
**CONFIRMED MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, THIRD FLOOR,
OFFICE OF THE WAITAKI DISTRICT COUNCIL, 20 THAMES STREET, OAMARU
ON TUESDAY, 18 FEBRUARY 2020 AT 9.00AM**

PRESENT: Mayor Gary Kircher (Chair), Deputy Mayor Melanie Tavendale (Associate Chair), Cr Hana Halalele, Cr Jeremy Holding, Cr Jim Hopkins, Cr Ross McRobie, Cr Bill Kingan, Cr Kelli Milmine, Cr Peter Newton, Cr Guy Percival, and Cr Colin Wollstein

IN ATTENDANCE: Fergus Power (Chief Executive)
Neil Jorgensen (Assets Group Manager / Deputy Chief Executive)
Lisa Baillie (People and Culture 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:

Roger Cook (Building Services Manager)
Renee Julius (Property Manager)
Hamish Barrell (Heritage and Planning Manager)
Andrew Bardsley (Regulatory Manager)
Tristan Hope (Enforcement Officer)

The Chair declared the meeting open at 9.00am and welcomed everyone present.

1 APOLOGIES

There were no apologies.

2 DECLARATIONS OF INTEREST

There were no declarations of interest made at this point in the meeting. Subsequently, Cr Peter Newton and Cr Jeremy Holding both declared an interest under Agenda Item 7.11 (Awamoa Park Lease), and Cr Guy Percival declared a non-financial interest in a Public Excluded agenda item (which is reported in the public excluded minutes of this meeting).

3 PUBLIC FORUM

The Chair advised the meeting that there were more than six people who wished to speak at the Public Forum, and therefore, pursuant to Standing Orders, he declared that the amount of time that could be allocated to each speaker would be reduced from five to four minutes.

Speaker 1 – Gail May-Sherman: Ms Sherman handed over a petition signed by 250 people who were concerned about the 5G rollout. She shared her concerns about the high intensity beams involved and medical issues that some studies had identified as a result of them. She conveyed a request from those who had signed the petition that Council does all it can to put more in place to ensure it is safe for the public and the environment, including by making public the intended locations of the 5G towers before they go up and by advocating to central government to stop telecommunications companies being exempt from the Resource Management Act.

When asked, Ms May-Sherman confirmed that she was aware of the Chief Science Advisor's report to the Prime Minister on this issue but said she felt it focused on only one standard.

Speaker 2 – Liz Cadogan: Ms Cadogan also spoke on the topic of 5G and shared a personal experience of how it had affected her. She expressed concern about Dawn Aerospace launching rockets from Oamaru Airport and asked Council to consider health factors and to ask that company to leave if 5G is found to be detrimental to the old, young and frail.

The Chair noted that Dawn Aerospace would be operating out at the airport, and that 5G is understood to be a short distance technology.

Speaker 3 – Bruce Albiston: Mr Albiston referred to the petition from the Waitaki Community Hospital Action Group that was referenced in the minutes of the previous meeting, and shared his concern that many people in the community were distressed by the fact that it was acting like a private company without public accountability.

The Chair advised the meeting that he had asked Mr Albiston to meet with the Hospital Chairman to discuss his concerns, and reiterated that the hospital is a public company, which was accountable to the public through its Board of Directors.

Speaker 4 – Valeema Wright: Ms Wright also shared her concerns about the effects of 5G on Oamaru. As a health practitioner, her concern was for the younger people. She referred to a lot of research being done globally that indicated it was not safe, and she asked the Council to take the matter seriously and to hold off any decisions on 5G until more research is done.

In response, the Chair advised the meeting that the network utility companies had more powers than councils on their tower locations, and that councils could only lobby and advocate on behalf of their communities. He invited Ms Wright to make an appointment to talk to him outside of the meeting to discuss the matter further. Ms Wright accepted that invitation.

Speaker 5 – Katrina Hazlehurst: Ms Hazlehurst said she had some concerns about the increased fees being proposed for building consents, which she felt would impact on developers, the 'do-it-yourselfers', and historic buildings. She highlighted concerns for those people wanting to upgrade heating and insulation, and felt that Council had a social responsibility to keep those costs as low as possible.

When asked if it would be fair to ratepayers to subsidise the building department instead of increasing fees, Ms Hazlehurst answered yes.

Speaker 6 – Mrs Jan Wheeler: Mrs Wheeler said she supported the officer report in the agenda about the Awamoa Park lease, and felt that Council should make the decision, not the Committee. She felt that basing St John on that park would generate add-ons, and accordingly, everyone needed to have consideration of such matters. Mrs Wheeler also thanked Council for advocating for the traffic management changes at the Moeraki corner and noted that the community is very much behind what the Council is doing to make it safer.

The Chair declared the Public Forum closed at 9.31am and thanked all the speakers.

He then invited Mrs Robyn Zinc of EnviroSchools to make a presentation to Council.

Presentation by EnviroSchools:

Mrs Zinc thanked Council for its ongoing support for the EnviroSchools programme which operated nationally to enable councils and schools to work together and achieve sustainability. Waitaki District Council had started supporting the programme in 2019, and Waitaki schools were involved in a whole range of actions in sustainability and waste. They were doing work around biodiversity; growing food and vegetable gardens, and celebrating diversity in the community, connecting with other schools and community organisations. That afternoon a meeting was planned with NOSLAM, to launch a citizens' science project to be called "Soil Your Undies". Mrs Zinc highlighted the long-term relationships that EnviroSchools had with schools and the importance of the ongoing support from

Council which was very much appreciated. A newsletter was circulated to meeting participants which provided examples of what Enviroschools was doing and how it fits with Council's vision for this community.

Mayor Kircher said it was a real pleasure for Council to be part of the Enviroschools programme, and very encouraging to see what is happening with schools. He advised that Council was very proud of the efforts and extremely good work to date and encouraged Mrs Zinc to come back to Council if it needed any additional support or funding to expand the programme in Waitaki.

At 9.38am, the Chair directed the meeting on to agenda item 4.

4 CONFIRMATION OF PREVIOUS MEETING MINUTES

4.1 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 3 DECEMBER 2019

Agreed amendment: in the discussion on the Mayor's report, change the reference to the Kurow "island" situation to read Kurow "pipeline" situation.

RESOLVED WDC 2020/001

Moved: Cr Jim Hopkins
Seconded: Cr Jeremy Holding

That Council confirms the Public minutes of the Council Meeting held on 3 December 2019, with the amendment agreed at this meeting, as a true and correct record of that meeting.

CARRIED

5 LEADERSHIP REPORTS

5.1 MAYOR'S REPORT - FEBRUARY 2020

The report, as circulated, brought Councillors and the public up to date with issues that have arisen since the last Council Meeting on Tuesday, 3 December 2019.

Mayor Gary Kircher noted that discussion on the hospital petition had been omitted from his report in error and would be referenced in his report to the next Council Meeting.

Regarding the proposed movie theatre, Mayor Kircher advised that a preferred location had been agreed and work had begun on planning. Funding for a fire engineer's report may be requested. If the project could get off the ground, it would likely be in the form of a trust-owned enterprise to provide entertainment to the local population.

Regarding the reference to the very good relationship between Council and the local runaka, the great turnout of Councillors to the initial meeting had demonstrated the respect for and strength of the relationship, and there were real opportunities that could be pursued with the Memorandum of Understanding providing a framework for the parties to work collaboratively.

RESOLVED WDC 2020/002

Moved: Cr Jeremy Holding
Seconded: Cr Colin Wollstein

That the Council receives and notes the information.

CARRIED

5.2 CHIEF EXECUTIVE'S REPORT FEBRUARY 2020

The Chief Executive's report, as circulated, brought Councillors up to date with issues that have arisen since the last Council Meeting on Tuesday, 3 December 2019.

Chief Executive Fergus Power took the report as read and acknowledged that the policy activity at central government level had been quieter recently than before Christmas.

There was brief discussion about technology issues affecting the agenda production for this meeting, principally around how the system treated PDF documents. These were being addressed as quickly as possible, including with suppliers. The Chief Executive advised that, as soon as the problems were discovered, the Governance Advisor had uploaded some agenda items separately for Councillors and to the website to ensure that the information was accessible and readable. It was noted that information in the report on the building fees review had covered the missing lines from one of the attachments and so its integrity had also been protected.

The Mayor also thanked Councillors for their forbearance as the technology matters were resolved and noted that several parties needed to be involved in identifying, testing and embedding resolution options but work on this was being prioritised.

There was brief discussion about (i) the Resource Management Act Review and submissions on it being put together by Canterbury and Otago working groups; (ii) the water services regulator and how the detail still to come would enable Council to analyse how best to respond to the new arrangements; and (iii) Dawn Aerospace.

RESOLVED WDC 2020/003

Moved: Cr Ross McRobie

Seconded: Cr Jim Hopkins

That the Council receives and notes the information.

CARRIED

6 RECOMMENDATIONS FROM COMMITTEES REPORTS

6.1 RECOMMENDATIONS OF THE AHURIRI COMMUNITY BOARD MEETING HELD ON 16 DECEMBER 2019

The Chair advised the meeting that agenda item 7.9 was also related to this matter, and it would be brought forward for discussion after the recommendation report from the Ahuriri Community Board had been received and resolved.

5.2 NEW ROAD NAME FOR THE RIGHT OF WAY AT 4940 OMARAMA-OTEMATATA ROAD

RESOLVED WDC 2020/004

Moved: Cr Ross McRobie

Seconded: Cr Jeremy Holding

That Council takes account of the Ahuriri Community Board's preference for "Piner Lane" as the road name at 4940 Omarama-Otematata Road.

CARRIED

The Chair then directed the meeting to the related report, under Agenda Item 7.9.

7.9 4940 OMARAMA-OTEMATATA ROAD - ROAD NAMING

The additional officer report on this road naming matter, as circulated, sought Council approval for the name of the right of way created as part of the Piner Subdivision at 4940 Omarama-Otematata Road.

The meeting was advised that anything over five properties needs to have a properly named road for identify purposes for fire and emergency use.

During discussion on the report, it was clarified that the developer had spoken to everyone living in the street to obtain their views on a road name, and there had been a difference of opinion on a preference. Concern was expressed that there was no one from the street attending the meeting to share their views with Council. In response, it was acknowledged that one person had registered to speak and then cancelled that registration the day before the meeting.

It was noted that, at this time, there was no reason before Council to not choose Piner Lane, and yet there was a reference to disquiet amongst those who would be affected.

The meeting heard that there were some representative from the community at the Ahuriri Community Board meeting, and that a paper had gone to that Board because of the disagreement over a name. Every name that had been put forward had met the road naming policy, but discussions at the meeting had supported the choice of Piner Lane.

The meeting was advised that the various parties involved in this road naming issue had been aware that the matter was to be discussed and resolved by Council at this meeting today. Parties had met with Ahuriri Ward Councillor Ross McRobie and Ahuriri Board Member Ross Menzies, and they had also said they would attend the Council meeting, as did the Board Chair. However, none of the parties had attended.

RESOLVED WDC 2020/005

Moved: Cr Ross McRobie
Seconded: Cr Jeremy Holding

That Council approves the name Piner Lane for the right of way created as part of the subdivision at 4940 Omarama-Otematata Road.

CARRIED

The Chair directed the meeting back to Agenda Item 7.1.

7 DECISION REPORTS

7.1 RATIFYING THE OTAGO LOCAL AUTHORITIES' TRIENNIAL AGREEMENT 2020-22

The report, as circulated, invited the Waitaki District Council to ratify the Otago Local Authorities' Triennial Agreement 2020–22 (“the Agreement”), including terms of reference for the Otago Mayoral Forum.

Chief Executive Fergus Power advised that the triennial agreements were a requirement under the Local Government Act, with the intent of encouraging cooperation between adjourning local authorities.

One Elected Member noted that both agreements were said to have been prepared by the Canterbury Mayoral Forum, and yet there were differences between them. Deputy Mayor Melanie Tavendale advised that she had been present at the Otago Mayoral Forum when the Canterbury agreement had been reviewed, and the issue of whether Mayors had the ability to change their

minds at a meeting without going back to their individual council was raised. It was agreed that no binding decisions could be made by the Mayoral Forum, so if a Mayor brought a set position from his/her Council to a Mayoral Forum and then learnt new information that encouraged that Mayor to change that position, then it would be fine because the decision would not be binding on the individual councils. The Canterbury agreement had been set in stone much longer, which is why it did not allow for that change of mind at a meeting.

Some Elected Members expressed their view that the Mayor should be expected to enunciate the position of his/her Council if one had been agreed. The Mayor acknowledged that view, and said it was not something that occurred often. An educated response could be made, or else a Mayor could decide to take the matter back to his/her Council to discuss the new information received.

Asked if there were any changes to the Otago document, Mr Power advised that the strength of Mayoral Forums was to advocate for their regions, which may not always be possible for all Mayors. If one Mayor had a dissenting view, then he/she could be removed from the position statement to a Minister or to the Crown. Otago Mayors have attempted to learn from the experiences and successes of the Canterbury agreement by strengthening and making clearer expectations and limitations.

RESOLVED WDC 2020/006

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Kelli Milmine

That Council:

1. ratifies the attached Otago Local Authorities' Triennial Agreement 2020–22; and
2. authorises the Mayor to sign the Otago Local Authorities' Triennial Agreement 2020–22 on behalf of Waitaki District Council.

CARRIED

7.2 RATIFYING THE CANTERBURY LOCAL AUTHORITIES' TRIENNIAL AGREEMENT 2020-22

The report, as circulated, invited the Waitaki District Council to ratify the Canterbury Local Authorities' Triennial Agreement 2020–22 ("the Agreement"), including terms of reference for the Canterbury Mayoral Forum.

Cr Ross McRobie moved the report's recommendations, and Cr Peter Newton seconded the motion.

Discussion on the motion:

The question was asked when the last regional policy statement review had been conducted. The Chair's response was 2011. The Chair was asked to request that the Canterbury Mayoral Forum does conduct a review of the regional policy statement, to which he agreed.

Regarding how points 4A and 4B aligned, the Chair advised that the Mayoral Forum was not able to bind ECan.

Chief Executive Fergus Power added that reporting to the Mayoral Forum were action groups, made up of chief executives and senior staff. In Canterbury, there were also multiple working groups, which would further the objectives, through increased efficiency and sharing of resources. If a project cost \$80k, then each party would contribute to that sum based on their population; ie the statements provided the mechanism. ECan and the Otago Regional Council tended to assume responsibility for the lion's share of anything.

The Chair also noted that another major change was to allow Deputy Mayors to attend the Mayoral Forums, which would be helpful for Waitaki given that he was required to attend both the Canterbury and Otago Forums and could not do so if they were held on the same day.

RESOLVED WDC 2020/007

Moved: Cr Ross McRobie

Seconded: Cr Peter Newton

That Council:

1. ratifies the attached Canterbury Local Authorities' Triennial Agreement 2020–22; and
2. authorises the Mayor to sign the Canterbury Local Authorities' Triennial Agreement 2020–22 on behalf of Waitaki District Council.

CARRIED

The meeting was adjourned at 10.25am and reconvened at 10.48am.

7.3 AMENDMENT TO COUNCIL COMMITTEE MEMBERSHIP FOR THE 2019 - 2022 TRIENNIUM

The report, as circulated, sought to amend the Council Committee Membership for the 2019 – 2022 triennium to reflect the new arrangements now in place giving speaking rights to members of Committees only.

The Chair spoke to the report, noting that it provided an opportunity for all members – new and returning – to have equal rights to speak at committee meetings as members of at least two of the three main standing committees. The earlier structure had not given that opportunity to Cr Tavendale and Cr Kingan.

The Chair reminded Elected Members that they had discussed the speaking rights of members and non-members at committee meetings at their strategy session in December. The issue was not that non-members were not permitted to speak at committee meetings; they would not have the right to, but they could do so at the discretion of the chair (this point in Standing Orders had not changed). The intent is to let members of committees get on with the business, and to ensure non-members did not dominate conversations.

RESOLVED WDC 2020/008

Moved: Mayor Gary Kircher

Seconded: Cr Ross McRobie

That Council approves an amendment to the Council Committee Membership for the 2019 – 2022 triennium, by adding Deputy Mayor Melanie Tavendale as a member of the Assets Committee and Cr Bill Kingan as a member of the Performance, Audit and Risk Committee, to take effect from the date of this meeting.

CARRIED

7.4 ADOPTION OF WAITAKI DISTRICT COUNCIL STANDING ORDERS 2019

The report, as circulated, sought to ensure that Council has appropriate and relevant guidance and rules for the conduct of the proceedings of local authorities, committees, subcommittees and subordinate decision-making bodies and community boards. This supports good governance

practice and meets Schedule 7 27(1) Local Government Act 2002 requirements for Standing Orders.

The Chair noted that the draft Standing Orders for the current triennium, as attached, were a modified version of the Local Government New Zealand template based on guidance provided by Elected Members at the recent workshop. A summary of the proposed changes was provided in Attachment 1 to the agenda report.

Key discussion points were as follows:

- For clause 4.2, it was suggested that it be amended to state that a meeting duration could be eight hours instead of six, including breaks. It was noted that that duration would likely only apply for a Council Meeting as Committee meetings were not expected to ever be that long).
- For clause 9.6, the change from “meeting” to “committee” was questioned. Mayor Kircher advised that the responsibility needed to be with the committee, and not beyond that scope.
- For clause 13.12, it was clarified that, to be able to vote on an agenda item via audio-link, a member needed to participate in the full discussion on that agenda item but need not participate in the whole meeting.

MOTION

Moved: Cr Jim Hopkins

Seconded: Cr Guy Percival

That Council adopt the Standing Orders 2019 – 2022 as proposed, with the following change:

Amend maximum meeting duration set out in clause 4.2 from six hours to eight and adopt other changes as outlined in the summary of changes listed in attachment 1 to the agenda report (ie on page 175 in today’s meeting agenda).

Discussion on the motion:

It was suggested that the matter of the casting vote for the chairperson (clause 19.3) needed further discussion, particularly regarding the second paragraph. The word “may” [exercise a casting vote] was queried, and it was suggested that it be replaced with the word “must” to ensure that a casting vote was used where there is an equality of votes in the case of a statutory decision (eg on annual plans, annual reports, and long term plans to ensure that such critical business was decided within statutory timeframes. This change from “may” to “must” was agreed.

Regarding clause 19.4 (Method of Voting), it was suggested that the wording in (a) needed to be amendment to state that a vote by voices, if not decisive, would then be followed by a show of hands. If the hand count was decisive, then the matter could be recorded simply as carried. Calling a division was a separate and third option, and all votes then had to be recorded. The wording in (b) and (c) were fine if that in (a) could be refined to reflect the two-step process of voting by voice, and then by a show of hands. This was agreed.

Other agreed amendments were as set out below.

- Clause 4.2 – change “six” hours to “eight” hours.
- Clause 11.2 – remove “physically present” because the quorum was either half the members or the majority of members of the Committee.
- Clause 17.1 – form of petitions, paragraph 3 – online petitions to include names, locations and “IP or email addresses” (rather than signatures).

Cr Jim Hopkins and Cr Guy Percival, as the mover and seconder of the original motion, agreed to these amendments.

RESOLVED WDC 2020/009

Moved: Cr Jim Hopkins

Seconded: Cr Guy Percival

That Council:

1. Notes that the Draft Waitaki District Council Standing Orders 2019 are based on the Local Government New Zealand 2019 edition of Model Standing Orders, with some amendments as summarised in attachment 1 to the agenda report and listed below for the record:

Attachment 1 – Summary of Proposed Changes to LGNZ Model Standing Orders 2019

Clause / Topic / Change

- 4.2 Meeting duration (changed from the suggested two to Waitaki's current three hours continuously without a break)
 - 6.1 Limits on delegations – deleted clause (g) because it has been repealed; (h) then became (g)
 - 9.6 Chairperson's report, third line – changed "meeting" to "Committee"
 - 11.2 Committees and Subcommittees – new paragraph 2 added relating to proposed quorum differences for specific matters going before Executive Committee
 - 17.1 Form of Petitions – additions of paragraphs 3, 4 and 6
 - 19.3 Chairperson has a casting vote – addition of paragraph 2
 - 22.1 Options for speaking and moving – added new paragraph 3 to identify Option C as Council's default option
 - 23.3 Motions expressed in parts – replaced "require" with "request"
 - 23.6 Chairperson may recommend amendment – replaced "A Chairperson" with "Any member" in both the title and paragraph text
 - 25.2 Procedural motions to close or adjourn a debate – deleted "who has not spoken on the matter under debate" so that "any member" [without the qualifier] can now move such a procedural motion.
2. Notes that the Local Government New Zealand 2019 edition of Standing Orders includes optional clauses for Council to decide as part of this adoption of standing orders process;
 3. Confirms its decision on each of the three options listed below, for incorporation as amendments to the LGNZ 2019 edition of Standing Orders at this meeting:
 - i) Provisions for meetings by audio-visual link – yes;
 - ii) Provision for a casting vote for chairpersons – yes;
 - iii) Selects Option C (informal) as the default for speaking to and moving motions.
 4. Agrees further changes to the Draft Waitaki District Council Standing Orders 2019 at this meeting, as recorded below:
 - o Clause 4.2 – change "six" hours to "eight" hours.
 - o Clause 11.2 – remove "physically present" because the quorum was either half the members or the majority of members of the Committee.
 - o Clause 17.1 – form of petitions, paragraph 3 – online petitions to include names, locations and "IP or email addresses" (rather than signatures).

- Clause 19.3 – change the word “may” to “must” exercise a casting vote ...[where a meeting is required to make a statutory decision]...
 - Clause 19.4 – finetunes the wording in (a) to read ... “The Chairperson, in putting the motion, must call for an expression of opinion on **first**, the voices, **and – if that is unclear – then** a show of hands, the result of either of which ... (changes indicated in red text)
5. Notes that approving a new set of Standing Orders requires a vote of not less than 75% of the members present.
 6. Approves the Draft Waitaki District Council Standing Orders 2019 for use over the 2019-2022 triennium and including any changes agreed at this 18 February 2020 meeting
 7. Invites the Mayor to approve the final version of the Waitaki District Council 2019 Standing Orders once any amendments agreed at this meeting have been incorporated and the proposed final document has been circulated to elected members.

CARRIED

7.5 ADOPTION OF REVISED CODE OF CONDUCT 2019

The report, as circulated, sought the adoption of a revised Code of Conduct 2019 to incorporate additional changes and updated information to the original version adopted by Council at its meeting on 30 October 2019. The key changes now reflected in the revised Code of Conduct were listed in the report.

The following changes were discussed and agreed at this meeting:

Appendix A, Item 6, Second Paragraph, Line Three: remove the words “or block”. Reason: Elected Members need to be able to safeguard officers by having the opportunity to block for the reasons stated further in the same paragraph.

Appendix C, Step 5, Paragraph One, Line One: change the word “considered” to “decided”, so that it reads: “The investigator’s report will be decided by the Council or adjudicative body ...”

The List of Independent Investigators: Delete Michael de Buyzer (since he is not permitted to be an investigator for the Waitaki district); and add Pamela Peters of Watson Peters.

RESOLVED WDC 2020/010

Moved: Cr Jim Hopkins

Seconded: Cr Peter Newton

That Council adopt the attached revised Code of Conduct 2019, with amendments as agreed at this meeting, with effect from the date of this meeting.

CARRIED

7.6 BUILDING FEE REVIEW

The report, as circulated, informed Council of the current financial situation in the Building Services Department and the options available.

Group Manager Lichelle Guyan spoke to the report and highlighted the risks and costs of compliance. It was noted that Council had little control over volumes of applications coming through, but if officers failed to meet Council's responsibilities under the Act, then it could lose its accreditation.

There was discussion on the \$400 fee for a heater consent that had been raised in the Public Forum. It was clarified that that would apply to all installations (new and replacement); was in line with other councils; often involved the need for a new flue which affected ducting in the roof; and the fee incorporated time for processing and inspection.

The meeting heard that a major component of the regulations was about risk management, in particular about breaking the weather tightness around buildings (as would be needed for external installation, involving the removal of cladding). Building Services Manager Roger Cook noted that there was a proposal before the Ministry of Business, Innovation and Employment (MBIE) to exempt external installation, but there was no decision yet.

Local organisations were discussed as an option to perhaps provide financial assistance to some community groups who met the criteria, which Council had supported in the past. Their current status was unclear, and other factors (eg income testing) may also need to be considered.

The meeting was advised that the fee for a solid fuel heater had increased by \$130.

Regarding compliance costs, it was noted that there was a large amount of unconsented work being done. A notice to comply had to stay on the build for some considerable time until work was finished, and in some cases, that may take up to 35 years. If the notice is removed before the work is completed, then officers had to out to the site and issue another, incurring more costs.

The concept of whether some work could be subsidised as a 'public good' was raised. Amongst the views shared, it was noted that everything Council did had an element of public good, but it was an unfortunate consequence of regulations that there would be costs involved. The aim was to try and capture the cost at the relevant time.

The reasonableness of the fees was discussed, and it was noted that a lot of low-value work came in on paper-based forms which took time to process but, if charged at the hourly rate, would add a disproportionate amount to the total.

Group Manager Lichelle Guyan suggested officers could do some modelling around what the fees might look like if all earthquake-prone building (EPB) fees were considered a public good.

The Chair noted that Elected members had talked about the wider good around heritage buildings and the protection given to them, and that that was more of a community good because of the greater costs involved. He queried whether Council needed to consider having a fund to cover such costs, rather than looking at who might qualify for an exemption. Considering it as part of the annual plan process, by offsetting costs in some way, could be an option, but it would not address the situation right now.

One Elected Member believed that the solid fuel heater consent had an element of social good, because landlords were required by MBIE to install suitable heating in rental properties. It was suggested that the increase from \$320 to \$450 needed to be reconsidered because of that.

It was clarified that a previous decision by Council was that fees were set across the district, because inspections, for example, could be required anywhere within the broader Waitaki area. However, a landlord could choose to install a heat pump (instead of a solid fuel heater) and then a building consent (and the associated fee) would not be required.

On the topic of community views, it was noted that the engagement process would be with the industry rather than the wider public, and if there were any substantial alterations suggested, then they would be brought back to Council for further consideration.

A question was put to the meeting about whether Council needed to consider its strategic vision for the community and look at what the Housing Taskforce was doing first. Mrs Guyan acknowledged that suggestion, noting that social housing options could be investigated and there were ways to reduce the costs associated with them (eg through development contributions). Also, work still had to be done on how to best manage that, so – in the current situation – the issue for Council was if it wanted to manage the finance issue, or to wait? One reply queried whether, if in trying to make things better, could the process make things worse?

MOTION

Cr Ross McRobie moved, and Cr Jeremy Holding seconded, all three recommendations from the agenda report as presented.

Discussion on the motion:

When asked, Mr Cook advised that he had had discussions with the building industry representatives who had been philosophical about the increased fees. All they had requested was a certain amount of notice to be able to adjust their quotations.

A view against the motion noted that, while revenue was down from building fees, the broader department was still bringing in income, albeit at a lesser rate. The social issues raised were more important and needed to be discussed and signed off by Council at a strategic level first.

AMENDMENT

Moved: Cr Jim Hopkins

Seconded: Cr Kelli Milmine

That recommendation 1 remain as it is.

That recommendation 2 state that the implementation will commence on 1 June 2020.

That recommendation 3 add the words “in principle” to follow “Approves”.

Discussion on the amendment:

Supporting views were that there was a need to address the strategic matters around social housing; that the delay would not constrain officers; and that they would not affect the Annual Plan process discussed. An additional clause to the motion relating to social housing was suggested, given that officers would be going out for engagement with the industry rather than the public.

An opposing view highlighted that, if responses were not being requested, there could be no guarantee that any would be received. Concern was expressed that Council was being asked to enact its revenue and financial policy, but it was felt that the social housing element needed to be singled out and separated to occur later, once strategic requirements for it had been discussed and agreed, and the rest could be agreed for implementation by 1 June 2020. It was put forward that the amendment would stop such a separation.

Other views included that there was consensus that something needed to be done; and that every single point in the recommendations had a social element because it was the end-user who would be paying, so each needed to be looked at in turn.

The Chair put the amendment to the meeting.

RESOLVED WDC 2020/011

Moved: Cr Jim Hopkins
Seconded: Cr Kelli Milmine

That recommendation 1 remain as it is.

That recommendation 2 state that the implementation will commence on 1 June 2020.

That recommendation 3 add the words "in principle" to follow "Approves".

The Chair advised that the voice vote was not clear. In accordance with Standing Orders, he requested a show of hands, and declared the amendment motion carried by a majority using that voting method.

CARRIED

The Chair then confirmed that the amendment was now the substantive motion and put it to the meeting.

RESOLVED WDC 2020/012

Moved: Cr Jim Hopkins
Seconded: Cr Kelli Milmine

That Council:

1. Approves in principle the increase to the existing Building Fees and Charges as detailed in Attachment 1.
2. Approves the implementation commencement date of 1 June 2020
3. Approves in principle the introduction of the following new fees:
 - A) The charge out unit rates rise to \$180 per hour or part thereof and \$90 per 30 minute or part thereof as applicable.
 - B) Accreditation Levy at 0.04% of the value of Building Work to be applied to all Building Consent, Certificate of Acceptance and Discretionary Exemption applications.
 - C) Flat fee of one additional hour at standard unit rate for the receipt and digitalisation of Paper based applications prior to vetting.
 - D) Minor variation processing fee at standard unit rate, charged per 30 minutes or part thereof.
 - E) Printing Approved documents \$60 per 30 minutes plus per page charge at appropriate commercial rates.
 - F) Specific fees to cover the cost of implementing the legislative requirements under the Building (Earthquake- prone Building) Amendment Act 2016.
 - i. Assessment of information related to a building EPB status and registration, at unit rate per 30 minutes or part thereof.
 - ii. Assessment of Application for Exemption for an Earthquake prone building, at unit rate per 30 minutes or part thereof
 - iii. Assessment of an application for an Extension of time for an Earthquake prone Building at unit rate per 30 minutes or part thereof
 - iv. Issuing of Earthquake prone Building Notice and issuing any subsequent or replacement notice.

CARRIED

MOTION

Moved: Deputy Mayor Melanie Tavendale
Seconded: Cr Jim Hopkins

That officers bring to Council mechanisms that will help address some of the concerns raised by the Waitaki Housing Taskforce.

Discussion on the motion:

The Chair noted that officer comments around how to prioritise subsidies and options for ways to offset costs would be helpful. In response, Mrs Guyan said she would look to have something available for the 31 March 2020 Council Meeting.

RESOLVED WDC 2020/013

Moved: Deputy Mayor Melanie Tavendale
Seconded: Cr Jim Hopkins

That officers bring to Council mechanisms that will help address some of the concerns raised by the Waitaki Housing Taskforce.

CARRIED

7.7 CULTURAL FACILITIES DEVELOPMENT PLAN - APPLICATION OF BEQUEST FUNDS

The report, as circulated, sought Council approval for expenditure of Museum bequest funds.

It was clarified that this funding would be part of the project already approved by Council, not on top of that, given that the previous resolution had been “up to ... [the agreed figure] and had been accompanied by a challenge to look for ways to bring that total down.

RESOLVED WDC 2020/014

Moved: Cr Colin Wollstein
Seconded: Cr Ross McRobie

That Council approves the application of the residual balance of \$40,599.65 in the Te Waitaki Taoka bequest fund to the overall cost of creating new displays and interpretation as part of the Waitaki Taoka theme, in the stage one development at the Waitaki Museum & Archive Te Whare Taoka Ō Waitaki.

CARRIED

The meeting was adjourned at 12.17pm and reconvened at 12.45pm.

The Chair directed the meeting to Agenda Item 7.8.

7.8 FUNDING FOR THE INFORMATION MANAGEMENT TEAM LEADER POSITION

Information Services Group Manager Bill Chou introduced the report. The Chair acknowledged that the report had come to Council at the last minute and a good explanation had been provided about why that had happened. When asked, Chief Executive Fergus Power summarised other factors that had been considered by executive management.

In response to questions, Mr Chou clarified that the management/supervisory skills required were not available in-house; that the position would help fill gaps in knowledge and support for the digital workplace programme; and that some of the direct reports to the Information Systems Team Leader would be able to be moved across to the new position to help reduce her supervisory workload. Group Manager Lisa Baillie added that Information Management positions had been advertised three times previously and were extremely difficult to fill. There was an opportunity in the market now to overcome those barriers.

When asked if the entire budget for the big data project was being reallocated, Mr Power advised that, since the big data seminar was hosted by Council in 2018, three things had happened. The product that was available by Qrious had changed in scope; Statistics New Zealand had commenced a new venture called Data Venues; and Council had started discussions with Deloitte to get its big data. Consequently, the agenda report is indicating that the two years of big data costs would be allocated to internal big data, and that would be the end of it. At that point, it would be determined whether the position would be continued and funded from elsewhere, or not continued.

MOTION

Cr Colin Wollstein moved, and Cr Peter Newton seconded, the recommendations in the agenda report.

Discussion on the motion:

The Chair advised that Council did not want to see the numbers increase but acknowledged that the person had the right level and mix of skills to enable other staff to perform at the level Council expected them to. The LTP process would review and look at the ongoing situation for the whole Information Services departments. For those reasons, he supported the report's recommendations.

AMENDMENT

Deputy Mayor Melanie Tavendale moved, and Cr Kelli Milmine seconded, the addition of the words "to raise for discussion" after "Directs the Chief Executive" in point 2.

RESOLVED WDC 2020/015

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Kelli Milmine

That the words "to raise for discussion" be added after "Directs the Chief Executive" in point 2.

CARRIED

It was clarified that the digital workplace project would come before Council as part of the Annual Plan process.

A concern was expressed about the numerous requests being put forward in the Information Services space, which was on top of existing budgets. A request for a workshop was made, to enable Elected Members to receive more information about how the positions worked together; what the work programme, projects and impacts were; and the overall likely spend, but without going into too much operational detail. There was general support for this request.

ACTION: Group Manager Bill Chou

In exercising his right of reply as the mover of the motion, Cr Wollstein encouraged Elected Members to support the report's recommendations. He emphasised that the Information Services group was the 'engine' of Council and there was a need to ensure they were working as efficiently and effectively as possible.

RESOLVED WDC 2020/016

Moved: Cr Colin Wollstein

Seconded: Cr Peter Newton

That Council:

1. Approves the reallocation of the 'Big Data' carried forward budget for the purpose of part-funding the Information Management Team Leader position, in the amount of \$40,000 per annum to be applied in the 2019/20 and 2020/21 financial years;
2. Directs the Chief Executive to raise for discussion the ongoing provision for the Information Management Team Leader position in the draft 2021-2031 Long Term Plan; and
3. Endorses the reallocation of proposed Digital Workplace project funds (the part set for consultants) for the balance of funding required, in the amount of \$30,000 per year. Should the Digital Workplace project not be approved during the annual plan process, then new funding methods are to be found by the officer to support the position.

CARRIED

7.10 90 PARSONS ROAD - ROAD NAMING

The report, as circulated, sought Council approval for the name of the section of the road created by the subdivision at 90 Parsons Road, Weston 9491.

RESOLVED WDC 2020/017

Moved: Cr Jim Hopkins

Seconded: Cr Bill Kingan

That Council approves the name "Bradfield Road" for the section of the road created by the subdivision at 90 Parsons Road, Weston 9491.

CARRIED

7.11 AWAMOA PARK LEASE

The report, as circulated, sought Council's approval to use the correct legislative process to consult with the community about a proposed lease on Awamoa Park to St John.

Cr Peter Newton declared an interest in this matter, citing his role as a St John volunteer as a reason for that declaration.

Cr Jeremy Holding also declared an interest, because his spouse has just become a first responder for St John in Oamaru.

Property Manager Renee Julius spoke to the report and noted that the decision today was to move from one legislative process to another. Officers were also wanting Council to advise if it wanted to take public submissions on this matter, and whether the full Council or a Committee wanted to hear those submissions.

It was clarified that the maps had been reviewed by experts, and officers were satisfied that the information in them is correct; a legal opinion had confirmed what the Abercrombie report said; St John has been asked to speak to this matter; and it is significant for that organisation because of the location, which is up a hill where there is no risk from a tsunami.

It was noted that Council had not received a formal written request from St John, but the organisation had said it will enter into negotiations if Council makes the lease available. The meeting was informed that officers would seek written confirmation from St John before proceeding too much further.

Discussion clarified that, whatever engagement took place, there would need to be good information communicated to the public on the whole picture and the onus would be on Council to ensure that happened; St John had considered other options and they would need to advise the public which sites those were and why they had identified Awamoa Park as the best.

It was noted that new Councillors would find it helpful to hear from St John representatives in order to answer some of their questions.

AMENDMENT

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Hana Halalele

That recommendations 1 – 3 remain as they are; that recommendation 4 is amended by removing the words "if considered necessary by the Council"; that recommendation 5 is deleted; and that recommendation 6 is renumbered to be number 5.

Discussion on the amendment:

Views for the motion highlighted a desire to see this matter decided by Council, not a Committee, and that, although the process under the Reserves Act did not need consultation, a full community engagement process was preferred so that the community had an opportunity to have its say.

Cr Jim Hopkins sought to move a further amendment to recommendation 2, to read: "That Council instructs officers, prior to commencing a public consultation process for the granting of a lease in accordance with section 138, to submit a formal request to lease a portion of Awamoa Park ..."

The Chair called for a seconder, but when no one spoke, he declared the motion to amend lapsed for want of a seconder.

It was clarified that St John would need a resource consent for any work, but whether it would need to be notified or not would depend on the work done on traffic matters. Council officers could decide that the work would become notified.

It was highlighted to the meeting by several Elected Members that this report was not about the suitability or otherwise of the site. It was about the process to be followed.

RESOLVED WDC 2020/018

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Hana Halalele

That Council:

1. Receives the report that determines Awamoa Park is fee simple land, held in trust for the purposes of health and recreation.
2. Instructs officers to commence a public consultation process for the grant of a lease to St John in accordance with section 138 of the Local Government Act, upon receipt of a formal request from St John to lease a portion of Awamoa Park.
3. Rescinds resolutions WDC 2018/199 and WDC 2018/200 that instructed officers to proceed with public notice under the Reserves Act.
4. Instructs officers to report back to the Council with all submissions and objections, and to arrange for submitters and objectors to be given an opportunity to present their views to the Council.
5. Notes that, upon completion of the consultation process (objections, submissions and any hearing), the Council will then make a final decision on whether or not to grant the lease.

Initially, the meeting believed that the vote was tied, and the Chair used his casting vote to support the motion so that the community would be engaged. The Governance Advisor clarified that, because Cr Jeremy Holding and Cr Peter Newton had abstained from voting, the Chair's vote was a deliberative vote only, to secure a majority in favour of the motion.

CARRIED 5/4

Abstained: Cr Jeremy Holding and Cr Peter Newton

7.12 SALE OF ENDOWMENT LAND (59 GRETA STREET, OAMARU)

The report, as circulated, sought Council's consideration on selling a piece of endowment land that is surplus to requirements, with the proceeds from the sale then available for other Oamaru Endowment purposes.

It was clarified that there was currently no sewer connection to the property, but it could be reinstated by the new owner; and that the term "specified price" meant that a market value would be obtained.

RESOLVED WDC 2020/019

Moved: Cr Jim Hopkins

Seconded: Deputy Mayor Melanie Tavendale

That Council:

1. Approves the sale of the fee simple estate in Oamaru Endowment (residential) situated at 59 Greta Street, Oamaru described as Section 21 Block LXXV Town Oamaru.
2. Authorises the Chief Executive to take relevant action.

CARRIED

8 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED WDC 2020/020

Moved: Cr Colin Wollstein

Seconded: Cr Ross McRobie

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 – Public Excluded minutes of the Council Meeting held on 3 December 2019	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)(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
9.2 – Sale of Endowment Land (223 Thames Street, Oamaru) PE	s7(2)(h) – the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities 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
9.3 – Enforcement Matters PE	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)(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

CARRIED

9 PUBLIC EXCLUDED SECTION

The public excluded minutes apply to this section of the meeting.

10 RESOLUTION TO RETURN TO THE PUBLIC MEETING

RESOLVED WDC 2020/025

Moved: Cr Jim Hopkins
Seconded: Cr Hana Halalele

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 this meeting, Council decided to release previously public excluded information in the public minutes of this meeting, as recorded below.

RESOLVED WDC 2020/021

Moved: Cr Jim Hopkins
Seconded: Cr Kelli Milmine

That Council:

1. Confirms the Public Excluded minutes of the Council Meeting held on 3 December 2019, with the two agreed amendments, as a true and correct record of that meeting.

12 MEETING CLOSE

There being no further business, the Chair declared the meeting closed, at 2.27pm.

CONFIRMED at the Waitaki District Council Meeting held on Tuesday 12 May 2020.

[signed]

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CHAIRPERSON