
**CONFIRMED MINUTES OF ASSETS COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, THIRD FLOOR, OFFICE OF THE WAITAKI DISTRICT
COUNCIL , 20 THAMES STREET, OAMARU
ON TUESDAY, 27 AUGUST 2019 AT 11.34AM**

PRESENT: Cr Bill Kingan (Chair), Cr Guy Percival (Deputy Chair), Cr Jeremy Holding, Cr Hugh Perkins, Deputy Mayor Melanie Tavendale, and Mayor Gary Kircher (ex officio) (from 11.51am)

IN ATTENDANCE: Cr Craig Dawson
Cr Jim Hopkins
Cr Colin Wollstein
Cr Jan Wheeler
Fergus Power (Chief Executive)
Neil Jorgensen (Assets Group Manager / Deputy Chief Executive)
Paul Hope (Finance and Corporate Development Group Manager)
Lichelle Guyan (Heritage, Environment and Regulatory Group Manager)
Bill Chou (Information Services Group Manager)
Ainslee Hooper (Governance and Policy Advisor)

**IN ATTENDANCE
FOR SPECIFIC AGENDA ITEMS:**

Erik van der Spek (Recreation Manager)
Lindsay Hyde (Parks Officer)
Lisa Scott (Communications Specialist)

The Chair declared the meeting open at 11.34am and welcomed everyone present.

1 APOLOGIES

RESOLVED AC 2019/050

Moved: Cr Jeremy Holding

Seconded: Deputy Mayor Melanie Tavendale

That the Assets Committee accept an apology for lateness from Mayor Gary Kircher.

CARRIED

2 DECLARATIONS OF INTEREST

There were no declarations of interest at this time in the meeting. However, at the relevant time later in the meeting, Mayor Gary Kircher declared an interest in Agenda Item 4.2 and did not participate in the discussion on or the decision for that agenda item.

3 CONFIRMATION OF PREVIOUS MEETING MINUTES

3.1 CONFIRMATION OF MINUTES

RESOLVED AC 2019/051

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Jeremy Holding

That the Assets Committee confirms the public minutes of its previous meeting held on 2 July 2019, as circulated with a few grammatical changes, as a true and correct record of that meeting.

CARRIED

4 DECISION REPORTS

4.1 PARKS MAINTENANCE CONTRACT

The report, as circulated, proposed that Council tender recreation maintenance services. An assessment of delivery options against seven criteria has determined that open tendering of recreation maintenance is the preferred option.

Group Manager Neil Jorgensen and Recreation Manager Erik van der Spek spoke to the report and responded to questions.

Regarding the auditing of contractor performance, it was noted that a variation of contract would be issued if levels of service in the contract needed to be changed. That was different, however, from performance management, which was about not delivering to the contract specifications. Mechanisms in the contract were sufficient to deal with performance management matters. If a CRM is received about the work of a contractor, then Council officers first talk to the contractors themselves.

The question was raised whether Councillors would again be involved in the tender assessment process for this contract, as they had been on previous occasions. In response, it was noted that at least one Councillor would be involved, as an "observer".

With regard to the financial discussion in the report, it was clarified that the saving of \$500k was a comparison with a previous figure.

RESOLVED AC 2019/052

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Hugh Perkins

That the Assets Committee recommends:

That Council approves a competitive open procurement process for the Parks Maintenance Contract up to a value between \$1.9 to \$2.2 million per annum, for a contract of three years with two rights of renewal of two years each for a potential contract term of seven years.

CARRIED

The Chair adjourned the meeting, at 11.47am.

Presentation by Intern Taylor Reichert:

Taylor advised that she was studying environmental studies at the University of Oregon, with a focus on environmental racism. Her internship at Council was a short one – ten weeks in total – during which she had assisted the planning team with the district plan review, and contributed to research on heritage, biodiversity, geodiversity and indigenous culture.

Taylor shared her initial perceptions of New Zealand, including the ‘crazy accents’, the wonderful office family; sheep; and the beautiful landscapes. She had found the culture in the office to be comforting, and enjoyed feeling respected and appreciated when speaking to superiors.

Taylor said she would be taking a piece of Waitaki with her, in the form of experience in a professional work environment, a “Masters in Sharepoint and Excel; working with a local government; developing a district plan (and especially the tangata whenua chapter which would be an important part of her education to take back home; and the experience of the OceanaGold hearing, which had been a good introduction to local government politics.

[Mayor Gary Kircher joined the meeting, at 11.51am.]

Taylor said her “What next?” would be to enter the non-profit world, preferably in sustainable agriculture and clean water systems in developing regions; that might include working with the Peace Corps. She was also thinking of consulting, to facilitate cultural respect for sustainable engineering to promote a win-win relationship amongst local and environmental preservation. She was also very keen to expand her knowledge of cultural competence.

Taylor explained the concept of ‘environmental racism’ as the ‘social side of environmental hazards and tragedy. She felt that minorities were not getting a voice in environmental sustainability. They were causing the least amount of impact, but they were being drawn to places that are exhibiting the least amount of sustainability. In the developed world, people were used to implementing ‘whatever they wanted’, but there was a need for more respect for how those in undeveloped countries were in their situations and how they got there. She referred to this as “the cycle of geographic racism”.

Mayor Gary Kircher thanked Taylor for her presentation, and presented her with a Certificate of Completion for her internship.

Group Manager Paul Hope presented Taylor with a small token of Council’s appreciation for her contribution to the work of Council.

The Chair adjourned the meeting for lunch at 12.02pm.

At 12.30pm, the Chair welcomed those present to a public session where the Lake Ohau water situation will be discussed. He advised that the session would be no longer than 30 minutes, and then invited Mr Phil Driver to make his presentation.

Mr Phil Driver said he was presenting on behalf of the Lake Ohau and Alpine Village Residents’ Association. He tabled a document and then presented it verbally.

Elected Members asked questions of Mr Driver about the costs of his proposal and whether it was compliant with water schemes; demand and supply issues; the source of water for Lake Ohau; McKinnon Reserve as a potential site for the bores; and the percentage of local homeowners that the Association represented. There was also brief discussion about whether a cheaper option than that presented in the officer and consultant’s reports which avoided the need to run the pumps and spread the cost over a wider area within the Waitaki district. Mr Driver advised that the Association would be prepared to look at such an option, because it was their view that the ones on the table at the moment were unattractive.

The Chair thanked Mr Driver and those accompanying him for coming along to share their views. He noted that the ball was now in Council's court, and the meeting would be formally opened shortly to discuss the agenda reports on this topic. He also highlighted that today's discussions were a stage in the process only, with the Assets Committee being asked to make recommendations only, after which the information would need to go to a future Council Meeting for a final decision.

Mr Driver thanked the Chair and Elected Members for inviting him and his colleagues to present to the meeting.

After a short break, the Chair declared the meeting officially open at 1.11pm, and directed the discussion straight to Agenda Item 4.4.

4.4 LAKE OHAU WATER SUPPLY UPGRADE

The report, as circulated, sought the Assets Committee's recommendations to Council on agreed service levels for, and to enable the progression of, the Lake Ohau Alpine Village Water Supply upgrade to meet the requirements of the Health Act and its amendments. The officer's report also advised that it should be read in conjunction with the attached consultant's Lake Ohau Water Supply Upgrade report.

The Chair reminded the meeting that the Lake Ohau people had put forward their views on this matter, and there were also different recommendations in the two reports for this agenda item. Consequently, there were options to consider, and it is up to the Committee to work through what they may be and then to make recommendations to Council for a further discussion and decision.

Group Manager Neil Jorgensen, Water Services and Waste Manager Martin Pacey, and Project Management Engineer Michael Goldingham spoke to the report and responded to questions.

It was acknowledged that there are different assumptions and expectations amongst the various parties involved in this matter. Something did need to be done to the water supply in Lake Ohau in order for it to meet Drinking Water Standards and requirements under the Health Act. Key discussion points were the bore installation location; financial issue; the quantity of water to be extracted; where to draw the water from and flow rates; and the aspects of the on-demand supply arrangement (take the water, treat it, store it, and distribute it from tanks).

Several Elected Members expressed a reluctance to make a decision on the report at this meeting, believing that more time was needed to work through the additional information that had been received. Some felt a finite timeframe was required – by referring it to the next Committee Meeting scheduled to be held on 8 October – because, if district-wide funding was to be required, then the matter had to be dealt with. Some concern was raised that it would be unfair to impose the decision on the new Council, and an extraordinary meeting should be called to focus on the matter before the end of September.

MOTION

Moved: Deputy Mayor Melanie Tavendale

Seconded: Mayor Gary Kircher

That the Assets Committee agrees to leave this matter lying on the table, and that an Extraordinary Council Meeting be called before the end of September to deal with this matter specifically.

Discussion on the motion:

Group Manager Neil Jorgensen suggested the matter be referred to the Council Meeting scheduled for Tuesday 24 September 2019, instead of convening an extraordinary one. The Governance Advisor confirmed that the Council Meeting on 24 September 2019 was an additional one, and therefore it could accommodate this matter in the agenda for it.

The Mover and Seconder accepted this suggestion, and the motion was amended accordingly.

RESOLVED AC 2019/053

Moved: Deputy Mayor Melanie Tavendale

Seconded: Mayor Gary Kircher

That the Assets Committee agrees to leave this matter lying on the table, and that it be added to the agenda for the additional Council Meeting to be held on Tuesday 24 September 2019.

CARRIED

There was a request for a workshop to be held for discussion on this matter ahead of the Council Meeting on 24 September 2019.

ACTION: Assets Group Manager, with the Governance Advisor

The Chair then directed the meeting back to Agenda Item 4.2.

4.2 RETIREMENT VILLAGE RESERVES - LEVEL OF SERVICE

The report, as circulated, proposed that the Assets Committee reviews the request from the retirement village and determines what service levels Council would maintain on the adjacent reserves.

Mayor Gary Kircher declared an interest in Agenda Item 4.2, and did not participate in the discussion and abstained from voting.

Initial discussion focused on the trees and specifically that five very large gum trees would be removed and replaced by 13 other tree specimens (about 1.5 metres tall rather than mature ones). Many of the new trees would be a different species of gum that do not grow as high. It was noted that the Village trustees are paying for the removal of the trees and the replanting.

In response to a question, it was clarified that the reserve is Crown land, but it is vested in Council and therefore Council has a responsibility to maintain it so the gorse has been sprayed.

RESOLVED AC 2019/054

Moved: Cr Bill Kingan

Seconded: Cr Hugh Perkins

That the Assets Committee recommends:

That Council allows the Observatory Retirement Village to remove trees and landscape the reserve to the west of the retirement village (Area 2) with Council to maintain the verge in front of the retirement village entrance and the reserve around the observatory to the north of the retirement village (Area 1) to Neighbourhood reserve standards.

The Vote by Voice was UNCLEAR.

The Chair requested a Show of Hands,
and advised that there were three for the motion, and two against.

CARRIED

ABSTENTION: MAYOR GARY KIRCHER

4.3 CAMPBELL'S BAY AND MOERAKI TOILET LOCATIONS

The report, as circulated, proposed that the Assets Committee considers community feedback and recommends preferred sites to Council.

Recreation Manager Erik van der Spek explained that the recommended site had been chosen because most people access the area from the carpark, and it had been discussed with the community who supported the preferred option. Costs were also briefly discussed.

RESOLVED AC 2019/055

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Jeremy Holding

That the Assets Committee recommends:

That Council:

1. Approves the existing site as the location for replacement toilet and shower facilities at Campbell's Bay.
2. Approves a new site by the carpark at Moeraki Beach Reserve as the location for a replacement toilet facility in Moeraki.

CARRIED

4.5 SALE OF ENDOWMENT LAND

The report, as circulated, proposed that the Assets Committee recommends that Council considers the sale of the fee simple estate in Oamaru Endowment land at 31 Test Street, Oamaru to the current lessee.

Property Manager Renee Julius introduced the report. There was no subsequent discussion on its contents.

RESOLVED AC 2019/056

Moved: Mayor Gary Kircher

Seconded: Deputy Mayor Melanie Tavendale

That the Assets Committee recommends:

That Council approves the sale of the fee simple estate in Oamaru Endowment (residential) land at 31 Test Street, Oamaru (Lot 1 DP12820 Block XIII Town of Oamaru) to the current lessee, subject to financial criteria being met.

CARRIED

The Chair adjourned the meeting for a short break, before reconvening it and directing discussion to Agenda Item 5.1.

5 MEMORANDUM REPORTS

5.1 ASSETS GROUP ACTIVITY REPORT

The group activity report, as circulated, informed the Assets Committee about strategic matters and outcomes.

Assets Group Manager Neil Jorgensen addressed the meeting, and introduced new Roding Manager Mike Harrison. Mr Harrison spoke briefly about his career background and his appreciation of the warm welcome he had received since starting at Waitaki District Council. The Chair welcomed Mr Harrison to the team.

Discussion on the report focused on water treatments, standards and water safety plans; roading maintenance and the impact of limited resources across the industry; bridge inspections; the Coastal Road Strategy and road slippage; and safety audits. Regarding the last, it was noted that no work could be done on the section of TY Duncan road where the fatal crash had occurred in June because that intersection was going through a Coroner's review. Mr Harrison said that the Police had visited the site again recently and he continued to be in discussion with them about what could be done. He suggested there were some sensible measures that could be put in place straight away whilst waiting for the Coroner's accident report.

RESOLVED AC 2019/057

Moved: Mayor Gary Kircher

Seconded: Deputy Mayor Melanie Tavendale

That the Assets Committee agrees that safety measures, such as chevrons and T intersection warnings, can be installed at TY Duncan Road and Shortland Road in advance of the accident report.

CARRIED

Mayor Kircher advised that Ngai Tahu representatives at the recent Te Roopu Taiao meeting had thanked Council staff for the work that had been done on Lighthouse Road. He added his acknowledgement and thanks for the work of the Roding team.

Regarding the report's Property section, there was discussion on the need to stop dredging after 30 August; and variations to the consent for the breakwater.

Regarding the report's Recreation section, there was acknowledgement of the work being done on cemetery signs and on the Palmerston walkway; and discussion on the difference between the tender offer and the engineering estimate.

RESOLVED AC 2019/058

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Jeremy Holding

That the Assets Committee receives and notes the information.

CARRIED

6 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED AC 2019/059

Moved: Mayor Gary Kircher

Seconded: Cr Hugh Perkins

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
7.1 - Sale of Endowment Land PE	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)	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
7.2 - Request to Purchase Leasehold Land	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)	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
7.3 - Improvements to Airport Houses	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons 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

7 PUBLIC EXCLUDED SECTION

The public excluded minutes apply to this section.

8 RESOLUTION TO RETURN TO THE PUBLIC MEETING

RESOLVED AC 2019/064

Moved: Deputy Mayor Melanie Tavendale
Seconded: Cr Jeremy Holding

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

CARRIED

9 RELEASE OF PUBLIC EXCLUDED INFORMATION

In accordance with Waitaki District Council Standing Orders 2016 to 2019, Clause 17.5, and pursuant to Resolution AC 2019/063 of this meeting, the Committee decided not to release any of the public excluded information brought to this meeting or discussed during the public excluded session.

10 MEETING CLOSE

There being no further business, the Chair declared the meeting closed, at 12.32pm.

CONFIRMED AND SIGNED by the Chair and Council's Chief Executive at the Council Meeting (additional) held on Tuesday 8 October 2019, being the final Council Meeting of the current triennium, in accordance with Clause 27.4 of the Waitaki District Council Standing Orders.

[signed] 8 October 2019

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Chairperson Date signed

[signed] 8 October 2019

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Chief Executive Date signed