



Waitaki

DISTRICT COUNCIL

TE KAUNIHERA Ā ROHE O WAITAKI

**I hereby give notice that the
Executive Committee Meeting
will be held on:**

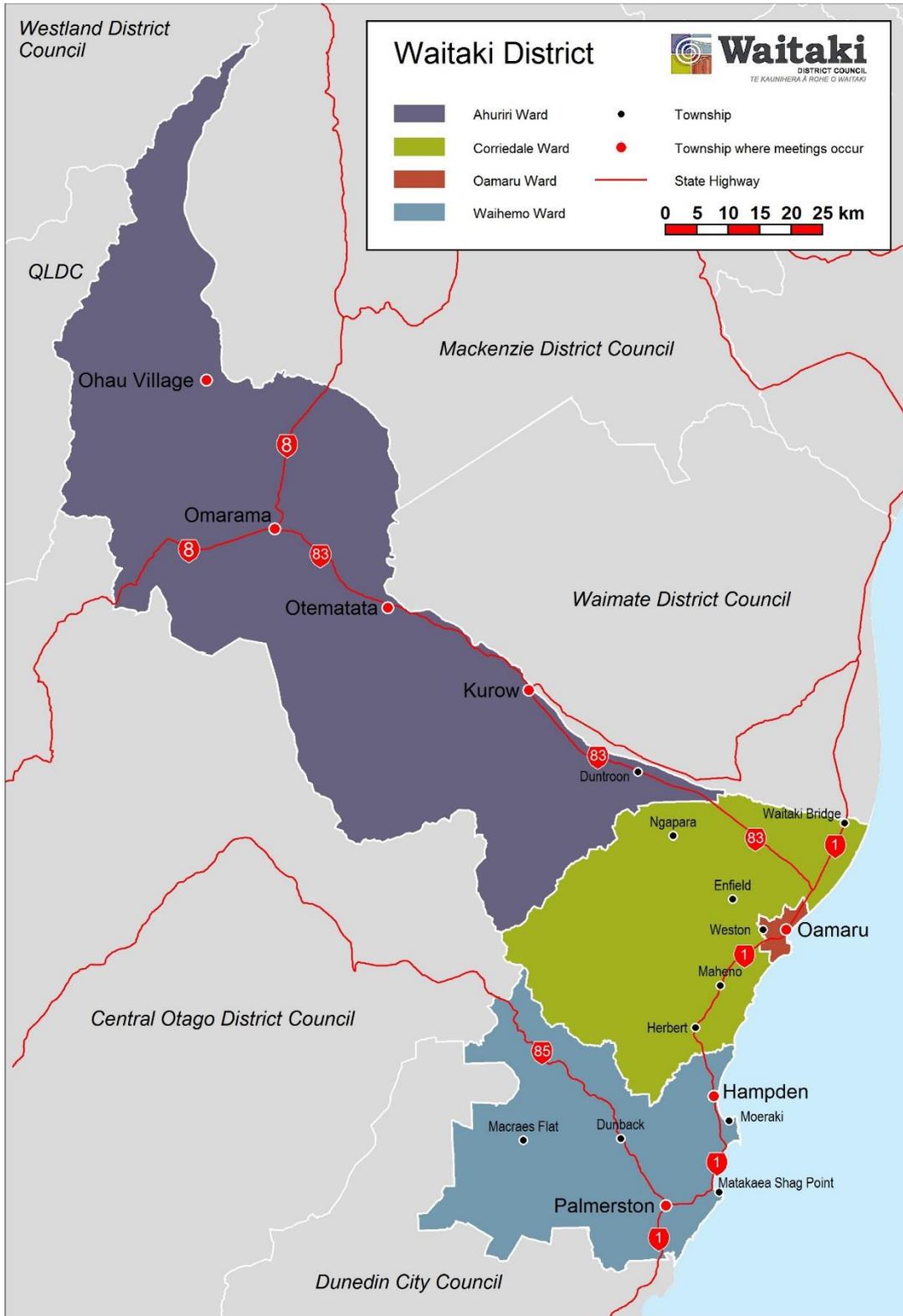
Date: Tuesday, 16 June 2020
Time: 4.00pm
Location: To be held via Zoom video conference

Agenda

Executive Committee Meeting

16 June 2020

Fergus Power
Chief Executive



Agenda Items

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- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**

3 CONFIRMATION OF PREVIOUS MEETING MINUTES

3.1 PUBLIC MINUTES OF THE EXECUTIVE COMMITTEE MEETING HELD ON 3 MARCH 2020

Author: Ainslee Hooper, Governance and Policy Advisor

Authoriser: Lisa Baillie, People and Culture Group Manager

Attachments: 1. Public minutes of the Executive Committee Meeting held on 3 March 2020

RECOMMENDATION

That the Executive Committee confirms the Public minutes of the Executive Committee Meeting held on 3 March 2020, as circulated, as a true and correct record of that meeting.

**UNCONFIRMED MINUTES OF THE EXECUTIVE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, THIRD FLOOR, OFFICE OF THE WAITAKI DISTRICT
COUNCIL, 20 THAMES STREET, OAMARU
ON TUESDAY, 3 MARCH 2020 AT 9.00AM**

PRESENT: Mayor Gary Kircher (Chair), Deputy Mayor Melanie Tavendale (Associate Chair), Cr Colin Wollstein, Cr Bill Kingan, and Cr Kelli Milmine

APOLOGY: Cr Ross McRobie

IN ATTENDANCE: Cr Jeremy Holding
Cr Jim Hopkins
Cr Hana Halalele
Cr Peter Newton
Fergus Power (Chief Executive)
Ainslee Hooper (Governance and Policy Advisor)

IN ATTENDANCE FOR SPECIFIC AGENDA ITEMS:

Paul Hope (Finance and Corporate Development Group Manager)
Gerard Quinn (Economic Development Manager)

MEETING OPEN

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

1 APOLOGIES

APOLOGY

RESOLVED EC 2020/001

Moved: Cr Bill Kingan
Seconded: Cr Colin Wollstein

That the apology received from Cr Ross McRobie be accepted and leave of absence granted.

CARRIED

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 CONFIRMATION OF PREVIOUS MEETING MINUTES

3.1 PUBLIC MINUTES OF THE EXECUTIVE COMMITTEE MEETING HELD ON 5 NOVEMBER 2019

RESOLVED EC 2020/002

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Colin Wollstein

That the Executive Committee confirms the Public minutes of the Executive Committee Meeting held on 5 November 2019, as circulated, as a true and correct record of that meeting.

CARRIED

3.2 PUBLIC MINUTES OF THE EXECUTIVE COMMITTEE MEETING HELD ON 25 NOVEMBER 2019

RESOLVED EC 2020/003

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Bill Kingan

That the Executive Committee confirms the Public minutes of the Executive Committee Meeting held on 25 November 2019, as circulated, as a true and correct record of that meeting.

CARRIED

4 DECISION REPORTS

4.1 APPROVAL OF DRAFT MEMORANDUM OF UNDERSTANDING WITH WAITAKI WHITESTONE GEOPARK TRUST

The report, as circulated, sought a decision of Council as to what level Council would allocate resources in support of the Waitaki Whitestone Geopark (WWG) Trust. A draft Memorandum of Understanding (MOU) was also attached for consideration by Council.

Economic Development Manager Gerard Quinn spoke to the report and the draft MOU, advising that the latter document recorded the extent to which the Council wished to allocate resources to the Geopark as resolved at earlier meetings. He advised that the Trustees were learning from the expertise of staff and had agreed to wean themselves from staff support as quickly as possible. In the meantime, the Trust was seeking an input of resources from Council to be able to progress the Trust's establishment objectives.

Key discussion points were as follows:

It was noted that the Trust had the same address as the Council and this was considered a risk.

ACTION: The Trust to investigate changing its address.

The WWG management plan was discussed. The meeting heard that it has a four-year timeframe. Council's involvement in it was an invitation; it was not a call on resources. In response, it was noted that that plan and the marketing strategy were both listed as 'collaborative', but neither were binding on Council. 'Contributions' were also signalled (eg in (h) "contributing to signage") and yet signage could be funded by external sources, it was suggested. Better clarity around these points was suggested.

Chief Executive Fergus Power noted that the intent of the 'contribution to signage' was about getting consistency of signage to create the sense of space for the Geopark. This would include displays at the museum all the way up to Transit signage to give that sense of uniqueness and branding, and there were advantages for Council to have that cooperative approach to signage.

The point about branding was acknowledged. However, concern was expressed that the cost of signage could be enveloped in the upgrades to the sites, with the supply of graphics being part of the contribution. If, instead, Council kept paying for such things, then they became a cost to Council and there was no leveraging available from it to source more external funding.

Mr Power concurred, and noted that that matter had been addressed in the report.

Mr Quinn added that this highlighted the difference between an MOU and a contract; the former was about commonality of understanding. It was noted that the Trust would have to go through a resource consent for signage, and the MOU wording was reflecting the intent to seek global consents for all signage rather than to have to seek one at a time.

In response, it was suggested that the current wording was ambiguous, and it could be seen as a basic commitment for Council to do more, which could be as big or small as anyone reading it chose it to be. That circumstance was a 'little uncomfortable'.

The Chair suggested that the wording be amended to reflect that it was about allocating staff time to signage so that the actual contribution would be "direct development of the graphics for signage". He also believed there could be another clause relating to tying in the district's signage with that developed for the Geopark, where Council agreed to do so. He noted that that would need to be a separate decision of Council at the relevant time, however.

Mr Quinn noted that the request for an MOU had been focused around staff resourcing – expertise, and systems like GIS mapping, and was not meant to record any dollar funding commitment. It was about how the two entities would collaborate. In response, it was suggested that 'collaboration' should be defined as meaning 'staff resources'.

When asked if there was any intention of the Trust to ask Council for funding, Mr Quinn advised that the Trust would look to Council to talk about a management plan for four years.

On the reference (under (a)(v) to 'free and ready' access to specialist software programmes', it was suggested that that be amended to "when appropriate" to signify that the Trust would need to join the queue rather than jump ahead of any Council staff. This was agreed.

Regarding trademarks (under 5 – IP – 5.1): It was noted that the trademarks were owned by Council. Mr Quinn advised that they may be transferred to the Trust in time, when it had the funds to pay for transfer fees. Mr Power added that 5.1 was a standard contract clause for trademarks. It was suggested that 5.1 needs to state that this trademark is different. The Chair suggested the word 'remains' could be taken as present tense. He suggested that the wording be changed to state that the ... trademark is in the ownership, and then that ownership can change in the future if the Trust requests it and Council agrees. This was agreed.

Regarding the "representative", it was noted that the Council member was listed as the Trust representative. It was suggested that the reference be changed to "a Trust representative". Mr Power suggested it could also be changed to "Chair of the Trust". When asked, Mr Quinn clarified that he took his instructions from the Chief Executive of Council.

The suggestion that disputes resolution should be a responsibility of the Executive Committee of Council was queried. The Chair suggested that, as governance on the Trust side was the Chair, then perhaps it should be the Mayor as the governance lead for Council. Some members expressed concern about this option. An independent mediator was suggested instead.

Mr Power acknowledged the suggestions for a mediation clause, but noted that the MOU was about a partnership between the two parties; that Council had committed to it being a priority for Council; and any kind of difficulty requiring a mediator would not be conducive to an effective relationship.

It was then AGREED that, after the Trust's Chair and the Mayor tried to resolve any differences, a new step would be added whereby the Trust would raise any difficulties with the Executive Committee.

It was highlighted that the termination date needed to be changed to June 2021 (not 2020), which was agreed by the Committee. Mr Quinn sought clarification about whether that meant the Committee was extending the allocation of FTE over two years, or just changing the termination date for three months only. In response, the Chair said it would have to go back to Council to renew resourcing, and wording should reflect the need for agreement by Council on the understanding that there would be less demand through the application period. This was supported by Committee members.

RESOLVED EC 2020/004

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Colin Wollstein

That the Executive Committee recommends:

That Council:

1. approves the Memorandum of Understanding between Council and the Waitaki Whitestone Geopark Trust, with amendments agreed at this meeting; and
2. invites Mayor Gary Kircher to sign the Memorandum of Understanding on behalf of Council.

CARRIED

4.2 ECONOMIC DEVELOPMENT FUND REQUEST - 2020 NEW ZEALAND NATIONAL ENDURANCE AND CTR CHAMPIONSHIPS

The report, as circulated, sought a decision from the Committee on an Economic Development Fund request to support the 2020 New Zealand National Endurance and CTR Championships.

The Chair spoke to the report, and noted that he had previously sought agreement from Councillors on \$5,000 funding to be a gold sponsor of the event and that agreement was given. Since writing the agenda report, the event Committee had advised that its main naming rights sponsor had withdrawn. He now proposed to increase funding to that level (\$7,000), subject to ratification from the Committee to provide \$5,000 from the Economic Development Fund and perhaps the other \$2,000 from the Mayoral Fund. The Chair advised that it would be a great profile event for the district, and would be happening in an area of the district where there was not usually such activities.

It was clarified that it would be a one-off event, as it moved around the country from year to year. Some Elected Members spoke in support of the full \$7,000 for naming rights sponsorship to be paid from the Economic Development Fund given the high-profile nature of the event.

RESOLVED EC 2020/005

Moved: Cr Colin Wollstein

Seconded: Cr Kelli Milmine

That the Executive Committee allocates \$7,000, subject to confirmation of funds, from the Economic Development Fund to the 2020 New Zealand National Endurance and CTR Championships event, in recognition of Council deciding to be a Naming Rights Sponsor of this event.

CARRIED

5 MEMORANDUM REPORTS

5.1 ECONOMIC DEVELOPMENT UPDATE TO 10 DECEMBER 2019 EXECUTIVE COMMITTEE MEETING - REFERRED

This report, as circulated, updated the Executive Committee on economic development initiatives and opportunities within the Waitaki district which had been prepared for the 10 December 2019 Executive Committee Meeting.

With the leave of the Chair, the Governance Advisor explained that this Economic Development Update had been prepared to go to the 10 December 2019 Executive Committee Meeting which had been cancelled at late notice. The report had been circulated to Committee Members instead. It was being tabled at this meeting for formal receipt by the Committee.

RESOLVED EC 2020/006

Moved: Deputy Mayor Melanie Tavendale
Seconded: Cr Bill Kingan

That the Executive Committee receives and notes the information.

CARRIED

5.2 ECONOMIC DEVELOPMENT UPDATE FOR 3 MARCH 2020 EXECUTIVE COMMITTEE MEETING

The report, as circulated, updated the Executive Committee on economic development initiatives and opportunities within the Waitaki district since the previous Executive Committee Meeting.

Economic Development Manager Gerard Quinn spoke to the report, and answered questions from Committee Members.

Discussion points included when the Thames Street shop was opening (12.00pm on 9 March 2020); the current status of the COVID-19 pandemic and tourism; advertising; and communications.

Committee members congratulated Mr Quinn for his work on the focus groups, which would be important for the district; and also the Communications team members for the inventive ways they were getting messages out to the community which was "amazing" in terms of innovation and how they were presenting a human face of Council.

RESOLVED EC 2020/007

Moved: Cr Kelli Milmine
Seconded: Cr Bill Kingan

That the Executive Committee receives and notes the information.

CARRIED

6 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED EC 2020/008

Moved: Cr Kelli Milmine

Seconded: Deputy Mayor Melanie Tavendale

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>7.1 - Public Excluded minutes of the Executive Committee Meeting held on 5 November 2019</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)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</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>7.2 - Public Excluded minutes of the Executive Committee Meeting held on 25 November 2019</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)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</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>7.3 - Economic Development Fund Request - Wansbeck Street - Grant for Heritage Building Resource Consent Fee 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>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>7.4 - Economic Development Fund Request - Oamaru Movie Theatre PE</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>7.5 - Economic Development Update Public Excluded to 10 December 2019 Executive Committee Meeting - Referred</p>	<p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</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>7.6 - Economic Development Update Public Excluded to 3 March 2020 Executive Committee Meeting</p>	<p>s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</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>

CARRIED

7 PUBLIC EXCLUDED SECTION

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

8 RESOLUTION TO RETURN TO THE PUBLIC MEETING

RESOLVED EC 2020/015

Moved: Deputy Mayor Melanie Tavendale
Seconded: Cr Bill Kingan

That the Executive 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, and pursuant to resolutions in the public excluded session of this meeting, the Executive Committee decided to release previously public excluded information in the public minutes of this meeting, as recorded below.

7.1 PUBLIC EXCLUDED MINUTES OF THE EXECUTIVE COMMITTEE MEETING HELD ON 5 NOVEMBER 2019 PE

RESOLVED EC 2020/009

Moved: Cr Kelli Milmine
Seconded: Deputy Mayor Melanie Tavendale

That the Executive Committee:

1. confirms the Public Excluded minutes of the Executive Committee Meeting held on 5 November 2019, with the two name corrections agreed at this meeting, as a true and correct record of that meeting.

CARRIED

7.2 PUBLIC EXCLUDED MINUTES OF THE EXECUTIVE COMMITTEE MEETING HELD ON 25 NOVEMBER 2019 PE

RESOLVED EC 2020/010

Moved: Cr Bill Kingan
Seconded: Cr Colin Wollstein

That the Executive Committee confirms the Public Excluded minutes of the Executive Committee Meeting held on 25 November 2019, as circulated, as a true and correct record of that meeting.

CARRIED

7.4 ECONOMIC DEVELOPMENT FUND REQUEST – OAMARU MOVIE THEATRE PROJECT PE

RESOLVED EC 2020/012

Moved: Cr Colin Wollstein
Seconded: Deputy Mayor Melanie Tavendale

That the Executive Committee allocates up to \$5,000 from the Economic Development Fund to Bigger Picture Oamaru to cover the legal costs of setting up the Trust entity including seeking charitable status.

.CARRIED

**7.5 ECONOMIC DEVELOPMENT UPDATE PUBLIC EXCLUDED TO 10
DECEMBER 2019 EXECUTIVE COMMITTEE MEETING PE - REFERRED**

RESOLVED EC 2020/013

Moved: Cr Bill Kingan
Seconded: Cr Colin Wollstein

That the Executive Committee receives and notes the information.

CARRIED

**7.6 ECONOMIC DEVELOPMENT UPDATE PUBLIC EXCLUDED TO 3 MARCH 2020
EXECUTIVE COMMITTEE MEETING PE**

RESOLVED EC 2020/014

Moved: Cr Colin Wollstein
Seconded: Cr Kelli Milmine

That the Executive Committee receives and notes the information.

CARRIED

10 MEETING CLOSE

There being no further business, the Chair declared the meeting closed, at 10.11am.

TO BE CONFIRMED at the next Executive Committee Meeting, currently scheduled to be held on Tuesday, 7 April 2020.

[Update to Minutes: The Executive Committee Meetings originally scheduled for 7 April and 26 May 2020 were subsequently cancelled due to the COVID-19 lockdown and National Alert Level restrictions. Therefore, these minutes are being referred to the 16 June 2020 Executive Committee Meeting for confirmation.]

.....
CHAIRPERSON

4 RESOLUTION TO EXCLUDE THE PUBLIC

RECOMMENDATION

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

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<p>5.2 - Economic Development Fund Request - Trustpower Fire and Steam Festival 2020 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 (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>5.3 - Chief Executive's Performance Review Process and Timetable 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 (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>

5 PUBLIC EXCLUDED SECTION

6 RESOLUTION TO RETURN TO THE PUBLIC MEETING

RECOMMENDATION

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

7 RELEASE OF PUBLIC EXCLUDED INFORMATION

8 MEETING CLOSE