



Waitaki

DISTRICT COUNCIL

TE KAUNIHERA Ā ROHE O WAITAKI

Date: Tuesday, 12 September 2023
Time: 9.00am
Location: Council Chamber, Third Floor
Office of the Waitaki District Council
20 Thames Street, Oamaru

Agenda Addendum Late Items (Public)

Council Meeting

12 September 2023

**Alex Parmley
Chief Executive**

Agenda Items

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NOTE:

Agenda Item 4.1 (Confirmation of Previous Meeting Minutes from 27 June 2023 Council Meeting) have been deferred to the 26 September 2023 Council Meeting.

4 CONFIRMATION OF PREVIOUS MEETING MINUTES (AGENDA ADDENDUM)

4.2 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 22 AUGUST 2023

Author: Ainslee Hooper, Governance and Policy Advisor

Authoriser: Roger Cook, Heritage, Environment and Regulatory Group Manager

Attachments: 1. Public Minutes of the Council Meeting held on 22 August 2023

RECOMMENDATION

That Council confirms the Public Minutes of the Council Meeting held on 22 August 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, 22 AUGUST 2023 AT 9.00AM**

PRESENT: Mayor Gary Kircher (Chair until 9.55am), Cr Rebecca Ryan (Chair from 9.55am), Deputy Mayor Hana Halalele (until 9.55am), Cr Tim Blackler, Cr Brent Cowles (via Zoom), Cr Jeremy Holding, Cr Jim Hopkins, Cr Courtney Linwood, Cr Guy Percival, Cr John McCone, and Cr Jim Thomson

APOLOGIES: Mayor Gary Kircher and Deputy Mayor Hana Halalele (both for early departure, at 9.55am)

IN ATTENDANCE: Alex Parmley (Chief Executive)
Lisa Baillie (Deputy Chief Executive / People and Transformation Group Manager)
Paul Hope (Finance and Corporate Development Group Manager and Acting Assets Group Manager)
Roger Cook (Heritage, Environment and Regulatory Group Manager)
Ainslee Hooper (Governance and Policy Advisor)

IN ATTENDANCE FOR SPECIFIC AGENDA ITEMS:

Victoria van der Spek (Principal Advisor)
Richard Maher (Transformation Programme Manager)
Joshua Rendell (Assets Operations Manager)

The Chair declared the meeting open at 9.00am and welcomed everyone present. He advised that he and the Deputy Mayor would be leaving the meeting just before 10.00am and that Cr Rebecca Ryan would assume the role of Chair from that time. He also advised that agenda items would be reordered during the first part of the meeting.

1 APOLOGIES

RESOLVED WDC 2023/131

Moved: Cr Jim Thomson

Seconded: Cr Tim Blackler

That the apologies for early departure from Mayor Gary Kircher and Deputy Mayor Hana Halalele be accepted.

CARRIED

2 DECLARATIONS OF INTEREST

Cr Tim Blackler declared an interest in Agenda Item 6.7 and said he would not participate in the discussion or vote on that item. Mayor Gary Kircher also declared an interest in that same item, as a Trustee of the Observatory Village Trust, but noted that he would not be present in the meeting at the time that discussion took place.

3 PUBLIC FORUM

Speaker 1: Ray Henderson (Agenda Items 4 and 6.7)

Mr Henderson said he had problems with minutes being late. He acknowledged that a “Decisions Only Document” had been published for the 27 June 2023 Council Meeting. However, the full minutes of that meeting were not available at this Council Meeting because of “resource constraints”, and he did not want to be fobbed off by that as a reason because he felt it was the “same amount of bullshit” as Council’s responses to questions about workshops.

Mr Henderson also said that “At no stage have we [the Waitaki Residents and Ratepayers Association; WRRRA] asked for grants to be stopped.” He felt that the Mayor saying publicly that his group had asked for them to stop was ‘inflammatory and denigrates our group’.

He then referred to a petition which had been organised by WRRRA because it was felt that Council was not listening to its community. The subject of the petition was “Control spending – don’t raise Rates or sell Assets... Waitaki Council should pay for the Sports/Event Centre by elimination of non-essential Council spending, and not by Rates increases or sale of public property like Forrester Heights”. Mr Henderson advised that the petition had not quite reached the hoped-for 300 signatures, but it was close (it contained 289 names). He presented it to the Governance Advisor.

The Chair noted that Council did not ignore the views of people and did everything it could to take their comments into consideration.

Mr Henderson acknowledged that Council is trying very hard to make sure that rates do not get higher each year, but his group felt that there was still a need to ‘trim the fat’.

With the leave of the Chair, Chief Executive Alex Parmley referred to the “trimming” comment and noted that the Transformation Programme would ensure that Council is more efficient. In terms of Mr Henderson’s comments about the minutes, Mr Parmley did not feel that the language that had been used was very helpful. Council had moved to a system of two-weekly meetings so there were considerably more minutes to produce. Temporary resources had been sourced but they had since been moved to another area. A change management process was now underway for the governance support function, and minutes were being caught up when they could be in between meetings and other priorities. The situation was not ideal, but work was underway to rectify the situation.

The Chair reiterated that it was frustrating for Elected Members as well that minutes were not being produced more quickly but they would all be available eventually.

4.1 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 8 AUGUST 2023

Amendment: Agenda Item 5.1 Council Responsible Freedom Camping Bylaw Amendments, paragraph 3 – replace “bylaws” with “our bylaw”.

RESOLVED WDC 2023/132

Moved: Cr Jeremy Holding

Seconded: Cr Jim Hopkins

That Council confirms the Public Minutes of the Council Meeting held on 8 August 2023, with one agreed amendment, as a true and correct record of that meeting.

CARRIED

5 LEADERSHIP REPORTS

5.1 MAYOR'S REPORT - 22 AUGUST 2023

The report, as circulated, provided the Mayor's report to this Council Meeting for the information of Councillors and communities throughout the Waitaki district.

The Chair took his report as read and highlighted the Chief Executive's appointment (one of three Chief Executives chosen nationally) to the national local government advisory group for the Future for Local Government (FfLG) formed by LGNZ and Taituarā.

He also spoke to his stated concerns about the 'disingenuous' way that the Waitaki Ratepayers and Residents' Association (WRRRA) had presented information to residents via its recent flyer in letterboxes of residents because it only provided only a negative view. The assumptions the WRRRA had made around funding for Council positions were incorrect. The Chair said he had also drawn the line in response to the WRRRA allegation that Council could easily cut \$400k off its grants and awards budget without that having an impact on Waitaki's communities because it was 'just not true'; many community groups benefit from that funding. Because the WRRRA had chosen to make allegations about Council that were not true, the Chair felt that there was an obligation on Council to correct them and present Council's concerns and their corrections to the community.

The Councillors who wrote about their experiences at the recent local government conference were congratulated for their reports.

RESOLVED WDC 2023/133

Moved: Cr Courtney Linwood

Seconded: Cr Jim Hopkins

That Council receives and notes the information.

CARRIED

6 DECISION REPORTS

6.1 ADOPTION OF CHIEF EXECUTIVE'S KEY PERFORMANCE INDICATORS FOR FY2023/2024

The report, as circulated, noted the progress with the Key Performance Indicators for the year ending 30 June 2023 and sought Council's adoption of the Key Performance Indicators (KPIs) for the Chief Executive for the year ending 30 June 2024.

Chief Executive Alex Parmley spoke to the report, and noted that, unusually amongst other local government territorial authorities, Waitaki District Council agreed the Key Performance Indicators for the Chief Executive in public, but he had offered to do that because he felt it was important. Mr Parmley highlighted the different process that had been followed for this year's KPIs, through the development of a performance management framework (also known as "Objectives and Key Results" (OKR) as part of the Transformation Programme work. He noted that the emphasis for many of the KPIs for FY 2023/2024 was on "good enough" at the 80% level rather than 100% perfection. If the KPIs were agreed at this meeting, they would be cascaded down through all units and individuals within the organisation, to ensure that staff can see that the work they do is reflected in delivery of outcomes. This was a 'really important piece of work' and remained a work in progress that management would continue to improve. But it was a very good starting point for the new performance management framework.

Key points of the discussion are summarised below.

Re KPI 4 (District Plan), whilst conscious of the need to progress this and get a new District Plan signed off, concern was raised that it also had to be effective for the aims of the district and it was important not to constrain Council with that effectiveness by putting the Chief Executive and staff under stress to complete it by a certain date. An added view was that the DP project was costing around \$100k a month and there was a need to do it right but also efficiently.

A suggestion was made to reword KPI 6 (d) because it was a statement whereas other KPIs were worded as actions.

Re KPI 9 (Forrester Gallery), it was queried whether the comment relating to planning for delivery of discovery/geopark hub whether the gallery extension might warrant revisiting. It was felt that the potentially ideal site could have two facilities in the same building.

Transformation Programme was included at KPI 5. This was a new KPI to deliver that; a decision report would be brought to the next Council Meeting for approval to proceed to phase 3.

Concern was raised about the 'huge scope' of the KPIs, and Mr Parmley was asked if he was comfortable that they could be achieved. Mr Parmley replied, "not on my own". It was about striking a balance. The new OKR system has objectives that are stretching, ambitious and bold. 85% would be doing well. All of them were potentially attainable and it was better to have stretching targets. He acknowledged that he could not advise the Member that staff would achieve the KPIs comfortably because they are stretching.

Another Member thanked Mr Parmley for the report, all the work that had gone into the KPI structure, and how they KPIs were presented to ensure that they were aligned to organisational objectives and reflected the contents of the strategic framework. They acknowledged the concern already expressed about the KPIs being perhaps unattainable, but they supported the concept of 'stretch', the fact that some metrics may need further tweaking, and that progress reports would be provided to enable ongoing assessment and monitoring.

RESOLVED WDC 2023/134

Moved: Deputy Mayor Hana Halalele

Seconded: Cr Jim Thomson

That Council:

1. Notes the progress with the Key Performance Indicators for the Chief Executive for the year ending 30 June 2023, included as Attachment 1.
2. Adopts the Key Performance Indicators for the Chief Executive for the year ending 30 June 2024, as proposed in Attachment 2.

CARRIED

6.2 ADOPTION OF COUNCIL SIGNIFICANCE AND ENGAGEMENT POLICY 2023

The report, as circulated, provided a platform for a Council decision on this Agenda Item using a new decision report template which is currently being tested.

Principal Advisor Victoria van der Spek spoke to the report, policy and guidelines and noted that the policy would apply to all decisions of Council. It identified how Council would decide what is significant and sets out how communities can expect to have input to Council's decision-making processes. The current one was outdated, and it was important to have new documents in place to meet best practice and align with the Local Government Act ahead of the Long Term Plan process. The community had had the opportunity to have input to the documents in April, and no feedback had been received during that consultation. However, a few changes had been made to ensure that the guidelines aligned appropriately.

In response to a query that some strategic assets could be “significant” but not necessarily “strategic”, Mrs van der Spek noted that the terminology goes hand-in-hand. The addition of some facilities (notably, the cultural facilities) was intended to capture the wider wellbeing framework that central government had required.

A request was made for an amendment, which was agreed to by the Chair. The reference was as follows: Page 4, section 3, under “Strategic Assets”, paragraph 4, last line: add the words “current or future” before “operation of the strategic asset”.

ACTION: Principal Advisor

RESOLVED WDC 2023/135

Moved: Cr Jim Hopkins

Seconded: Cr Courtney Linwood

That Council:

1. Adopts the Waitaki District Council Significance and Engagement Policy 2023 and accompanying Significance Guidelines as provided for in Attachments 1 and 2; and
2. Authorises the Chief Executive to make minor edits or changes to reflect decisions made by Council at this meeting.

CARRIED

At this time (9.55am), Mayor Gary Kircher stepped down from the chair and he and Deputy Mayor Hana Halalele left the meeting. Cr Rebecca Ryan assumed the role of Chair for the remainder of this meeting.

6.3 OTAGO REGION WASTE ASSESSMENT

The report and its many attachments, as circulated, sought Council approval to proceed with drafting a fit for purpose Waitaki Waste Minimisation and Management Plan (WMMP) that meets the requirements of the Waste Minimisation Act 2008.

Waste Minimisation Officer Lucianne White and Solid Waste Manager Steve Clarke spoke to the report and highlighted that the assessment was simply a snapshot of what is currently happening in the area of waste in the Otago region and what could potentially happen. The key outcome of the assessment was to determine whether Waitaki’s current Waste Minimisation and Management Plan (WMMP) was fit for purpose or whether it needed to be rewritten. The details relating to activities would become clearer in the future.

It was clarified that the assessment was a technical one which provided the overall picture; it served a useful purpose in helping to increase understanding of the waste position within the Waitaki district and clearly highlights that a new strategy is required so that Council could be well placed to explore which pathway to take in the future. Group Manager Roger Cook reminded Elected Members that there was a sequence of steps Council would need to take to meet the new legislation and the assessment was one such procedural step; the only way for Council to meet the legislation was to approve Option 1.

Concern was raised about the assessment’s complete silence on “cost” matters; the word did not appear once in amongst the variety of options proposed for the region. Mr Clarke advised that cost would be taken into consideration when the options are brought back to a future meeting for Council to make an informed decision.

Asked whether officers were confident about the figures and methodology used in the assessment, Ms White confirmed that they had reasonable confidence in the data but acknowledged that the remainder of the document presented a challenge going forward. Waitaki did not have a bylaw that requires its providers to provide data, and a SWOT (Strengths Weaknesses Opportunities

Threat) analysis still needed to be done. There were improvements that could be made and that is part of the legislative changes that all councils have to report on.

Additional concerns were raised about (a) the assessment's lack of reference to manufacturing suppliers' packaging given that they were the biggest producers of waste; and (b) that there were many references to statistics and figures but no conclusions. Ms White noted that there was a brief comment relating to "stewardship schemes", and there was also a packaging forum working behind the scenes.

The absence of costs associated with the future actions including a whole series of regional coordinators was also highlighted as a line of expenditure that would need to be taken into consideration. Ms White agreed that funding components to employ people in those roles would be included in the options to be brought to Council for consideration.

An Elected Member acknowledged Mr Cook's earlier comments that there had to be change and Council would have to start from scratch. However, they encouraged officers to think outside the square and do what is best for this district rather than cart waste around the region because the costs involved in the options would be "horrific" and a local solution would likely to be better and cheaper. Chief Executive Alex Parmley advised that, because there was a need to deal with waste in different ways, some of the infrastructure was large and operated better at scale. Waitaki could do some things but there would also need to be discussions held with regional colleagues to see if solutions could be agreed that will be more cost effective for our ratepayers as well as theirs. There was certainly an urgent need to look at landfills and consider how to deal with our waste now rather than leave it for future generations.

The fast-evolving pace of this new waste management environment was highlighted, and a question was raised about when Waitaki would need to engage with the community. Ms White noted that some information had already been released by the Ministry for the Environment (eg the first tranche of legislation related to kerbside standardisation). A community engagement plan would be the part of the documentation to be developed and because it would be a considerable change, there would be many layers to it.

MOTION

Cr Jim Hopkins moved the report's recommendations and Cr Jim Thomson seconded the motion.

Discussion on the motion

It was acknowledged that Council was required to pursue this matter as reported, but also that it would impose significant, unacceptable costs on Council and ratepayers because it is something regions are being told they have to do. However, as a governance group, it was suggested that Council also had a responsibility to go back to central government to express Waitaki's strong disappointment given that our district was already operating a better option than what is being proposed.

A request was made for officers to factor in some of the evidence from the waste assessment but also to try and provide Council with some solutions that would be at the least possible cost. The absence of costs in the waste assessment was also labelled as "bitterly disappointing".

Mr Cook supported that feedback from Elected Members and acknowledged that this was a very large piece of work. The looming deadline for implementation of the new waste arrangements was 1 January 2027 and officers need to start work immediately as there were many steps to the process and a lot of information and requirements to digest.

RESOLVED WDC 2023/136

Moved: Cr Jim Hopkins
Seconded: Cr Jim Thomson

That Council:

1. Receives the 2023 Otago Region Waste Assessment, as per section 51 of the Waste Minimisation Act 2008, included as Attachment 1; and
2. Agrees with the Assessment's recommendation that the current Waitaki Waste Minimisation and Management Plan 2018 is no longer fit for purpose and needs to be rewritten; and
3. Instructs the Chief Executive to draft a new Waitaki Waste Minimisation and Management Plan for future consideration and adoption by Council; and
4. Pursuant to section 50 of the Waste Minimisation Act 2008, notes that Council will be required to formally revoke the current Waitaki Waste Minimisation and Management Plan 2018 immediately before it adopts the replacement Waitaki Waste Minimisation and Management Plan when it is brought to a future Council Meeting.

CARRIED

6.4 ENDORSEMENT OF THE WAITAKI DISTRICT COUNCIL TRANSPORT ACTIVITY MANAGEMENT PLAN 2024-2027

The report, as circulated, sought Council's endorsement of an outline of the Waitaki District Council Transport Activity Management Plan for the 2024-2027 period.

Interim Roothing Manager Kushla Tapper highlighted that Council was now at the stage where a draft proposal to the national land transport management plan needed to be submitted. Two Members congratulated and thanked Ms Tapper for the excellent work that had gone into the report.

Notice of Motion

Cr Jim Thomson said he was happy to move the report's recommendations. The Chair accepted that as a Notice of Motion, and then called for questions from Councillors.

Risks were discussed briefly, during which it was acknowledged that costings are very much a projection with no locked-in scenario, and that risks are being addressed on an ongoing basis as a key part of the maintenance contract. That said, there remained a significant risk from extreme weather conditions.

It was clarified that budget 'hikes and the potential inadequacy of the \$100k for the forward work programme were being discussed informally with the Roothing Contracts Sub-Committee. Assets Operations Manager Joshua Rendell also confirmed, in response to a question, that Council was gradually falling behind with current investment because of escalating costs and a larger increase in investment was required. Council had not received it last time, so would be asking Waka Kotahi again.

Ms Tapper confirmed that officers were recommending that option 3 is officially endorsed by Council for the draft submission but noted that all options would be submitted to Waka Kotahi because that was required. She referred to the business case, the detail in the submission document about each work category, and explanations about cost streams and escalating market conditions. The very detailed report from Infometrics projects likely cost escalations separate to gravel sourcing, which seems like a massive jump. However, there was a 20% escalation in costs last year alone and that is not predicted to continue.

The business cases were being finalised by section via consultation. The document will be available for Council Elected Members when it is available.

Regarding the coastal road budget, Ms Tapper highlighted that all line items are 'draft' only and requests to increase individual lines could be considered. There is no value set for minor events.

RESOLVED WDC 2023/137

Moved: Cr Jim Thomson

Seconded: Cr John McCone

That Council:

1. Endorses the Waitaki District Council Transport Activity Management Plan for 2024-2027; and
2. Agrees to submit the Waitaki District Council Transport Activity Management Plan 2024-2027 for consideration in the Regional Land Transport Plan.

CARRIED

The meeting was adjourned at 10.25am and reconvened at 10.40am.

The Chair directed the meeting forward to Agenda Item 6.7.

6.7 OBSERVATORY RETIREMENT VILLAGE ADDITIONAL FINANCING REQUEST

The report, as circulated, sought Council's consideration of a financing request from Observatory Village Lifecare Limited (OVLL) to provide a medium-term facility to allow the development of an additional apartment complex, more villas and new community building.

The Chair welcomed OVLL Chair Mr Peter Robinson, and his fellow representatives to the meeting. Group Manager Paul Hope introduced the report, highlighting that it was a request for a short-term facility, albeit for a slightly longer period to provide a buffer to the company given the current challenges within the construction sector, and that there was a higher margin to acknowledge the far more volatile financial conditions and to ensure that ratepayers were no worse off.

Mr Robinson introduced his fellow representatives (Directors Michelle Sintmaartensdyk and Clare Kearney; Village Manager Scott Elliffe, and Financial Officer Katrina Holywell) and briefed the meeting on the circumstances which have generated the financing request to Council. The company believes that the best way forward is to source some short-term funding, with the belief that it will all be paid back by the end of December 2024. The intention is to pay the first \$1.5m the following year and then commence distributions to the Trust who will then make distributions to the community. He noted that this is the last big hurdle to get some money flowing and benefits delivered to the community.

It was clarified that:

- (a) OVLL was asking Council for bridging finance that may or may not be brought down. When asked, Mr Robinson confirmed that OVLL believed around \$1.8m would be drawn down during the five-month period, but that did not factor in any revenue from sales of existing villas.
- (b) The company was requesting a finance facility from Council rather than a normal bank because banks would want the whole loan facility and they would want to be first in the securities line.
- (c) Officers are satisfied that 2.5% is sufficient reward for ratepayers, given the nature of the facility and that it is relatively short-term.

It was noted that this was a stunningly successful community development initiative and contributed to community's economic development. This was a short-term bridging facility which may or may not be drawn down in full. This presented a win-win solution for all concerned, and it was hoped that the community would find themselves able to support it.

RESOLVED WDC 2023/138

Moved: Cr Jim Hopkins
Seconded: Cr Courtney Linwood

That Council:

1. Approves the extension of the financing facility provided to Observatory Village Lifecare Limited under the following terms and conditions:
 - a) The facility will be available for a maximum period of 18 months starting 1 October 2023 and ending no later than 31 March 2025 when the facility must be repaid in full.
 - b) The interest rate charged will be based on an agreed market base rate plus a margin of 2.5%.
 - c) All other relevant terms and conditions are to be consistent with the existing financing agreement and to be negotiated and finalised by the Chief Executive.

CARRIED

ABSTAINED: CR TIM BLACKLER

Illustrations of the community centre and the apartment block, as well as an image of what has been completed so far and what is still to come, were shown to those in the meeting venue and to the cameras for the benefit of those watching the livestream.

The Chair thanked OVLL representatives for attending the meeting, and then they left. The Chair directed the meeting back to Agenda Item 6.5.

6.5 ELECTORAL SYSTEM TO USE FOR 2025 ELECTIONS

The report, as circulated, sought Council's consideration of whether to retain the First Past the Post (FPP) electoral system or to adopt the Single Transferable Voting (STV) electoral system.

Chief Executive Alex Parmley highlighted that periodically Council is required to review the electoral system that it uses. There are two alternatives and Council must formally decide on one today, which would then be used for both the 2025 and 2028 elections.

It was highlighted that FPP had been reasonably popular and encouraged higher voting in this district than may be the case in other metropolitan areas. There is a possibility of a petition if 5% of residents or ratepayers want STV, and – if that happened – then that petition would be considered. To date, there has been no request from the community to change the FPP system, and the officer recommendation and process provides the ability for the community to choose to do differently if it wishes via a petition. This decision today has to be notified by 19 September 2023.

RESOLVED WDC 2023/139

Moved: Cr Jim Thomson
Seconded: Cr John McCone

That Council decides to retain the First Past the Post (FPP) electoral system for the 2025 triennial elections and that this decision is publicly notified by 19 September 2023.

CARRIED

6.6 MANAGEMENT OF VEGETATION ON UNFORMED LEGAL ROADS

The report, as circulated, sought Council's agreement to create a consistent approach to requests for removal of trees growing on Unformed Legal Roads, that is, legal road parcels that are not currently maintained or operated by Council as part of the road network.

Interim Roding Manager Kushla Tapper advised that the Roding team had a specific matter of this nature that was being resolved individually but it had been recognised that there is no policy in place for it. There was no requirement to have a policy, but Council could have one if it wished.

The need for a policy was queried, given that there was only one case. The objective of setting a policy was also questioned – was there a focus on trying to define what is legally required, or how Council is best to engage with members of its community, especially when Council's objectives were focused on partnering. A balanced set of guidelines about how to deliver a sensible outcome for all was suggested as a better option.

A second Elected Member acknowledged the points raised above, but also noted that there were a large number of unformed legal roads in Waitaki, and a policy would be needed eventually to work through such matters. Developing a policy and putting it in place would be preferable to having to create one by precedent. That said, they supported the suggestion of finding workable solutions by engaging with the community as well.

Assets Operations Manager Joshua Rendell also advised that, with respect to liability of unformed legal roads, whilst Council could not quantify the legal length of them throughout the district, there were many of them that are used for planting and for shared spaces to move stock. Council taking over the maintenance of them would be a significant liability. There was a need to take on board the rights of the people and of Council. These points were acknowledged, and Option 2 was highlighted as a good option but with the need for further thought about how it would work.

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Amended Motion

Cr Jim Hopkins sought to move the officer recommendations with slightly different wording in point 1 – to remove “policy and” [so that it is just “process”] and to add “or adjacent to” after “on” and before “Unformed Legal Roads ...”.

Ms Tapper queried the addition, noting that “adjacent to” would be on private property. After brief discussion, Cr Hopkins accepted what Ms Tapper said, and withdrew his addition of “or adjacent to” but retained the removal of “policy and”.

Another Member felt that the removal of “policy and” would leave the process open to interpretation by the Chair of the time whereas a policy would provide the necessary consistency.

Amended Motion Ruled Lapsed

The Chair asked for a seconder to the motion on the table, and when no one spoke, he ruled that it had lapsed for want of a seconder.

MOTION (for report recommendations)

The Chair sought a mover and seconder for the report's recommendations as written. The motion and result of it is recorded below.

RESOLVED WDC 2023/140

Moved: Cr Jim Thomson
 Seconded: Cr Tim Blackler

That Council:

1. Agrees to have a policy and process for management of vegetation on Unformed Legal Roads, in accordance with the New Zealand Government's guideline document for this purpose as included at Attachment 1; and
2. Instructs the Chief Executive to develop and agree guidelines for what the "Rural Unsubsidised Maintenance" budgets can be used for and how that spend is prioritised.

CARRIED

At 11.16am, the Chair signalled her intention to go into Public Excluded. She thanked members of the public sitting in the public gallery for attending and those who were watching the livestream.

7 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED WDC 2023/141

Moved: Cr John McCone
 Seconded: Cr Courtney Linwood

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
<p>8.1 - Public Excluded Minutes of the Council Meeting held on 8 August 2023</p> <p><i>[These Public Excluded Minutes were DEFERRED to the Council Meeting to be held on 12 September 2023 by the initial Chair of this meeting]</i></p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</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>
<p>8.2 - North Otago Irrigation Company Limited Director PE</p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, 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>

	(including commercial and industrial negotiations)	
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CARRIED

8 PUBLIC EXCLUDED SECTION

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

9 RESOLUTION TO RETURN TO THE PUBLIC MEETING

RESOLVED WDC 2023/143

Moved: Cr Jim Thomson

Seconded: Cr Guy Percival

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

10 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, there was no previously public excluded information that Council decided could be released immediately for inclusion under this agenda item in the Public Minutes of this meeting.

11 MEETING CLOSE

The Chair declared the meeting closed at 11.22am.

TO BE CONFIRMED at the Council Meeting to be held on Tuesday, 12 September 2023.

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CHAIRPERSON

