkins spoke about the general affordability of the project and the concern about rate rises for all councils around the country. He believed that Council needed to be acutely conscious of every dollar it spent, especially given that there was still not enough money raised to build stage 1. He highlighted the three different quantities of sprung courts and acknowledged that six sprung courts would not only cost more, but they would also exclude some sports. He believed Council's duty was always to seek the greatest reward for the greatest number, and that was also relevant to the 25% (ie less than half) who submitted to the Annual Plan the previous year that they did not want Council to support the project. One way to achieve that was to be prudent – to exclude an entire code that is growing in numbers would be remiss, particularly when other sports would be allowed not to engage in the sports centre at all. Cr Hopkins referred to the Morrison and Low report that identified a massive gap and insisted that Council focus on affordability and inclusivity. The Netball Otago commitment was made at a time when the expectation was that there would be 3 sprung and 3 non-sprung courts. It was now unfortunate that the number of sprung courts had become an issue. He was also amazed and frustrated that national organisations were dictating requirements but made no financial contribution to the localities and places where they expect them to be met. Therefore, on the basis that 4-2 achieves the greatest good for the greatest number and does not exclude a code, Cr Hopkins said he was happy and proud to second the Deputy Mayor's motion.

The Chair thanked Cr Hopkins for his comments. He acknowledged the ongoing discussion regarding the mix of courts, noting that it had gone from 3-3, to 4-2, and then 6, which presented a challenge. He acknowledged receipt of Ms Craik's comments about what other sports centres would do but there had not been any talk about events. He noted that the facility had had a deliberate name change because Council wanted to cater across the board. He felt that there had been too many discussions by too many sports groups without Council and that this had resulted in the conundrum of being lobbied and sent information for the last week. He had found that 'very, very frustrating' and not helpful because the groups had not been unified. The Deputy Mayor's comments were important – Council wanted to make this facility as inclusive as possible. Considering was given to attracting tournaments, but it now seemed like an arms race, with standards changing and increasing each time. Council wanted a real game-changer for Waitaki. Whether it was 4-2 or 6 courts would make a major difference to the district. He did not believe that two surfaces would be any more damaging than the current courts but having 4 sprung courts would give priority for those who needed more.

The Chair acknowledged to Councillors that 'we are stuck in a difficult place', noting that all Waitaki ratepayers (from Lake Ohau village down to south of Palmerston) would be charged for the Centre, not just the sporting individuals and families who would use it. Therefore, it needed to be as inclusive as possible and on the basis that we had the 'must haves' list, and it was agreed at a split of 4-2 and that is what has been worked on, then he would be supporting the motion.

With three speakers now in support of the motion, the Chair put the motion to the meeting and declared it carried. A request was made for it to be declared 'carried unanimously' and the Chair ruled that yes, it could be, because no one had spoken against it. The motion is recorded below.

**RESOLVED WDC 2023/216**

Moved: Deputy Mayor Hana Halalele

Seconded: Cr Rebecca Ryan

That Council:

1. Approves the post-procurement Business Case for the Network Waitaki Events Centre, noting the decision to go to 4 sprung floor courts and 2 synthetic courts.

**CARRIED UNANIMOUSLY**

The Chair then said he would put the second recommendation, which was also moved and seconded by the Deputy Mayor and Cr Ryan respectively.

**RESOLVED WDC 2023/217**

Moved: Deputy Mayor Hana Halalele

Seconded: Cr Rebecca Ryan

That Council:

2. Approves the demolition of the Grandstand as part of Phase 1 development.

**CARRIED**

**ADDITIONAL MOTION (subsequently withdrawn)**

The Chair sought to move an additional motion 2(a):

“That Council acknowledges North Otago Rugby Football Union’s acceptance of complete responsibility for funding the rugby aspects of phase 2.”

The motion was seconded by Cr Jim Hopkins.

**Discussion on the motion**

Mr van der Spek suggested that the motion be reworded to state that Council does not have any responsibility for funding the rugby aspects of phase 2. The Chair replied that he wanted to ensure there was no expectation that Council would be a funding source for the rugby aspects. As the seconder, Cr Hopkins suggested adding the words “sourcing the” before the word “funding” to make it clear that Council wanted NORFU to come up with the sourcing of all the money. The Chair highlighted that that would allow NORFU to come and make submissions to Council’s LTP for some of the funding. Cr Hopkins noted that a lot of people had already come to Council and he did not believe that Council should say that it will not consider funding requests because “we want them to find the people and find the cash”. He acknowledged that Council could say “no” to such submissions, but he wanted the opportunity to be available. The Chair said that he did not see the point of doing that. He wanted to make sure that Council did not have the responsibility; and that someone else has to have it.

**Motion Withdrawn**

The Chair withdrew the motion.

There was no discussion on recommendation 3 and it was put to the meeting.

**RESOLVED WDC 2023/218**

Moved: Deputy Mayor Hana Halalele

Seconded: Cr Rebecca Ryan

That Council:

3. Approves an additional contribution of \$600,000 from depreciation reserves (the portion of Council Reserves allocated to Grandstand replacement) towards Grandstand demolition and enlarged changing facilities as part of Phase 1.

**CARRIED**

One Member shared their concerns that Council would not be able to meet the requirements of this project. They noted that there was a risk that the Trust would come back for more funding after the build commences because the costs had escalated, given that that was happening with other similar projects around the country. That would generate a risk for Council of having to honour unfilled pledges, and the fact that it can and would add 3-4% to rates would be an even greater concern because the water leaks and road potholes would not even have been fixed. The Member supported the Events Centre for the wellbeing of the community, especially its young people, for now and into the future. However, the financial responsibility to the state of the community was causing uncertainty and huge reservations.

Another Member acknowledged that a project like the Events Centre came with cost and risk. However, they encouraged other Members to consider the cost of not doing it. The current facilities were not fit for purpose; tournaments were being turned away because the facilities did not meet required standards, athletes were being driven out of town to train elsewhere, and opportunities to grow were being restricted. The Member added that the Events Centre would be a 'total game-changer' for the district and would set up the community with life skills and opportunities to keep people active for as long as possible. The Member applauded the previous Council which had the vision to get the project to this point today. They were supporting the recommendations because they believed that the district needed to get on and do it.

A third Member acknowledged the different views of the previous two speakers. They commended the project board and the Trust for getting as far as they had. The Events Centre would be of huge value to the community to help keep people up with modern equipment and new opportunities. The Member shared their view that the onus was now on the rest of the community – those who are going to use it and the rest of the district to find it. If we can afford it, let's get it done, they said.

A fourth Member spoke in support of the project motion under consideration. It was a very momentous situation to be in and there had been considerable work to get the project to this point. They acknowledged the contributions of everyone, in particular the Chief Executive, Mr van der Spek and other staff, and Doug and Donna Hurst and other donors who had helped Council to get to this position, along with the work of Councillors to do the hard work and make the decisions. The Member did not believe that all planets need to be aligned with the funding, because a lot had been done to de-risk the project. There was some risk around the sources of funding still to be raised, but there was reasonable knowledge of where that will come from and that was an important point. Some of it still had to come from the community and that could be acknowledged in other ways. The Member added that Apollo had done a "fantastic job".

A fifth Member referred to the purpose in the Local Government Act 2002 (LGA) promoting health and wellbeing, and the requirement for Councils to achieve objectives of a decision in terms of advantages and disadvantages. They highlighted there were disadvantages with this, and then recited some, including the paradox that many of the families who will benefit from the Events Centre will be unable to afford to use it and the costs of operating the Events Centre. The Member highlighted section 101 of the LGA relating to the need for Council to be mindful of its financial responsibilities and noted that Council's previous resolution had increased its contribution to \$15m which would require the RMA reserves fund to be overdrawn and without agreeing to a solution about how to fund the balance. The grandstand cost was also additional and would require more

funding to be drawn down from the Local Government Funding Agency (LGFA). The Member appreciated the advantages of the project but disagreed with the approach put forward. They noted that Council had until the end of February 2024 to accept a firm price, and they wanted Council to go back to Apollo and get an extension on that deadline. In addition, they did not believe that the community had met the challenge of providing funding for the project.

A sixth Member said they were not comfortable with the motion and would also be voting against it. They wanted to put it back on the community to raise the shortfall and on Apollo to extend their deadline because it was unrealistic and more time was needed to gain a better feel for how much the project would cost. More importantly, though, it would give the community the opportunity to show Council whether they are in or out.

A seventh Member acknowledged the equally passionate and opposing views being put forward as well as the conflicts and disputes within the community. They highlighted that comments about the community supporting this were true only to the extent of the submissions process identifying a majority in favour. However, there was also a substantial minority clearly opposed. The Member then shared their views about the project's reliance on 60% external funding (which will be essential); issued a challenge to the Trust and board to build a shared mindset; the need for Council and the community to determine whether the costs as set out in the report were sustainable; and the need for all the community to realise that if they want affordable rates and additional services, then some unpopular choices need to be made by them and Council.

An eighth Member appreciated the reservations around affordability for some members of the community. However, they felt that this was the most important motion now for the Events Centre project. There was a need to maintain the hope and inspiration of the community for what benefits it could bring. The fundraising Trust was present and they will do their best to raise the shortfall. Talk of financial investment needed to be balanced with consideration of the return on that investment and social wellbeing. The Member was very supportive of this project and wanted to see the facility built for the community and to see different events run locally. They acknowledged that today's decision was a momentous occasion but encouraged their fellow Members not to be fearful, and to recognise that the Trust had others lined up to help raise the shortfall.

A ninth Member said, "Let's get on with it".

The Chair offered Cr Ryan the right of reply as the motion mover, but she declined. The motion was then put to the meeting.

**RESOLVED WDC 2023/219**

Moved: Cr Rebecca Ryan

Seconded: Deputy Mayor Hana Halalele

That Council:

4. Approves the award of the contract for the Network Waitaki Event Centre to Apollo Projects Limited to construct Phase 1 only, with future phases conditional on external funding being secured.

**CARRIED**

**AGAINST: CR PERCIVAL AND CR BLACKLER**



**RESOLVED WDC 2023/220**

Moved: Cr Jim Hopkins  
Seconded: Deputy Mayor Hana Halalele

That Council:

5. Delegates authority to the Chief Executive to agree the contract.

**CARRIED**

A request was made for the concept plans at least showing the exterior designs for phase 1 and possibly phase 2 to be released to the public as soon as possible.

**RESOLVED WDC 2023/221**

Moved: Mayor Gary Kircher  
Seconded: Cr Jim Hopkins

That Council:

1. Acknowledges the Events Centre Trust and the work that they have done; and
2. Notes the commitment of the Events Centre Trust to raise the remaining funding for the total of phase 1.

**CARRIED**

**NEW MOTION**

The Chair moved another motion:

“That Council notes that any saving in the project cost will reduce the rates requirement from Council.”

Cr Tim Blackler seconded the motion.

**Discussion on the motion**

The Chair advised that this was the other half; If Council had to carry the risk, then he believed it also needed to carry some of the benefit and give some to ratepayers. That \$1.35m that was quoted could be reduced somewhat in how the loan is structured but it was still a fairly hefty number. If Council did not end up borrowing \$10m and there were some savings, then it would be very helpful to ratepayers. It might also help to counter some of the arguments out in the community.

**RESOLVED WDC 2023/222**

Moved: Mayor Gary Kircher  
Seconded: Cr Tim Blackler

That Council notes that any saving in the project cost will reduce the rates requirement from Council.

**CARRIED**

The meeting was adjourned at 2.59pm and reconvened at 3.13pm.

The Chair directed the meeting back to Agenda Item 4.

## **4 CONFIRMATION OF PREVIOUS MEETING MINUTES**

### **4.1 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 27 JUNE 2023**

Amendments: Cr Jim Hopkins advised that he had made some minor typographical corrections to these minutes in the Convene Review Room. The Chair advised him to discuss them directly with the Governance Advisor, but he sought a mover and seconder to confirm them now, with minor amendments as agreed.

#### **RESOLVED WDC 2023/223**

Moved: Cr Jim Hopkins  
Seconded: Deputy Mayor Hana Halalele

That Council confirms the Public Minutes of the Council Meeting held on 27 June 2023, with minor amendments as agreed, as a true and correct record of that meeting.

**CARRIED**

### **4.2 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 26 SEPTEMBER 2023**

Amendment: Under 6.4, Proposed Motion Amendment, Point 4, Paragraph 3, Line 5, replace the words “did not tend” to “tended”.

#### **RESOLVED WDC 2023/224**

Moved: Cr Jim Hopkins  
Seconded: Cr Jeremy Holding

That Council confirms the Public Minutes of the Council Meeting held on 26 September 2023, with one amendment, as a true and correct record of that meeting.

**CARRIED**

### **4.3 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 10 OCTOBER 2023**

Amendments:

Item 2, second paragraph, line 1, add the word “had” before “managed”.

Item 7.1, fourth paragraph, third last line, replace “is suggesting” with “suggests”.

Item 7.1, eighth paragraph, third last line, add the word “those” after “assess”.

Item 7.1, as part of the Motion discussion, sixth paragraph, last line, delete the word “stated”.

Under 7.2, under Notice of Motion, point (d), replace the word “movement” with “movements”; under point (f), second line, add the word “person” after “single” (to read “single person vehicles”);

Same point as above, third line, replace the reference to “reduced by 25 cents each” with “reduced by 25%”.

#### **RESOLVED WDC 2023/225**

Moved: Cr Jim Hopkins  
Seconded: Deputy Mayor Hana Halalele

That Council confirms the Public Minutes of the Council Meeting held on 10 October 2023, with amendments as agreed, as a true and correct record of that meeting.

**CARRIED**



#### **4.4 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 24 OCTOBER 2023**

##### **AMENDMENTS**

Item 6.1, third paragraph, third line, add the word “cost” before “components”.

Item 6.1, sixth paragraph, second line, add the words “in price” after “go down”.

Item 6.2, seventh paragraph, second last line, replace the word “into” with “and helped explain”.

Item 6.4, second paragraph, third line, delete the word “to” after “enable”.

Item 6.3, ninth paragraph, first line, add the words “North Otago” before “Rugby Union”.

Also under 6.3, a Member queried why there was italicised information after the paragraph on the registered dividends material. The Chair explained that this information was supplied later by the company and he believed it was relevant and helpful to add that context to the Minutes. He explained that a claim had been made in the meeting by a Member, and the information from the company countered that claim. He said he was satisfied that it was not unreasonable to allow the counter-claim to be included. Chief Executive Alex Parmley added that the information had been referred to in the meeting discussion but the figures had not been stated specifically.

To add further clarification to the explanation preceding the figures, the Chair agreed that the Minutes should be amended to add “after the meeting” following the word “company”.

**ACTION: Governance Advisor**

##### **RESOLVED WDC 2023/226**

Moved: Cr Jim Hopkins

Seconded: Cr Rebecca Ryan

That Council confirms the Public Minutes of the Council Meeting held on 24 October 2023, with amendments as agreed, as a true and correct record of that meeting.

**CARRIED**

#### **4.5 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 14 NOVEMBER 2023**

One Member said they did not agree that Resolution WDC 2023/195 under Item 6.3 had been ‘carried unanimously’, as the Minutes stated. With the leave of the Chair, the Governance Advisor explained that the Chair had asked her to record the decision as ‘carried unanimously’ when no one expressed a vote against it. The Chair concurred with the Governance Advisor’s response and ruled that the Minutes were correct as circulated.

##### **RESOLVED WDC 2023/227**

Moved: Cr John McCone

Seconded: Cr Jim Hopkins

That Council confirms the Public Minutes of the Council Meeting held on 14 November 2023, as circulated, as a true and correct record of that meeting.

**CARRIED**

## **5 LEADERSHIP REPORTS**

### **5.1 MAYOR'S REPORT - 19 DECEMBER 2023**

The Mayor’s report, as circulated, was provided for the information of Councillors and of communities throughout the Waitaki district.

The Chair took his report as read. He highlighted that it was a time of change particularly with regard to central government and its policies. He also noted that the Transport Choices programme that was believed to have been withdrawn may not be gone after all, because the Government is walking back from what was said. It was still possible that Waitaki's \$5.2m funding would come through, which would be good news for the North End project.

Cr Rebecca Ryan acknowledged the inclusion of reports from the Youth Council Deputy Chairs, and for the positive comments on the diversity signwriting on the Council building steps. She also mentioned the Young Elected Members hui that she and Cr Linwood had attended, noting that not many other Councils have youth councils and it had been an inspiration to hear from those who did. Other Councillors endorsed the comments about the work of the Youth Council.

One Member suggested that Council have a freeze on all public consultation for cost-incurring projects until such time as more information was available on projects and prioritisation and what Council might do in response to the letter from the Minister about delaying or deferring the Long Term Plan. The WMMP consultation was highlighted as being voted to proceed and that consultation was to start the previous week. In response, Chief Executive Alex Parmley said he could not agree to that without first being able to analyse the impact. Council had a legal duty to consult on the WMMP, and because it had been resolved that it would be done, officers could not refuse to go forward with it unless Council revoked that resolution.

Another Member referred to the comments on social housing in the Mayor's report and advised that there could be opportunities to receive central government funding as well, especially through the Government's regional development funding. It would be important to continue to develop strong strategic partnerships and to work alongside other community groups and NGOs working in that space. The Chair suggested it would be important to have a very good plan to implement in relation with consultation with the Government. It would need to identify how and when those discussions could take place, and he urged Mr Parmley and his team to find out how that could be achieved and to get some appointments with Government representatives at the earliest opportunity.

Congratulations were extended for the Waitaki multicultural event which had been a "great night".

**RESOLVED WDC 2023/228**

Moved: Cr Rebecca Ryan

Seconded: Cr John McCone

That Council receives and notes the information.

**CARRIED**

**6 RECOMMENDATIONS FROM COMMITTEES REPORTS**

**6.1 RECOMMENDATIONS OF THE PERFORMANCE, AUDIT AND RISK COMMITTEE MEETING HELD ON 12 DECEMBER 2023**

**6.1.1 TREASURY STRATEGY Q3 FY 2024**

The report, as circulated, discussed Council's proposed Treasury Strategy for the third quarter of the 2023-24 financial year, to review benefits arising from Council's membership of the Local Government Funding Agency (LGFA), and to consider the above recommendations.

Speaking via the Zoom online platform, the Independent Chair of the Performance, Audit and Risk Committee, Mr Simon Neale, highlighted that he wanted Council to note the recommendations of the Committee and the increased focus he wanted the Committee to have on cash projections, financing, and the way Council manages and views its debt. This was acknowledged by the Chair.

**RESOLVED WDC 2023/229**

Moved: Cr John McCone  
Seconded: Deputy Mayor Hana Halalele

That Council adopts a Treasury Strategy for the third quarter of the 2023-24 financial year, which includes:

- Continuing to monitor available cash and projecting future cash requirements;
- Continuing to liaise with the Local Government Funding Agency (LGFA) to ensure Council's ability to function and to deliver on behalf of the community is not impeded by a lack of funds;
- Obtaining advice from Bancorp Treasury Services on key projects in addition to ensuring compliance with policy limits; and
- Investing funds considered surplus to immediate requirements based on current forecasts to best advantage to maximise returns.

**CARRIED**

**7 DECISION REPORTS**

**7.1 RECOMMENDATION OF THE DISTRICT PLAN REVIEW SUB-COMMITTEE MEETING HELD ON 4 DECEMBER 2023, WITH ADDITIONAL INFORMATION**

The report, as circulated, provided a recommendation from the 4 December 2023 meeting of the District Plan Review Sub-Committee for consideration by Council, along with additional officer information as requested at the Council Meeting of 12 December 2023 where the original Recommendations report was left to lie on the table until the supply of that additional information was provided at this meeting.

Heritage and Planning Manager David Campbell provided an update to the additional officer comments; with regard to the second bulletpoint, legal advice had been sought on those rules. It would be complicated because there was a need to make the zones and maps operable as well, so he believed that point should be removed from the recommendations being considered by Council at this meeting. Regarding the implementation of earthworks, the RMA and the operative District Plan could be used to deal with that.

As Chair of the District Plan Review Sub-Committee (DPRSC), Cr Jim Thomson asked if it was essential to act within the timeframe or whether there was any leeway, and whether the draft plan still needed to be continued under the current RMA given the changes that central government had signalled were coming. Mr Campbell confirmed that the draft plan is prepared under the RMA, and the Acts that have been repealed recently by the Government had no impact on the draft District Plan. He believed it would be better for Council to get it through so that officers could get started on the process and be ready for when it did need to be notified.

In response to a question about the other rules (ie those not in the second bulletpoint that had been addressed earlier by Mr Campbell) and whether their maps could be made operable, Mr Campbell advised that the other rules link to the maps as they applied to the features and landscapes. The difficulty with the earthworks chapters was that it went across several zones.

Asked about the immediate effects, Mr Campbell advised that if the rules were approved by the Environment Court, they will be highlighted in the plan so it is clear what they are. A summary would be added to help any case-by-case searching.

Mr Campbell also clarified that:

If the Court introduced the rules prior to notification, then the Court process would align with the one being followed for the draft District Plan. Once it was proposed, they would take effect then, and not before that.

Regarding the suggestion 'why not wait' until all the chapters have been finished, Mr Campbell advised that the Court would take time to process applications of this nature and officers would take time to develop and check it.

### **MOTION**

Cr Jim Hopkins moved the recommendations with the deletion of bulletpoint 2 for the reasons explained by Mr Campbell.

Cr Jim Thomson seconded the motion on the basis of officer advice to remove the bulletpoint 2 recommendations.

### **Discussion on the motion**

One Member noted that landowners had received maps that they had not seen previously and were not happy about. However, these rules in these bulletpoints generally allowed for huge amounts of activities. The impact of this change is only on the area between the current plan's Outstanding Natural Landscapes mapping and the changed area.

### **RESOLVED WDC 2023/230**

Moved: Cr Jim Hopkins

Seconded: Cr Jim Thomson

That Council approves an application be made to the Environment Court under section 86(D) of the Resource Management Act 1991 for the following rules to have immediate legal effect from the date when the Proposed District Plan is notified:

- Rules NFL-R1, NFL-R3, NFL-R4, NFL-R5, NFL-R6, NFL-R7, NFL-R8, NFL-R9, NFL-R12, NFL-R14, NFL-R15 and NFL-R16 as they apply to Outstanding Natural Features and Landscapes in the Natural Features and Landscapes Chapter
- Rule SUB-R17 as it applies to the Future Urban Growth Overlay in the Subdivision Chapter.

**CARRIED**

**AGAINST: CR GUY PERCIVAL, CR JOHN MCCONE**

## **7.3 ADOPTION OF ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2023**

The report, as circulated, sought Council's adoption of the Annual Report for the Year Ended 30 June 2023 in accordance with Local Government Act 2002 statutory requirements.

Group Manager Paul Hope acknowledged the dedicated work of Amanda Nicholls, Ian Wells and Mandy McIntosh and their respective teams to get this Annual Report finalised for adoption at this meeting. He also thanked the Chief Executive and Independent Chair of the Performance, Audit and Risk Committee Mr Simon Neale for their participation in discussions with auditors to address some challenging matters.

Chief Financial Officer Amanda Nicholls advised that the attached version 3 of the Annual Report had incurred changes to correct typographical errors and other minor amendments. The financials were the same as presented to the Governance Team previously. She thanked her Finance team, Mr Hope, the Chief Executive, the PAR Chair, and other colleagues for their input and support to the process. Ms Nichols noted that there were no significant issues relating to the Annual Report.

There was one relatively minor matter – an extra bulletpoint in the letter related to the loan to WDHSL not being due to Council in the next 12 months. There was also a qualification regarding the carrying value of the roading and water assets valuations, and Council had self-disclosed that it did not meet the reporting deadline this year. The report from the Audit Director was expected to highlight these matters.

One Member said they would be voting against the adoption of the Annual Report as symbolic to the huge amount of time and effort they had spent going through the document ahead of the PAR Committee Meeting, and having made a whole series of suggestions, most of them were not taken up. They sought an explanation. Ms Nicholls advised that version 3 in the agenda papers had been published a while back; version 4 was now in play and feedback could be considered via emails. The Member advised that some of the references in the document were factually incorrect (eg youth councillors are not elected). The Chair acknowledged that five other councillors had also reviewed the document and it was important that everyone understood that suggested changes may not always be made. However, corrections to inaccurate information was important.

It was suggested that corrections be emailed to the Chief Financial Officer for consideration.

### **RESOLVED WDC 2023/231**

Moved: Cr John McCone

Seconded: Deputy Mayor Hana Halalele

That Council:

1. Adopts the Annual Report for the year ended 30 June 2023 in accordance with sections 98 and 99 of the Local Government Act 2002, with amendments as agreed; and
2. Receives the draft Summary Annual Report, for information.

**CARRIED**

### **7.4 ADOPTION OF PARTIALLY UPDATED DELEGATIONS MASTER REGISTER - DECEMBER 2023**

The report, as circulated, sought Council's adoption of a partially Updated Delegations Master Register.

The Chair acknowledged that staff delegations still had to be done. He highlighted that minor changes had been made around the events budget, by delegating it to the Chief Executive where it needed to be. He noted that he would work with the Chief Executive on budget matters, and still work with the Events Coordinator on events activities as he had been doing previously.

Suggested changes included:

- (a) Page 210 – reference to “parking lot” to be deleted.
- (b) Page 212 – reference to “Former Assets Committee and Community, Culture and Regulatory Committee responsibilities” – All activities revert to Council – to be moved and added to Council delegations.
- (c) Consistency matters: Either 2.05 stands for Council and all Committees to approve their own minutes, or the same reference to approve them is added to each – to be tidied up.
- (d) Delegations to portfolio holders – use of the word “advice” was considered to be a bit prescriptive, given the “directive implication” of that wording.
- (e) The Chair advised that a separate document relating to protocols for portfolio holders dealt with that. He did not believe it was a major issue, but it could be tidied up.
- (f) Request for all objectives of committees and sub-committees relating to minutes that those minutes are made available to all Councillors, not just the Committee/ Sub-Committee Members.



- (g) CCO shareholder sub-committee – request for scope of activity to be augmented to include that “it will, annually or required, report to Council”.
- Chair comment: Reporting did occur, often at Councillor briefings which was informal. Formal reporting was provided by the CCOs to Council every six months.
- Mr Parmley queried what the sub-committee would be providing if the reports were already being provided by the CCOs themselves. The Member said they wanted to ensure they were doing their job properly. The Chair suggested it came back to trust; if there are matters of note, then he was confident that the Members attending the shareholder sub-committee sessions would and did pass on that information.
- (h) Regarding the new Oamaru/Corriedale Ward Sub-Committee – the Chair advised he wanted that to work like the Grants and Awards Sub-Committee. If an Oamaru amenity matter was up for discussion, then the Oamaru Councillors and the Mayor would meet to discuss it. If the matter was related to Corriedale, then it would be only the Corriedale Councillors and the Mayor who would need to discuss that. He also clarified that the thresholds of \$50k in Oamaru and \$50k in Corriedale were related to any individual project. Regarding quorums, for the Oamaru Ward Sub-Committee the quorum would be five members, and the quorum for the Corriedale Ward Sub-Committee would be three members (ie all of them).
- (i) Regarding quorums, the Chair said he had used percentages to have the flexibility to still have a quorum if one of the named members was no longer able to be there (ie a position was vacant). The Governance Advisor advised that vacancies were required to be included in the quorum count.
- (j) The Chair said he wanted Council, at this meeting, to ratify all decisions that had been taken previously by new committees and sub-committees because he was unsure whether they had the delegations to make them. He cited the example of the District Plan Review Sub-Committee, which had taken over the functions of the former Community, Culture and Regulatory Committee of the previous Council. Mr Parmley advised that officers had not taken any specific legal advice on that, but under the Local Government Act, delegations remained in force until they are rescinded. Therefore, the previous ones were still in place. The Governance Advisor added that the requirement in the Act relating to delegations is that Council “should” review them every triennium, not “must”.

The Chair noted that stage two of the review of the Delegations Register would ‘generally’ be about the legislation-based delegations, noting that, if there were other minor tidy ups to do, then they would be done as well.

**ACTION:** Governance Advisor to make the required changes to the Delegations Register as per the discussion at this meeting, and also for Stage Two once it was available, and then to publish the updated Register.

The Chair moved the report’s recommendations with additional words for recommendation 1 – “and with the membership and quorum arrangements to be as agreed at this meeting”.

### **RESOLVED WDC 2023/232**

Moved: Mayor Gary Kircher

Seconded: Cr Jim Hopkins

That Council:

1. Agrees the establishment of a new Oamaru and Corriedale Ward Sub-Committee, as proposed by the Mayor for Waitaki pursuant to Section 41A(3)(b) and (c) of the Local Government Act 2002, and appoints the six Oamaru Ward Councillors and the two Corriedale Ward Councillors, plus the Mayor, to be members of that Sub-Committee, with a Scope of Activity, Roles, and Powers as outlined in the attached Updated Delegations

Register (December 2023), and with the membership and quorum arrangements to be as agreed at this meeting; and

2. Adopts the attached Updated Delegations Master Register (December 2023) as stage one of a two-stage update process, with an operative date of 20 December 2023, with amendments as agreed; and
3. Notes that stage two of the Register Update process will occur in the first quarter of 2024 and the fully Updated Delegations Register will be brought to Council for adoption as soon as it is completed, and that stage two will generally be confined to changes in legislation affecting statutory legislation.

**CARRIED**

## **L URGENT BUSINESS**

### **L.1 DECISION ON RECEIPT OR DEFERRAL OF LATE AGENDA ITEMS**

The report, as circulated in the Agenda Addendum, sought a formal resolution of Council on whether to accept late agenda items for consideration at this meeting or to defer them, pursuant to legislation and Council's Standing Orders.

The Chair noted that the minutes in the Agenda Addendum related to hearings that were held earlier in the year. Chief Executive Alex Parmley advised that the report required Council to first accept the late items before considering the minutes, but they could be deferred to the new year. The Chair noted that he had wanted to have the opportunity for all minutes to be confirmed before Christmas.

After brief discussion, there was agreement on deferring the hearings minutes to consideration in the new year.

#### **RESOLVED WDC 2023/233**

Moved: Cr Jim Hopkins  
Seconded: Cr Tim Blackler

That Council leaves to lie on the table the unconfirmed minutes of hearings held on 2 May 2023 and 16 May 2023 for consideration at the first Council Meeting in 2024.

**CARRIED**

## **8 RESOLUTION TO EXCLUDE THE PUBLIC**

#### **RESOLVED WDC 2023/234**

Moved: Cr Guy Percival  
Seconded: Cr John McCone

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 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	Ground(s) under section 48 for the passing of this resolution
9.1 - Centennial Park Grandstand PE	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

**CARRIED**

**9 PUBLIC EXCLUDED SECTION**

The Public Excluded Minutes of the meeting apply to this section.

**10 RESOLUTION TO RETURN TO THE PUBLIC MEETING**

**RESOLVED WDC 2023/236**

Moved: Cr Rebecca Ryan  
Seconded: Cr Jim Thomson

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

**CARRIED**

**11 RELEASE OF PUBLIC EXCLUDED INFORMATION**

In accordance with Waitaki District Council Standing Orders, and pursuant to resolutions in the public excluded session of the meeting, Council decided not to release any previously public excluded information under this agenda item in the Public Minutes of this meeting.

**12 MEETING CLOSE**

The Chair declared the meeting closed at 4.31pm.

TO BE CONFIRMED at the Waitaki District Council Meeting to be held on Tuesday, 23 April 2024.

.....  
CHAIRPERSON

**4.6 PUBLIC MINUTES OF THE COUNCIL HEARING HELD ON 15 MAY 2023**

**Author:** Ainslee Hooper, Governance and Policy Advisor

**Authoriser:** Lisa Baillie, People and Transformation Group Manager

**Attachments:** 1. Public minutes of the Council Hearing held on 15 May 2023

**RECOMMENDATION**

That Council confirms the Public Minutes of the Council Hearing held on 15 May 2023, as circulated, as a true and correct record of that meeting.

**UNCONFIRMED MINUTES**  
**OF THE WAITAKI DISTRICT COUNCIL HEARING FOR SUBMISSIONS**  
**ON 'NEW WAYS TO SUPPORT ECONOMIC GROWTH IN WAITAKI**  
**HELD IN THE COUNCIL CHAMBER, THIRD FLOOR,**  
**OFFICE OF THE WAITAKI DISTRICT COUNCIL, 20 THAMES STREET, OAMARU**  
**AND VIA ZOOM VIDEO-CONFERENCE**  
**ON MONDAY, 15 MAY 2023 AT 11.00AM**  
**FOLLOWED BY DELIBERATIONS ON TUESDAY, 16 MAY 2023, FROM 4.15PM**

**PRESENT:** Mayor Gary Kircher (Chair), Deputy Mayor Hana Halalele (Deputy Chair), Cr Tim Blackler, Cr Brent Cowles, Cr Jeremy Holding, Cr Jim Hopkins, Cr Courtney Linwood, Cr Guy Percival, Cr Rebecca Ryan, and Cr Jim Thomson, (and Cr John McCone – for the Deliberations session only on 16 May 2023)

**APOLOGY:** Cr John McCone (for Hearings Day only on 15 May 2023)

**IN ATTENDANCE:** Alex Parmley (Chief Executive)  
Roger Cook (Heritage, Environment and Regulatory Group Manager)  
Ainslee Hooper (Governance and Policy Advisor)

**IN ATTENDANCE FOR SPECIFIC AGENDA ITEMS:**

Mel Jones (Business Attraction and Recovery Manager)  
Rebecca Finlay (Business and Enterprises Growth Lead)

The Chair declared the meeting open at 11.00am and welcomed everyone present.

**1 APOLOGIES**

**RESOLVED WDC 2023/068**

Moved: Cr Jeremy Holding

Seconded: Cr Jim Thomson

That the apology for absence received from Cr John McCone for 15 May 2023 only be accepted.

**CARRIED**

**2 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3 DECISION REPORTS**

**3.1 CONSIDERATION OF COMMUNITY FEEDBACK ON THE NEW WAYS TO SUPPORT ECONOMIC GROWTH IN WAITAKI**

The officer report and its four recommendations were taken as read.

The Chair highlighted that Council needed to resolve the first two recommendations in that report first, in particular whether to accept or not the single late submission for consideration. He noted that recommendations 3 and 4 would be addressed following Deliberations for the economic development consultation, which were scheduled to take place tomorrow (Tuesday 16 May 2023).

**RESOLVED WDC 2023/069**

Moved: Cr Jim Hopkins

Seconded: Cr Tim Blackler

That Council:

1. Receives and notes the information.
2. Declines receiving and considering the submissions that were received after the closing date of the 'New ways to support economic growth' public consultation period.

**CARRIED**

**VERBAL SUBMISSIONS**

**222 – Lisa Howard Sullivan (page 12)**

- Highlighted the increase in Council costs of \$1.8m per annum and Polis Consulting's suggestion to disestablish Tourism Waitaki Limited. Polis' ambitious proposal could grow the economy and create additional jobs; could result in 9% lift in wellbeing in Waitaki district in next ten years; unsure if that achievement is a good investment.
- Three Waters funding should have been used for actual project benefits or to reduce reliance on rates funding.
- Tourism has suffered greatly under COVID. Domestic tourism is now picking up. Tourism New Zealand supports partnering with individual regions and regional tourism organisations support the creation of destination management plans.
- Polis proposed that the Destination management Plan, once approved, should be included in the Economic Development (ED) strategy. She suggests that the strategy shifts from destination management to placemaking. If the strategy is approved by Council, then it should be incorporated with TWL. The Penguin Colony could then share marketing management. Oamaru residents are proud of their work to support conservation of the little blue penguin.
- TWL should not be incorporated into an EDA.

**210 – Judith Stevenson (page 13)**

- It is natural that big ticket items were featured, but they are not equitable.
- Many nationalities have complained to us about the brochures being multilingual but offended many.
- Could sell guano of shags for compost with the scouts.
- Stop people walking over Sumpter Wharf.
- This side of the harbour could have a blue light, for cross-country biking.
- A private/public partnership with Council and the Department of Conservation and iwi should be considered for the penguin colony.

**213 – Helen Stead (pages 14-15)**

- Why are Waitaki people being asked now to support new ways to support ED growth in Waitaki? Funding for this exercise was a one-off grant from central government handed to all councils to help them get back on their feet after COVID. Why were we not asked three years ago? And why did the penguins need help? Answers lie with the process of working through TWL to tell the Waitaki story. Their Sweet Spot campaign was a disaster. By closing its i-Site, Waitaki has lost its connection with the information centre. It should be relocated back to the

corner. More money has gone to Polis to go ahead with the ED plan. Then Stafford Consulting – working on placemaking. This is moving beyond marketing and promoting to visitor resource and infrastructure management. There is a gap between what people see online and what they see when they are here. There is a gap in the knowledge and ability to tell the Waitaki story by our Council. Waitaki District Council and the Oamaru Visitor Centre are located in two different places which makes it difficult. The Waitakinz.com site goes to India, and information is available via App. There is a glaring gap in information about Waitaki.

- The appointment of yet another CCO without listening to the locals is an expensive lost opportunity and embarrassing to us all. Itineraries online hosted by others show that we are out of touch. Many people tell me ‘how come we never heard of Oamaru before we came here?’. I am happy to go on a speakers’ list to tell the story. Let’s do the work ourselves to develop the Waitaki story.
- Support rail passenger services across the South Island; to be electrified with ride-on and ride-off access so that more people can access New Zealand and reduce our emissions.

**168 – Catherine Harvey (pages 16-17)**

- Queried why Council was appointing consultants from out of town to make decisions on behalf of Waitaki residents. We need to appreciate those who are willing to put their lives on the line to promote and help Oamaru. Locating the i-Site at the corner was good.
- Keep ED work in our town. Council needs to be transparent and not ask for an opinion and then say we are going to do it our way. Hold on to what we have and make it better.
- Consider – who are you going to sell the penguin colony to? What are you looking at? We don’t know what your agenda is; you need to tell us. We used to have nothing to hide.
- Please treasure the people you have, and use their knowledge and expertise. Don’t go out of town, do it in town; you have people in-house too.
- The Chair commented that there was no intention to sell the penguin colony to anyone; rather, there was a desire to find who can help grow the colony with us. Council wanted to do more to look after the penguins. Regarding transparency, submissions processes like this were livestreamed and more Council business is done in public than it ever was before. He said he took on board Ms Harvey’s comments about ED and wanted to allay some of her concerns – Council did not want to throw babies out with the bathwater; it wanted to make things work better and make people stay longer in the district.
- Ms Harvey suggested that Council asks the people on the ground how to do it, and make the i-Site more visible so that it is used more. Rangiora’s i-Site was ‘flat out’ because it was helping to do bookings all around New Zealand.
- Asked if she now accepted that selling the penguin colony was not part of Council’s agenda, Ms Harvey said yes, she would take the Mayor at his word.

**183 – David ‘Zim’ Sherman (pages 18-28)**

- The ED strategy is poorly written and includes lies. It is based on a guess about growth rates. Polis has presented different options but there is not enough depth of information there to let submitters make a meaningful submission on what those options were and whether the EDA is the right administrative model. This EDA, as described, has a board of governors that is ‘stacked to the rafters with business people’. The model has a number of frameworks – social networks, programmes for responsible management – they all sound fantastic. But if people in charge are all business people, then business projects will go to the top and others will sink.
- I want to see more people related to actual social wellbeing on the governance board.

- The Chair and another Member thanked Mr Sherman for his “very comprehensive, good analysis”. Regarding the make-up of the board, the Chair noted that that was still to be determined, but he took Mr Shearman’s point that it would need a diversity of views.

**184 -The Royal Forest and Bird Society of New Zealand (F&B); Chelsea McGaw (pages 29-33)**

- Wanted to know if there were any other options for the OBPC? F&B’s concerns were related to current functions – eg research, and monitoring of Korora (little blue penguins). They collaborate with others and their research is used sector-wide, and they want that to continue. They have over 30 years of data and it would be a pity to lose that if things changed. F&B also still wanted to advocate for other species, and to continue with their rehabilitation work.
- Key question – would that sort of collaborative work continue under a new partnership model that is being proposed and are there any other options that have been analysed for the penguin colony?
- The Chair said Council’s intention was to avoid being specific because that would run the risk that people believed Councillors had made up their minds, and they have not. Council’s intention is to find out how to make things even better. It was not a question Elected Members wanted to answer themselves; they wanted others to bring their ideas forward. The strength of submissions around supporting research and science-based knowledge had been very strong, and all Elected Members had appreciated what has been said. He also acknowledged that is a lot of other wildlife in Oamaru Harbour and asked if there was something that helped to bring some of that under the penguin colony umbrella, would F&B support that?
- Ms McGaw said yes. F&B’s concern was about losing what is there rather than adding more on. Growth is not just economic; that was the F&B view. They would support growth and environmental gains.
- Asked for an approximate indication of F&B’s membership numbers, Ms McGaw said around 500 in Dunedin; with a smaller group of around 80 in Waitaki. There was also a branch and committee (of eight members) in Waitaki. Asked for national numbers, Ms McGaw said 45 branches; around 100,000 members nationally; they are New Zealand’s largest non-governmental organisation (NGO).
- Asked to what extent F&B’s valuing of the research done by OBPC was reflected in financial assistance, Ms McGaw said that most of its support was educational; although some financial support was given to regional groups but that was done via the branches. She was unsure if F&B had provided a gift to the OBPC.

**186 – Bruce Albiston (pages 34-35)**

- Regarding promoting Council’s product and brand, windows of some of the shopfronts needed polishing. Sir Nil Cossins had stood in the Oamaru Opera House and said Whitestone Waitaki is an international destination; Council needed to do some work to promote it. He saw that it was something very special.
- He encouraged Council to consider an either/or solution. The regional tourism organisation would remain under the model that you could be proposing. When RTO approval had been received in 2011 after many years of applying, it was required that we had a legal entity. It had to be able to stand on its own. He believed that the EDA needs to stand as a legal entity in its own right if it is to be an RTO. It would add to what Scott’s Brewery has already added regarding visitor development as a result of seeing the advocacy of Graeme Clark for the Oamaru Whitestone Civic Trust and believing in how developments such as theirs would continue to add value over time.

- He believed that Council would be doing a better job for the commercialisation aspirations if it took TWL into the EDA.

**157 – Waitaki Whitestone Geopark Trust** (pages 36-37)

- Supports Council proposal to establish EDA including promotion.
- Trust can see benefits in linking to the EDA, and collaborating with the business and wider community because collaboration was at the heart of what WWGT did. As a Geopark, the Trust recognises the importance of story-telling and of looking after the land. They believed that was something the community was also passionate about, and the development of the Waitaki story would be important and it would provide a collaborative approach. The WWGT wanted to be part of that, to make sure that the geological and environmental aspects are part of the story-telling as well as ED.
- Wants Council to look at resources to ensure that the EDA has enough.
- WWGT is also supportive of the proposed approach for the Penguin Colony, because it was “crucial”; after attending the TRENZ event the previous week, the Colony was seen as one of the trade-ready products, not just for tourism but for sustainability as well. It is a good example of how we can support regeneration of the species.
- In summary, WWGT is keen to see a collaborative approach, and the development of a Waitaki Story. The meeting with UNESCO was just around the corner, and geoparks are recognised as vehicles that foster ED, and WWGT was looking forward to working with Council.
- Asked what role the WWGT might be interested in having in an EDA, Ms Heinz said that had not been discussed by the Trust. They wanted to be involved in the Waitaki story and were already working with iwi. Regarding the Penguin Colony, there was an opportunity to link that with the geopark, but the trust Board would need to have further discussion to be able to say what they could do.
- One Member noted that some other submitters had suggested amalgamation of Vanished World, and Ms Heinz acknowledged that the matter had been raised and was under discussion. It would be a matter of identifying what would be needed.

The Chair thanked Ms Heinz for attending and wished her and the WWGT all the best for the next couple of weeks when the UNESCO accreditation representatives would be in town.

**Oamaru Whitestone Civic Trust** – Michelle Harrison, Richard Vinbrux and Chair Graeme Clark

- Noted that there is currently not enough money to set up the EDA as fully envisioned. OWCT feels that, if Council disestablishes TWL, OWCT will lose out on growth opportunities.
- If tourism was one of the things that the EDA will look after, OWCT was unsure whether it would get enough coverage or if it will be a dedicated part of it to a sufficient degree to make a difference. The difficulty was with the way the question was asked; it was really two questions in one.
- OWCT had bigger hopes for what TWL could achieve. Will an EDA be more efficient and achieve more for tourism when it was not a dedicated agency for tourism? OWCT would prefer to have a dedicated organisation looking after tourism than having it thrown into and being part of a bigger basket.
- Regarding partnering with the Penguin Colony and looking at an outside entity, OWCT had answered “no”, because they believed it should be community-owned and -operated. They queried what the actual benefits would be and, if something was running well and bringing in revenue, why would Council want to share it? If it was not bringing in revenue, how could



Council find a competent partner? An investment partner would want a return, so should not Council get that return instead of inviting someone else to have part of it?

- Asked why a rural ratepayer should subsidise tourism when tourism provided 3% of the district's GDP but the rural contribution was 40%. Mr Vinbrux did not believe it was an either / or matter. OWCT was not saying that the EDA should be completely dedicated to tourism; they did not believe it needed a huge budget, either. There was a lot of scope for rural development which the Council should develop, but should all those things be put together? OWCT was not convinced that that was the best outcome the district could get. Put the other way around, if an entity was established to look after rural development, how well would that be served by tourism becoming a bigger earner all of a sudden? Tourism is 'sexy' and quite small which means it can grow immensely. Should they be slightly separate entities and have dedicated fields where they are working – that was the OWCT preferred approach.
- Noting the challenge, through the submission from Federated Farmers that farmers could fund research through levy payments, an Elected Member asked how much money tourism operators were prepared to put into the kitty from a philosophical perspective, given that Council pays but businesses reap the benefit? Mr Vinbrux noted that TWL had never reached its potential and OWCT was not completely opposed to dissolving it. The question is – is tourism adequately served in Council's proposed EDA, and they doubted that.
- Asked why OWCT should embrace partnership itself but reject it for the Penguin Colony going forward, Mr Vinbrux said it was a good question. Partnership is dependent entirely on partners. Are they equal, from the same background, looking for the same outcomes?
- Noting that OWCT had said previously that it wanted to keep the penguin colony in local ownership, the question was asked to OWCT representatives that, if it was the WWGT who co-owned the penguin colony, would that be acceptable to OWCT? The answer was yes.

The hearing was adjourned at 12.18pm and reconvened at 1.00pm.

The Chair directed the hearing back to consideration of **verbal submissions**.

**1 – Michael Sweeney** (pages 40-41)

- Re OBPC, the original recommendation of Polis made more sense – sell it outright. That way, Council will have received the purchase price out of the deal. The current proposal would lose control of the asset and Council would lose half of the profits, to be followed by endless conflict with a commercial partner who wanted to do endless profit.
- Access might be blocked to the harbour. Exploitation of penguins – a penguin aquarium. I have seen penguins abused in that way. Naturally, there would be a fight every step.
- Former Councillor Kelli Williams had condemned a joint venture because Council didn't need a partner to eat up profits. Yet that was the current plan, according to the consultation document.
- Regarding staffing, Dr Philippa Agnew is probably smarter than any tourism operator. Moving the OBPC into Council would give the community some assurance that the balance between the acknowledged function of the penguin colony as a conservation entity and a 'best thing to do – financially and politically'.

The Chair noted that the description in the CD was quite different to what the proposal might be. Mr Sweeney said he had read what the Mayor had outlined on 14 and 28 March. The Chair advised that it had been refined further since then. Mr Sweeney noted that the 14 and 28 March information was what had been released to the public, and the question in the CD was misleading.

The Chair sought to reiterate to Mr Sweeney and the public that Council was looking for someone who shares the values that Council has around environmental protection of the penguins. Mr

Sweeney said he believed the mayor was sincere on that point. If Council created a structure and turned over management under a joint venture model, particularly to a commercial entity, then Council may not end up with what it wanted.

**155 – Tourism Development NZ** (Ian Elliott) (pages 42-44)

- His company contracts with Tourism New Zealand through Qualmark. He has done 715 evaluations of tourism businesses throughout the South Island, and is passionate about Waitaki. The tourism industry is underestimated as an export industry, and it should be taken more seriously. 31 agencies in New Zealand do regional tourism as well as economic development; he believed they needed to be done together.
- He was concerned about people not wanting tourism in the EDA and asked why that one industry was being singled out. Council is developing a CCO to foster growth, which included tourism. Venture Timaru is rebuilding industry, but there was no door in Waitaki to grow 300 hectares at the moment, so whose door do you walk through?
- Mr Elliott recognised that COVID had brought a quiet period for tourism and now going through these changes now, he felt that Council had dropped the ball slightly. Most other regions are ahead and Waitaki had ground to catch up.
- Regarding the OBPC, he asked if Council saw itself as running a trade or as a wholesale expert business because that was what OBPC is. Did Council want to run an export business? Would make more sense if Council had a commercial partner, while protecting your conservation and research. He would put up his hand for that role. Not many tourism products are being run by Council but many others who would be willing to go into that sort of organisation. Nigel Davenport from Venture Timaru is willing to talk to Council.

The Chair acknowledged that Council had been in contact with Nigel Davenport, and it was hoped he would be speaking with Council's Elected Members next week or the following one.

- Asked to amplify what he meant by "dropping the ball", Mr Elliot asked if any region needed a tourism body. He believed Council was selling a district. When he had been at TWL, the task was to attract conferences as well as the whole team being involved in marketing the district around New Zealand and globally with Tourism New Zealand. There is no team now. He had sourced funding for build operators in Timaru. Someone would be needed in China. The lack of a team in Waitaki meant there was 'a bit of a hiatus', and the quicker the vacancies were filled, the quicker the return for tourism in Waitaki.

**147 – Tasman Bay Blue Penguin Trust**, Linda Jenkins (pages 45-47)

- OBPC's scientific research is 'absolutely outstanding; it was leading the way. TBB Penguin Trust had been in the slipstream of what Waitaki is achieving since their inception. Also a co-owner of a tourism business; worked in in-bound tourism for about 30 years.
- Two sets of eyes to the proposal. First, scientific research – correlating that with visitors to New Zealand; what Oamaru has achieved is absolutely remarkable and unique for New Zealand; anything that would compromise that would be a tragedy. Visitors to New Zealand are looking for genuine contributions to conservation, and there are eyes on what is being achieved; they are looking for participation, not just to look and snap a photo and go away again. They are looking for sincere, genuine experiences that are real, and Oamaru can provide that now.
- Second, concerns about a joint venture (JV). Like a marriage – can start well but end up being painful. A JV partner may have capital to be able to do something, but they will want a return on investment and at least half the profits would go to the JV. Another concern – what if the JV partner wants to sell their share to someone else? Another partner may not share Council's values. Regarding the initial capital investment, Ms Jenkins was unsure whether the objective

is to create the number of visitors, or be like Phillip Island, having masses of people coming in. She felt Waitaki should be looking for something different now – smaller crowds and genuine visitor attraction. The fact that the community got behind OBPC in the first place should remain the vital point in this enterprise. There was a big risk from a governance perspective if there was a change to the OBPC with a JV partner. How would that be achieved? You would have to strap them down to a strict MOU, and if you strap them down too hard, it may not be attractive; and if you compromise, it may not work and be a disaster.

- Tasman Bay is right next door to Abel Tasman National Park. Prior to COVID, tourism numbers were outstripping national trends; probably similar in Waitaki. Prior to COVID, you could not be inundated by low-value tourists because Tourism NZ says they have been promoting to only high-value sectors for 40 years. This is where there is a collision; locals are overrun by low value tourists. Ms Jenkins urged Council to take care in their deliberations and not compromise high-value and a totally unique experience, not just for New Zealand tourists but for those worldwide. Value the contribution that the scientific research is making. Little penguins worldwide have the lowest level of research for any penguin species, so what is happening here is pivotal. Penguin populations are at risk and declining; research here needs to be maintained.

The Chair thanked Ms Jenkins for reiterating the national importance of the OBPC research.

#### 141 – Katherine Henry (pages 48-49)

- She has no background in tourism and no particular interest in this area. She has submitted as a local citizen having reviewed the documentation online. She cannot see the rationale for the proposal. Purely from a transparency perspective, as a member of the public, she acknowledged that Council must have its reasons. But she is concerned that they were not conveyed to the general public; the consultation information felt like an insult; it is all rhetoric. If the public is to participate in this democratic process, then they need to be given the jurisdiction to be able to look at it. The OBPC is doing really well in terms of conservation. She learned nothing from the proposal about why Council wanted to do this, and 'if it ain't broke, don't fix it'.
- You are suggesting a university may want to partner in it. What do you think would improve it, for the colony and for the community? We don't want millions of tourists down there; it is wonderful as it is. What's the problem to be fixed? General populous would like to be treated with greater respect about what's going on. One Councillor has already queried investing lots of public money in tourism when different other sectors are bringing in more of our income; Mr Elliot was also talking about a board that is about enterprise rather than helping businesses. Agree with both of them. If you are going to spend ratepayers' money, should be a realisable return. How much money is going into the Geopark and heritage? You are investing ratepayers' money there as well. Are you proposing to take money away from them? It all ultimately amounts to higher rates. At this stage, the public cannot even buy eggs from the supermarket, so is this going to help the whole community or will isolated businesses benefit from these investments?

The Chair acknowledged the many points Ms Jenkins had raised. He advised that the ED strategy was aimed at inclusive and sustainable growth and identifying what could be done to increase our economy to make it more affordable. Numbers around population growth are what makes things more sustainable. Re what is the problem with the OBPC? It is more about the opportunity – how do we tell our stories better? There is potential to join with others, eg the Geopark Trust, and people who visit that might also go to the penguin colony. What more can we provide for visitors to do during the day; there is an element of that that comes into it. There is no intent to be treating ratepayers with any disdain. The EC consultation document has been packaged together with the ED strategy on Council's website without us defining any solution, so that the community can have their say on both. The Chair acknowledged that it is a challenge for everyone to live within our

community's needs. But, if the OBPC's revenue can be increased; then that would offset any increase in rates.

- Asked if she accepted the fact that Council was not trying to fix a problem, but instead explore the opportunities, and therefore would she accept that Council was trying to find more revenue streams, Ms Henry asked why the structure needed to change to be able to achieve that? She said she accepted the argument that it was about the opportunity, not a problem, but she believed the proposed solution 'carries great risk'. It is about how the contract is interpreted and breached in 10-20 years' time. Contract interpretation is not a simple thing; it can be drafted perfectly but there will still be situations down the track that are not contemplated (eg the change in a JV partner).

The Chair noted that that could happen with anything. Council was trying to get the balance right and it was helpful to hear what people's thoughts are and thanked Ms Jenkins for sharing hers.

#### **166 – Graeme Loh (pages 50-52)**

- Mr Loh said Dr Agnew always impresses him; and what has been done and achieved at OBPC was "fantastic" and it was paying its own way. Compared to other penguin viewing sites in New Zealand and around the world, Oamaru's is 'right up there', doing things that are appropriate.
- Taken in isolation, he would be surprised if a JV partner would be able to add much to the project. It could be expanded to take in the whole harbour and headland to develop nature-based tourism and scenery-based tourism. Other options included developing the Otago shag spectacle, and Sumpter Wharf. However, it would take a decade to get all that organised.
- He was surprised about how small the contribution of tourism is to the Waitaki economy; that could be the result of changes in markets from economic and climate conditions globally. There were lots of difficulties – ambitions with growth is not wrong, but there was a need to be conservative to plan for challenges ahead.

#### **128 – Chris Lalas (pages 53-56)**

- He had said everything he needed to say in his submission, but wanted to emphasise the importance of making changes in OBPC to make sure there was no reduction in monitoring, because if there was, it could generate bogus results.

#### **214 – Jan Wheeler (pages 58-59)**

- Mrs Wheeler handed out a document and then spoke to it. She recalled that, when she had been a Councillor, she had said no to the economic development plan. It was a good example of more 'pie in the sky' dreaming that would need to be funded by ratepayers. She felt it was devoid of reality.

#### **216 – Sue Maturin (pages 57)**

- OBPC is nationally significant; it has also put the Oamaru on the world stage, which is a huge achievement. It has grown from a small colony to more than double in a couple of decades, and that success should not be jeopardised.
- She had some concerns about the proposal for a joint venture (JV), largely because she did not know what the parameters might be regarding choice. In addition, it was a public asset and the land is part of the colony. The Health and wellbeing of the colony is very much dependent on the success of a tourism partner, and that partner may need to turn a profit.

That money may then go outside of the Waitaki community. If things go wrong, it would be harder for Council to wrest back control again.

- The primary purpose of any reorganisation would need to be the ongoing health and welfare of the penguin colony, and its need to be self-sustaining and able to continue to support ongoing monitoring and research and predator control. Conferences are fantastic; 90 people were at the last one and it has an international reputation. Those are the things that help put Oamaru on the map and threatening that when they are clearly working would be difficult and potentially create conflict.
- A plea – You have a fantastic asset on your doorstep. Please look after it.

#### 106 – Stony Creek Limited (pages 60-61)

- Supports the EDA proposal and other options. ED is not viewed particularly well in our current environment; it is mostly seen as an expansionism and degradation of natural resources. It has to be done smartly to be done sustainably, and it had to be done collaboratively with businesses and farmers.
- Agrees with other submitters about the OBPC – tread carefully here; getting private sector involved is not necessarily a good thing.
- Spoke about environmental implications of developments in relation to consenting, land use, preparatory work. Stony Creek had wanted to be a leader. NOIC had been an enabler, so look at it from that viewpoint – how to be an enabler to help these businesses.

#### 48 – Harry Andrew (pages 62-63)

- Changing the name of an entity will always be a cost; first it was the Waitaki Development Board, then Tourism Waitaki, now EDA. He quite liked the idea of the EDA but the tourism focus would need to be kept people were already asking where the tourism centre is when they visit Oamaru. The current location – way down the back streets – is not always the best.
- Re having paid directors in different roles – that was another cost. They would just be ‘shiny bums on seats; they would not get out and do any work and he was frustrated with that.
- Re the OBPC – if it was not for the local volunteers then it would not be there. Penguins have always been coming ashore and we are very lucky that they chose to come here. I am one of those volunteers.
- We need out of towners to bring good ideas to town, but they need to work with the locals. At the OBPC, it looks like a backhanders has been paid to someone ..

The Chair interrupted Mr Andrew and said allegations of corruption were ‘totally unfounded’ and not appropriate. Mr Andrew apologised.

#### 85 – K Swaine (pages 64-65) – Tinaya Kelly is the replacement – see next item.

##### 395 in Non-Verbal Submissions – Tinaya Kelly

- Supports the ED plan, and voted yes and yes for the OBPC, but wanted to speak on the submission today. The ED plan is ‘really great’ because it involves the wider community, not just the farming community in economic growth opportunities.
- Regarding the survey to show what ED is, Ms Kelly noted the new staff numbers, but also that there was no infrastructure to support that growth and there was not enough to support existing businesses or to provide housing. Housing is so important to ED. She noted that it was being addressed by the new housing survey, but there was \$3M under the budget for ED and only \$140k for housing.



- Ms Kelly wants to have iwi representation on the board, because there is no iwi representation on TWL. She suggested to look at some of the wider iwi groups – eg the Kiwi hatchery (Operation Nest Egg – ONE) It would be great to see that collaboration happening in our community.
- Regarding the visitor centre, Ms Kelly noted that had moved into OWCT and that was a ‘great partnership’. It was also great to see that OWCT had attracted some funding and had won a colour award. However, she felt it lacked visibility with signage and, because it was so aesthetically pleasing, it would be free marketing. Volunteers had run the visitor centre; they were not paid but they are a very passionate part of the community.
- The Geopark was rubber-stamped because the visitor centre had showcased the area. Maybe more aesthetic design would make it more pleasing.
- City buses come to Oamaru; they are not aesthetically pleasing. No one would be putting that on Instagram. But if it was aesthetically pleasing like Wellington airport, they might market it out to others.

**52 – PDR Lindsay-Salmon (pages 66-67)**

- She was here to support the F&B submission.
- Regarding Sumpter Wharf, he was asking Council to put up some signage about the shags and nothing has happened in four years. And, a stand, and again nothing. An information centre was required.
- The Chair advised that Council had different funding for Sumpter Wharf and, regarding the viewing platform, that was proposed as part of the Harbour plan. Cr Holding, as Chair of the Harbour Area Sub-Committee, also noted that putting up signage was part of the work programme being progressed by the sub-committee.
- Regarding moving someone private in to the OBPC, PDR Lindsay-Salmon asked what would happen to Dr Agnew? Her research was important to Waitaki, New Zealand, and the world.
- Regarding what else could be done around the OBPC area, there is sea, a cliff, and a multitude of buses already; not very much room for anything more. Thank goodness we stopped the flying fox.
- Regarding a partner, who was going to be interested? If a Dunedin factory was down there, that would be good. Having someone with money would be good, too. Say no – the penguins are too valuable.

**29 – Penguin Rescue (Rosalie Goldsworthy) (pages 68-69)**

- Council has done well for the little penguins. She acknowledged that Council was under public scrutiny, but in terms of penguin welfare, it has been the best result.
- People have got the message that OBPC is contributing to the local community in a valuable way and she believed Council had brought it through the mean times. During COVID, when there were hard decisions to be made, the penguins would not have been any the wiser; but Council and the OBPC had kept the welfare of the birds in check and she supported their continuation. She commended Council for its performance in that regard, and for demonstrating the ability to make good decisions around the welfare of penguins.
- Ms Goldsworthy spoke about Oamaru hosting the recent penguin conference. There had been other spin-offs beyond just accommodation, meals, and admission. It had raised the profile of Oamaru as responsible citizens who looked after their biodiversity. There had been a marine heatwave recently which had created a real biodiversity crisis. If not for the rehabilitation work at the Katiki Point Lighthouse facility, Hoiho (yellow-eyed penguins) would now be functionally extinct in Otago. Every single female needed help to survive in March and April. Graphs were

released to show that and how serious it was. It is not just about penguins not liking warm water; it was about a lot of other predators coming into these waters and penguins are not equipped to compete with kingfish. Here, you could go to our specialist at the penguin colony and find out such things; penguins are a sentinel species – they tell you what is going on in the ocean. Council has a decision to make, and you want to make money. There were lots of other ideas about how to make money other than divesting your responsibility in penguin welfare. For example, sell off the dog pound let them charge ten times as much and shoot the dogs. Require people to register cats; you would make a fortune killing stray cats in Hampden. Let's manipulate the animals that have advocates. You are sitting in a strong position in terms of biodiversity management at Council. Very few others have done it; you are leaders. You are going down the very short path that remains for biodiversity management in government. Central government will divest responsibility for biodiversity to Councils. Imagine if your central government funding was to save your awesome fabulous taonga of penguins in the district; you would be doing very well.

The Chair thanked Ms Goldsworthy and others who had spoken as penguin experts, noting that it was good to hear from them. He also congratulated Ms Goldsworthy for being officially recognised recently for looking after our wildlife at Katiki Point.

Asked how Coastal Otago was faring at the moment, Ms Goldsworthy said it was running largely independently. They had received \$6k to fence coastal areas to slow the rate of erosion and to isolate rabbits. Otherwise, they were continuing to survive on the back of extremely good ratepayers.

### **Non-verbal Submissions**

The Chair directed the discussion to the non-verbal submissions, starting on page 84 of the agenda papers. He asked Councillors to raise any comments from the non-verbal submissions that had not been raised in the verbal submissions. He would call the numbers in a sequence of ten at a time.

The Chair called for any additional comments relating to pages 84 to 90; 90 to 100; 100 to 110; 110 to 120; 120 to 130; and 130 to 140. None were provided.

The Chair stopped the discussion on non-verbal submissions and directed it back to Verbal Submissions.

### **Verbal Submissions (continued)**

#### **7 – The Wizard NZ (pages 70-71)**

- I am an environmentalist; have an interest in sociology of art which includes natural and built environment. I am concerned that, for economic reasons, someone might do something to ruin the environment.
- Please do not make any decisions to make this place any uglier. I have watched the OWCT; they have not treasured their asset.
- Signage should be better.
- The Chinese will join in eventually; there are many Victorian Chinese towns now.
- Please do not let any ED come into the town that ruins the town and the historic precinct.
- Provide service that really counts; makes people happy.



**3 – Greg Nikoloff** (pages 72-74)

- Issues that Zim Sherman raised re ‘once over lightly by Polis’; three kinds of lies – lies, damn lies, and statistics. Those that Polis have used to create the EDA need to be examined before that road is taken.
- Re disestablishment of TWL and folding into the EDA – I do not think you can do that before you create the EDA, so you need to make sure that TWL continues on in the meantime.
- We like people to come here and look at the penguins. In order to extend their stays, more needs to be done to avoid then visiting here during the day and then booking to go elsewhere overnight. Is the EDA the right context for that? Not quite sure.
- Re penguin colony, the penguin rescue lady was great. Happy to contribute to make sure she is doing great work.
- The little blue penguin is effectively like the blue canary down the gold mine. They will give us a heads up when things are wrong, or when we are doing things right.
- Penguin Colony is excellently run and the volunteers are great. If you start tinkering with it, there could be a danger of breaking the model. The question of monetising it could be done another day. For today, keep the Penguin Colony the way it is because it is doing a great job.
- Mr Nikoloff then shared his views on other matters with a longer term view, and provided examples. He acknowledged that no Council is perfect, and long term plans do not take the wider approach of 20 to 30 years. In many cases, Council is doing the right thing.

The Chair said he appreciated the sentiments underpinning what Mr Nikoloff had shared but did not totally agree with his examples.

**73 – The Business Hive; Cara Tipping Smith** (via Zoom) (pages 75-76)

- Please think about the ED conversations already had with the business community.
- Businesses want a joined up, clear strategy to guide them after the COVID lockdowns. They have been hugely stressful for everyone, and not everyone came out of lockdowns looking great. It was now three years on. Geraldine and other places had signage and a clear plan. It is super-important that Waitaki sits in its own space, does its own thing; and develops its own plan. We might not all agree with it, however.

The Chair directed the meeting back to **Non-verbal submissions**.

He sought additional comments on submissions through to 150.

Comments: A Member noted that Mr Glucksman had proposed to take on the role of the RTO, and asserted that Council needed to have an independent RTO. When asked if that was correct, Ms Jones said she did not believe that was correct; an RTO could be within an EDA.

The Chair directed the discussion back to **Verbal Submissions**.

**211 – Mike Collins** (via Zoom) (page 77)

- He noted that feedback on the proposal had been “pretty strong”, and people were raising risks about the concept, which were mainly around governance. The proposal appeared to be looking at the EDA through the lens of Council, with the same sort of reporting structure and model. However, Business South wanted to contribute to solutions, so what would that mean for reporting and structure? A balance would be needed there. Perhaps a partnership around co-design. Business South wanted to ensure there is a good balance between measures of success and who is involved at what levels.
- He supported letting Council getting on and doing what it does well, because he believed that would build greater confidence.

- Another aspect – housing; he wanted to ensure that was still on the radar. Going forward, Business South wanted to work in partnership with Council on that; and to support Council in finding housing solutions.
- Workforce development – if there were opportunities to support workforces in the region, then Business South was keen to advocate for that. There was a large Pacific Island community and they did great work locally; Business South wanted to see that extended out to Waitaki Valley communities.
- The key was strong sector partnership; the relationship was strong at the moment and Business South wanted to build on that. The next obvious step is the EDA and the structure going forward.
- When asked about the reference in his written submission that, without further financial information, he could not develop an informed position on the OBPC, Mr Collins said he would try to get as much financial information as possible.
- Another Member thanked Mr Collins for referencing the workforce development, because as part of ED, it may have been a forgotten area. Asked what types of initiatives he was thinking of for the Pasifika and wider community development, Mr Collins said youth in schools having pathways to employment and what the future could look like. There were good initiatives in other parts of the region and in Oamaru. A better understanding of the actual need was required; what are the numbers and real roles that are missing, and which of them would benefit Waitaki specifically? If that information was available, then lobbying at a national level could commence to advocate for and drive attraction to the region.
- Asked for more detail about the level of engagement from Business South members, Mr Collins said he could supply the statistics later. There was the submission process, and also networking events. Messages had been collated into the submission over time. There had been a reasonable level of engagement, but he would provide more specific measures.

The Chair noted for the record that Federated Farmers had chosen to speak to their submission during the hearing on the Annual Plan the next day, so that would be covered in the minutes of that hearing.

The Chair directed discussion back to **Non-verbal Submissions**.

He called pages 150 to 160, and 160 to 170.

Comment: Re suggestions from Simon Berry to be incorporated in the OBPC, a Member asked if they were being logged and Ms Jones confirmed that they were.

The Chair called pages 170 to 180; 180 to 190; and 190 to 200.

Comment: Roger Blackburn (submission 77) had made some good comments (pages 202-206). The Chair acknowledged that Mr Blackburn was one of the initial people pitching the concept of the Geopark from Vanished World. It had taken a while, but he would now be seeing that come closer to fruition. This was acknowledged.

The Chair called pages 200 to 210; 210 to 220; and 220 to 230.

Comment: It was interesting how many submissions had come from penguin places elsewhere in the country. There was also a number of people talking about things that could be done in Oamaru; and that was a reminder for Council Elected members that they are here to represent the greater interests of the whole Waitaki district.

The Chair called pages 230 to 240; and 240 to 250.

Comment: There were some “No” responses that had no comments in them; it was hard to know what they are thinking. This was acknowledged, and it was felt that part of the problem was that some of the community thinks Council is trying to sell the penguin colony but that was not correct.

It was noted that there were a number of responses that questioned the replacement of TWL with an EDA, and that most of those were predominantly about the penguin colony. Asked if that was fed into the summary, Ms Jones confirmed that it was. 53 submitters had said “no” to the EDA with no comment. Those who have said “no” to the Penguin Colony numbered 48.

Many submitters, including Philip Seddon of the University of Otago and similar entities, all said how wonderful the OBPC and others were, but the question was asked whether any of them contributed as much as cent to the research or operation? The Chair acknowledged that the University of Otago had some people come up and spend time here, and more information was probably needed about that. He suggested that Elected members bear in mind, that the University was paying its way and that outreach initiatives will have other people coming and sharing that information as part of the scientific whenua side of it.

The Chair called pages 250 to 260; and pages 260 to 270.

Comment: Submitter 113 Greg Webster suggested that Council needed a broader strategy.

Pages 270 to 280; 280 to 290; 290 to 300; 300 to 310; 310 to 320; 320 to 330; 330 to 340; 340 to 350; 350 to 360.

Comment: There was a reference to “don’t close TWL until you have set up the EDA. Is that how it would be done, one Member asked? Ms Jones said that question was still being worked through the final sequencing process. But yes, there would be a need to work with TWL through any transition. At this stage, nothing specific had been discussion. Asked if a decision was made around shifting across the tourism arm into the new EDA and equally a decision was made to do something with the penguin colony, could it continue to be repurposed solely for them? Ms Jones thought that there would still need to be discussions around that. The Chair noted that the question was more around assets. The Penguin Colony belonged to TWL and TWL does what it does because it has a contract with Council. Someone else could contract with Council and it would be about what was decided. Discussions about transition would need to be had with the TWL Board. Mr Parmley added that it was something that would need to be looked at closely. Would Council need the Penguin Colony sitting in that sort of entity? The way it is set up at the moment with a board ... it would be an expensive option to replicate that. There would be a need to look at ways to structure it if Council chose to go down that route.

360 to 370; 370 to 380; 380 to 390; 390 to 400; 400 to 410.

The Chair asked if there were any additional comments Members wished to make through to the last page. None were raised.

### **Hearing Adjournment**

The Chair advised that the hearings for the economic development consultation had now concluded, and that the associated deliberations would take place the following day (Tuesday, 16 May 2023, from around 4.15pm, following the conclusion of the Deliberations on the Annual Plan 2023/24 consultation. He then adjourned the Hearing for today, at 3.35pm.

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### **Hearing Reconvened**

The Hearing was reconvened on Tuesday, 16 May 2023 at 4.50pm, and the Chair directed Members to move into the Deliberations session on the Economic Development consultation. Cr John McCone was in attendance for this session.

### **Deliberations Session**

The Chair asked each Council Elected Member for their views and comments following the submissions process the previous day.

Cr Courtney Linwood said she was personally in favour of setting up an EDA.

Cr Brent Cowles said he also supported the EDA, because he believed it would allow for the wider picture of partnerships to happen with the Geopark, tourism etc and to not look at each of those areas individually as they were now.

Cr Jim Hopkins said he felt the misrepresentation out in the community about Council seeking to sell the Penguin Colony (which it was not) was unfortunate. That aside, he was committed to exploring the partnership idea and supported the set up of an EDA before the disestablishment of TWL.

Cr John McCone said he did not feel able to comment because he was able to attend the submission hearing the previous day.

Cr Tim Blackler said he needed to consider further where he would sit on the disestablishment of Tourism Waitaki. Regarding the creation of an EDA, he said he had subtle differences to the points of views of other Councillors. He was interested to understand further the Polis projections and the scrutiny they had received.

Cr Guy Percival said he was looking forward to the proposed discussion with Nigel Davenport of Timaru before commenting further.

Deputy Mayor Hana Halalele said she was supportive of setting up an EDA, but first wanted to clarify what the process would be for Council to be able to do that, and how to enable and maximise the opportunities from the Strategy. Regarding the Penguin Colony, she believed a partnership arrangement would be okay.

Cr Rebecca Ryan said she was supportive of the issues raised by the Deputy Mayor. She believed that Council could not throw away opportunities but was looking forward to the discussion with Mr Davenport to learn more from his experiences.

The Chair confirmed that it was hoped to have a Zoom discussion with Nigel Davenport the following Monday.

Cr Jim Thomson reminded his Elected Member colleagues that they needed to ensure that whatever they chose to do, it had to be free of political interference.

#### **4 HEARING CLOSE**

The Chair asked Ms Jones if she needed any further guidance or direction from the Governance Team, pursuant to recommendations 3 and 4 in the hearing agenda report, to enable her to produce the decision report for the 13 June 2023 Council Meeting. Ms Jones confirmed that she had enough feedback to be able to complete the report. The Chair advised the meeting that there was no need to move recommendations 3 and 4 on that basis.

The Chair thanked everyone for participating and then declared the Council Hearing on New Ways to Support Economic Growth in Waitaki closed at 5.15pm.

TO BE CONFIRMED at the Council Meeting to be held on Tuesday, 23 April 2024.

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CHAIRPERSON

**8 RESOLUTION TO EXCLUDE THE PUBLIC (FOR ADDITIONAL ITEM 8.4)**

**RECOMMENDATION**

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<p><b>8.4 - Water Services Procurement PE</b></p>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

**8 PUBLIC EXCLUDED SECTION**

**9 RESOLUTION TO RETURN TO THE PUBLIC MEETING (AS INCLUDED IN THE PRINCIPAL AGENDA)**

**RECOMMENDATION**

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

**10 RELEASE OF PUBLIC EXCLUDED INFORMATION (RELATING TO NEW URGENT ITEM 8.4 ONLY)**