

**CONFIRMED MINUTES**

**OF THE WAITAKI DISTRICT COUNCIL MEETING  
HELD in THE COUNCIL CHAMBER, THIRD FLOOR,  
OFFICE OF THE WAITAKI DISTRICT COUNCIL, 20 THAMES STREET, OAMARU  
ON TUESDAY, 16 FEBRUARY 2021 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 Williams, Cr Guy Percival (from 9.03am), and Cr Colin Wollstein

**IN ATTENDANCE:** Fergus Power (Chief Executive)  
Paul Hope (Finance and Corporate Development Group Manager and Acting Assets Group Manager)  
Lisa Baillie (People and Culture Group Manager / Deputy Chief Executive)  
Roger Cook (Acting Heritage, Environment and Regulatory Group Manager)  
Lichelle Guyan (outgoing Heritage, Environment and Regulatory Group Manager)  
Bill Chou (Information Services Group Manager)  
Ainslee Hooper (Governance and Policy Advisor)

**IN ATTENDANCE FOR SPECIFIC AGENDA ITEMS:**

Andrew Bardsley (Regulatory Manager)  
Hamish Barrell (Planning Manager)  
Katrina Clark (Senior Planner – District Plan Review)

The Chair declared the meeting open at 9.00am and welcomed everyone present including media and public forum registrants in the Council Chamber.

**1 APOLOGIES**

**RESOLVED WDC 2021/001**

Moved: Cr Jeremy Holding

Seconded: Deputy Mayor Melanie Tavendale

That the apology for lateness received on behalf of Cr Guy Percival be accepted.

**CARRIED**

**2 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### 3 PUBLIC FORUM

#### **Speaker 1: Mr Murray Simpson from Tokarahi**

Mr Simpson advised that he wanted to express his support for the comments made by the Mayor in his report to this meeting about carbon forestry. He was a fourth generation Simpson and the Waitaki district is very important to his family. He shared his concerns about the Fairview Forest, including that it had been given non-notified consent to plant trees because it was considered to be of low impact and yet the creek had since dried up and there were wild animals on his property. He had had to alter his farm practices because of these matters, and it had affected the community. He added that two other consents had been conditional, but the conditions had not been adhered to. Mr Simpson was keen to know Council's intentions regarding set-backs from waterways, given that it was very easy for trees to soak up water and negatively affect springs, running water and wetlands; he cited the area around the Livingstone fire as an example. He invited elected members to visit his property.

The Chair thanked Mr Simpson for his presentation and said Council would be trying to give a response to such concerns later in the day if possible.

Cr Guy Percival joined the meeting at 9.03am.

#### **Speaker 2: Mrs Jane Smith, Five Forks (Newhaven Farms)**

Mrs Smith also spoke on the matter of forestry. She cited the Hazeldean Station as an example of where exotic forestry plantings could be a threat to ecology and biodiversity, because it was located at the head of a unique river in an ecologically sensitive catchment and which was particularly vulnerable to changes. Mrs Smith noted that the Department of Conservation authorised study had said there would be no adverse effects from the forestry there. However, she believed that pest infestation comes with afforestation, including diseases conveyed by those pests. There is an internationally renowned biodiverse river containing galaxiids, which was the rationale for very close monitoring of the river by DOC. Despite the intention of carbon farming to never harvest these trees, Mrs Smith advised that the trees would degrade the environment in about 15 years, which would spell an end to the biodiversity of that river.

Mrs Smith asked Council to ensure that land use change is the same for all; to utilise tools already available to discourage land use clearance and to be at the forefront of shaping new tools and policy to assist this cause.

#### **Speaker 3: Paul Ruddenklau, Tapui Homestead Road**

Mr Ruddenklau advised that his property was on a boundary with the Hazeldean Station mentioned by Mrs Smith. If it was allowed to be planted out in trees for carbon farming, that would have a major negative effect, in his view. It would become a habitat for large pest animals which would have to move out of the pines and onto neighbouring farms to feed. He noted that wild pigs like to eat newborn lambs, which would lower his lamb percentage considerably. Wild deer would also come into his paddocks and eat the young grass as well as contributing to the shorting out of electric fences. Wild stags can easily jump deer fences and then could mate with his deer herd. It was unrealistic to fence the whole property because of its topography. The forest would be an enormous habitat for stoats and the like and provide an environment for diseases like tuberculosis to flourish. The native bird life will change rapidly if those pests are allowed to eat the eggs and destroy the native habitat. Mr Ruddenklau advised that his property was part of the Waitaki District Council's survey prepared in 2015, which highlighted the number of indigenous species and shrubland and the support for natural river functioning and the Lowland Long Jaw Galaxiids. He urged Council to decline the application for indigenous vegetation to be cleared from the Hazeldine property and invited elected members to his property to learn how planting the area in pine forest could lead to an ecological disaster.

The Chair invited Chief Executive Fergus Power to respond to some of the matters raised.

Mr Power noted that officers had been looking at this question for some time. Council had increased its capacity in relation to environmental monitoring and biodiversity, and legal action had also been taken regarding consent enforcement. In relation to the establishment of carbon forests, this matter affects all of New Zealand. Council has an advocacy role in the review of plantations and forestry. The National Standard is relatively permissive, but the conditions in it do permit district plan provisions to take precedence and for them to be stronger than some of the regulations. The current District Plan is not strong regarding these provisions, and this is being looked at by officers. He believed that left Council potentially facing instances where carbon forestry companies could establish carbon forestry, if they operated entirely within the District Plan. Notwithstanding that, officers will be paying close attention to native vegetation, and talking to DOC about our concerns relating to that. Mr Power concurred with elected members that it is a very serious issue, and was an unintended consequence of the Government's One Billion Trees project and carbon sequestration using forests, as well as the unusual stance by the Overseas Investment Agency to permit foreign investment without scrutiny. The area is complicated to manage but officers were paying close attention to it.

Invited to speak, Mr Cook thanked the speakers in the Public Forum for their presentations, because they had reinforced the importance of getting this matter right and using the tools available to help achieve that result. He concurred with Mr Power's summary of the situation.

Mr Power thanked Mrs Smith for raising matters related to water but noted that district councils did not manage water or weeds or pests, as they were Regional Council responsibilities. That said, he acknowledged that councils did not act in isolation, and district councils did come together to act collaboratively on key matters and Waitaki was talking with other councils and the regional council on this matter.

The Chair thanked the Public Forum presenters for attending and sharing their views. He noted that Council had to act strongly, and the trees need to be in the right place. He acknowledged the good work that NOSLaM was doing, and that forestry activities were now putting all of that effort at risk. Council wanted to support the farming community and the environment, and this is an area where Council could do everything possible within its means to assist.

Mr Simpson advised that the community was contemplating having a public meeting and he was keen to hold that in conjunction with Council. The Chair said he supported the idea. He suggested a need to invite Ministry of Primary Industries (MPI) representatives to attend as well, given that they are responsible for the legislation and it would help them understand the implications of their policy and how it is affecting local communities and the environment.

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

### **4.1 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 27 OCTOBER 2020**

#### **RESOLVED WDC 2021/002**

Moved: Cr Jim Hopkins  
Seconded: Cr Ross McRobie

That the Council confirms the Public minutes of the Council Meeting held on 27 October 2020, as circulated, as a true and correct record of that meeting.

**CARRIED**

**4.2 PUBLIC MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 15 DECEMBER 2020**

**RESOLVED WDC 2021/003**

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Guy Percival

That Council confirms the Public minutes of the Extraordinary Council Meeting held on 15 December 2020, as circulated, as a true and correct record of that meeting.

**CARRIED**

**5 LEADERSHIP REPORTS**

**5.1 MAYOR'S REPORT - 16 FEBRUARY 2021**

The Mayor's report, as circulated, provided comments to bring Councillors and the public up to date with issues that have arisen since the last Council Meeting on Tuesday, 8 December 2020.

The Chair took his report as read and provided updates as follows:

Regarding the flood event on 2 January, he acknowledged the work of contractors and staff who had to return from their holidays to deal with the aftermath, and the daily updates from the Roading Manager on the status of the district's roads.

There was discussion on the carbon forestry matter, with the Chair sharing his view that it was a topic where Council had to stand up for the community and say that it had to be done right. If a lot of trees were being planted, they had to be the right trees in the right place, and they had to be looked after. Other elected members shared this view, and the need for Council to commit to begin that process.

**MOTION**

Cr Jim Hopkins MOVED: That Council requests that officers immediately commence the drafting of plan proposals to address the effects of production and carbon forestry plantings in the district.

Deputy Mayor Melanie Tavendale seconded the motion.

**Discussion on the motion:**

Chief Executive Fergus Power supported the motion, noting that it would set a clear direction and send a signal to the industry.

Other views in support included that the District Plan review process was not due to end until 2024, which would not be fast enough to address issues like this; and that the approach outlined in the motion would give the Mayor new tools to address the matters he had raised in his report. It was also noted that this was a very negative trend for the Waitaki district, given the huge effect mass planting in the wrong place was having.

The multi-pronged approach – of taking actions locally to manage carbon forestry and lobbying at national level would be critical.

One elected member expressed caution about ensuring that the motion, if resolved today, did not take time away from a future solution. The Chief Executive said a report would advise on the speed with which a plan change could be undertaken.

Using his right of reply, Cr Jim Hopkins clarified that he was not seeking a report back; rather he wanted to see the commencement of drafting plan changes occur immediately, which could mean leaving out the draft plan change and consultation and going straight to a proposal. He felt that might mean a timetable for formal submissions within 6-9 months.

Another elected member highlighted the importance of existing forums (like the Mayoral Forums and the Rural and Provincial Meetings) to lobby successfully on this matter, which was supported by the meeting.

The Chair thanked elected members for their words of support and said he would take them on board when attending future forums. He believed it was one of those 'calls to arms' that the whole local government sector would listen to.

**RESOLVED WDC 2021/004**

Moved: Cr Jim Hopkins

Seconded: Deputy Mayor Melanie Tavendale

That the Council requests that officers immediately commence the drafting of plan proposals to address the effects of production and carbon forestry plantings in the district.

**CARRIED UNANIMOUSLY**

The meeting discussed and supported the need to continue to lobby Waka Kotahi to advance repair work to the Kakanui bridge to the top of its work list.

**ACTION: Cr Guy Percival**

**RESOLVED WDC 2021/005**

Moved: Cr Bill Kingan

Seconded: Cr Ross McRobie

That the Council receives and notes the information.

**CARRIED**

**5.2 CHIEF EXECUTIVE'S REPORT FOR PERIOD ENDING 16 FEBRUARY 2021**

The Chief Executive's report, as circulated, provided comments to bring the Mayor and Councillors up to date with issues that have arisen since the last Council Meeting on Tuesday, 8 December 2020.

Chief Executive Fergus Power took his report as read, and then answered questions from elected members.

There was discussion on localism and the view that there were opportunities that responses to the COVID-19 pandemic had presented around the world to demonstrate the more effective way that necessary services had been delivered locally rather than nationally.

Some elected members shared their concerns about Parliament only allowing one day for submissions on the proposed changes to the Electoral Act around Maori wards.

When asked if officers intended to submit on the draft report to the Climate Change Commission, Mr Power advised that he had asked officers about the timing of that given that there was currently very limited capacity. He added that the Solid Waste Manager had knowledge in this area and could assist. There would also be regional submissions from Canterbury and Otago to which Waitaki could contribute, as well as one from Local Government New Zealand, and that may suffice.

The Chair acknowledged the comments from elected members and undertook to take them to various forums, including Local Government New Zealand and the National Council.

**RESOLVED WDC 2021/006**

Moved: Cr Jeremy Holding  
Seconded: Cr Kelli Williams

That the Council receives and notes the information.

**CARRIED**

**6 RECOMMENDATIONS FROM COMMITTEES REPORTS**

**6.1 RECOMMENDATIONS OF THE WAIHEMO COMMUNITY BOARD MEETING HELD ON 7 DECEMBER 2020**

**6.1.1 WAIHEMO RESERVE IMPROVEMENTS**

**RESOLVED WDC 2021/007**

Moved: Cr Jim Hopkins  
Seconded: Cr Kelli Williams

That Council approves the use of \$5,000 from the Waihemo Ward Rate (Reserves) for providing additional seats and picnic tables for the Bike Park and playground area in Palmerston.

**CARRIED**

**6.2 RECOMMENDATIONS OF THE AHURIRI COMMUNITY BOARD MEETING HELD ON 14 DECEMBER 2020**

**6.2.1 KUROW SKATE PARK IMPROVEMENTS**

**RESOLVED WDC 2021/008**

Moved: Cr Ross McRobie  
Seconded: Deputy Mayor Melanie Tavendale

That Council:

1. Approves a \$7,000 contribution from Ahuriri Ward Rate (Reserves) for a shortfall in funding for the Kurow Skate Park community project.

**CARRIED**

**6.3 RECOMMENDATIONS OF THE HARBOUR AREA COMMITTEE MEETING HELD ON 9 FEBRUARY 2021**

**6.3.1 HARBOUR DELIVERY PLAN**

The Chair noted that the Committee was looking to progress the first lot of projects in the harbour master plan, and the recommendations from its meeting on 9 February 2021 outlined a process to allow that to occur. He added that some projects were fairly straightforward whilst others were of keener public interest (eg the farmers' market area and carparking) and it was his expectation that those with more public interest would be shared and other Councillors would have an opportunity to be involved as well.

**MOTION**

Cr Jim Hopkins moved recommendations 1 and 2, and Cr Hana Halalele seconded the motion.

**Discussion on the motion:**

The idea that the Committee did the 'leg work' on projects and that other Councillors and the public would have the opportunity to be involved too was supported.

It was clarified that the summary provided in the agenda report to the 9 February 2021 Harbour Area Committee Meeting had outlined where the funding was coming from, that it was budgeted work, and that it had been cross-referenced to the annual plan for the current year.

**RESOLVED WDC 2021/009**

Moved: Cr Jim Hopkins  
Seconded: Cr Hana Halalele

That Council:

1. **Delegates** responsibility for the delivery of the Ōamaru Harbour Plan 2020 and Beyond to the Harbour Area Committee.
2. **Notes** the approach that will be taken to deliver projects.

**CARRIED**

**RESOLVED WDC 2021/010**

Moved: Deputy Mayor Melanie Tavendale  
Seconded: Cr Jeremy Holding

That, contingent on delegated authority from Council, the Harbour Area Committee:

3. **Approves** the set of projects listed for Tranche 1 of the Ōamaru Harbour Plan 2020 and Beyond.

**CARRIED**

**RESOLVED WDC 2021/011**

Moved: Cr Ross McRobie  
Seconded: Cr Colin Wollstein

That, contingent on delegated authority from Council, the Harbour Area Committee:

4. **Appoints** the following Harbour Area Committee representatives to take on the role of Harbour Area Committee representative/s for Tranche 1 projects, as follows:

**Completion of Rock Armouring:**

Dr Philippa Agnew (as the Harbour Area Committee representative)  
Mr George Kelcher (as the Senior Supplier)

**Renovation of Holmes Wharf:**

Mr Kevin Murdoch  
Cr Jeremy Holding

**Public Access to Breakwater and Sandy Bay Beach:**

Mr George Kelcher  
Cr Colin Wollstein

**Slipway Improvement:**

Mr Kevin Murdoch

**Formalising Parking at the Marketplace Zone:**

Mayor Gary Kircher  
Deputy Mayor Melanie Tavendale  
Cr Jeremy Holding  
Mr Graeme Clark

**Marketplace Zone West – Structure, Power and Water, Shade Sails, Power Poles and Storage Container**

Mayor Gary Kircher  
Deputy Mayor Melanie Tavendale  
Cr Jeremy Holding  
Mr Graeme Clark

**Road Realignment:**

Deputy Mayor Melanie Tavendale  
Mr Kevin Murdoch  
Dr Philippa Agnew

**Red Sheds:**

Cr Kelli Williams  
Mr Graeme Clark

**Footpath Connections:**

Cr Kelli Williams  
Cr Colin Wollstein

**CARRIED**

**6.4 RECOMMENDATIONS OF THE ASSETS COMMITTEE MEETING HELD ON 9 FEBRUARY 2021**

**6.4.1 BREAKWATER MAINTENANCE**

**MOTION**

Cr Bill Kingan moved the report's recommendations and Cr Kelli Williams seconded the motion.

**Discussion on the motion:**

The Chair noted that the video of damage to the breakwater showed that the previous repair work and the very large rock were holding up well. The tetrapods were also doing a good job of dispelling the energy of the waves but were very expensive. That was one of the reasons for selecting more large rock for these additional repairs.

**RESOLVED WDC 2021/012**

Moved: Cr Bill Kingan

Seconded: Cr Kelli Williams

That Council:

1. Approves \$400,000 to undertake maintenance work at the Ōamaru Harbour Breakwater, funded by a short-term loan funded from the annual Breakwater Maintenance Budget of \$230,000 per annum.
2. Approves a variation to the existing rock placement contract to Road Metals for the supply and placement of additional rock for the maintenance work.

**CARRIED**

**6.4.2 SAND MATTRESSES ROCK REVETMENT**

**RESOLVED WDC 2021/013**

Moved: Cr Colin Wollstein

Seconded: Cr Hana Halalele

That Council approves \$85,000 to undertake rock revetment work over sand filled mattresses located on the beach north of Ōamaru Harbour and south of Ōamaru Creek, funded by a new loan.

**CARRIED**

**7 DECISION REPORTS**

**7.1 AWAMOA PARK LEASE PROPOSAL AND PUBLIC CONSULTATION**

The report, as circulated, sought Council's agreement in principle to make Council land available at Awamoa Park for a potential lease by The Order of St John, South Island Region Trust Board (Ōamaru) to allow for the development of a new purpose-built emergency Ambulance facility in Ōamaru, and to commence a one-month public consultation process on this proposal as required under section 138 of the Local Government Act 2002.

Acting Assets Group Manager Paul Hope, Property Manager Renee Julius, and Executive Officer Victoria van der Spek were present for this agenda item.

Mr Hope introduced the report and highlighted that agreement in principle was being sought, not a full decision.

Several elected members expressed concern about the wording in recommendation 1 with regard to “agree in principle”, given that Council wanted to seek feedback and a mandate from the community about whether ratepayers agreed with the proposal. Mr Hope advised that Council needed to take a position whenever it went out to the community for feedback (eg with the Annual Plan, Long Term Plan for example), and then it was for Council to consider that feedback and made a final decision.

During ensuing discussion, it was highlighted that elected members wanted to hear from the public and that was what they wanted to support with the motion today.

### **FORESHADOW MOTION**

Cr Colin Wollstein sought to foreshadow a motion to amend the wording of recommendation 1 to read as follows:

That Council agrees to consider making Council land available ... (rather than “agrees in principle”).

The Chair acknowledged receipt of the foreshadowed motion, and when other elected members endorsed it, he invited a full motion to be put forward.

### **MOTION**

Cr Colin Wollstein moved the revised wording for recommendation 1 of “That Council: (1) Agrees to consider making Council land available ...”, and Cr Hana Halalele seconded the motion.

#### **Discussion on the motion:**

Several elected members supported the rewording of recommendation 1 as moved, and also the inclusion of the other three recommendations. With the agreement of the mover and seconder to that approach, the motion was amended as follows:

### **AMENDED MOTION**

That recommendation 1 is amended as proposed in the motion just made, and that the other three recommendations are also moved and seconded as written in the agenda report.

#### **Discussion on the amended motion:**

The Chair noted that this was a very good opportunity to ask the community what it wanted. He added that St John had done a very good job in publicising the options, but at the end of the day, Council had to make the final decision and had to own it. In order to be able to make that decision, Council wanted to hear from the public and to encourage as many people as possible to make submissions, which ideally would specify any concerns they had and why so that Council could consider all such feedback in its decision-making process.

**RESOLVED WDC 2021/014**

Moved: Cr Colin Wollstein

Seconded: Cr Hana Halalele

That Council:

1. Agrees to consider making Council land available at Awamoa Park for a potential lease by The Order of St John, South Island Region Trust Board (Ōamaru) for the purpose of developing a new purpose-built emergency Ambulance facility.
2. Instructs officers to commence a one-month public consultation period on 26 February 2021 in accordance with section 138 of the Local Government Act in relation to the request by The Order of St John, South Island Region Trust Board (Ōamaru) to lease Council land at Awamoa Park, Ōamaru.
3. 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.
4. Notes that, upon completion of the consultation process, the Council will then make a final decision on whether to grant the lease.

**CARRIED UNANIMOUSLY**

The meeting was adjourned for morning tea at 10.18am and reconvened at 10.55am.

**7.2 MACKENZIE AND WAITAKI DISTRICT COUNCILS INTEGRATED SERVICES**

The report, as circulated, sought Council's agreement to proceed with a feasibility study through the development of a joint business case for an Integrated Regulatory Service Model between Mackenzie District Council and Waitaki District Council.

Acting Heritage, Environment and Regulatory Group Manager Roger Cook introduced the report.

It was clarified that, given that the major risk for both councils was the availability of qualified staff in the regulatory area, having a bigger integrated service could be helpful to attract such staff to the area because it would allow more opportunity for specialisation and career development.

**MOTION**

Cr Ross McRobie moved the report's recommendations and Cr Colin Wollstein seconded the motion.

**Discussion on the motion:**

It was highlighted that there was expected to be gains and advantages for both councils from an integrated regulatory service model and conducting a feasibility study was an important step in determining what they would be.

**RESOLVED WDC 2021/015**

Moved: Cr Ross McRobie

Seconded: Cr Colin Wollstein

That Council:

1. Approves the feasibility study for the development of a joint Business Case for an Integrated Regulatory Services Model between Mackenzie District Council and Waitaki District Council.

**CARRIED**

### **7.3 WAITAKI DISTRICT HEALTH SERVICES LIMITED 2019-2020 ANNUAL REPORT**

The report, as circulated, provided as an attachment for formal receipt by Council the audited Waitaki District Health Services Limited (WDHSL) 2019-2020 Annual Report, and to present a resolution for the receipt of the report and the appointment of auditors, such resolution being in lieu of a shareholder's meeting.

The Chair noted that no representatives from WDHSL would be attending this meeting to present this annual report, but Council would hear from them soon via shareholder meetings and in late March with the half-year performance report and draft Statement of Intent. He added that recent communications between him and the WDHSL Chair had been positive and that improvements were being made.

Finance and Corporate Development Group Manager Paul Hope spoke to the WDHSL report and noted that it was presented as a group report, which included information relating to the Observatory Retirement Village as required by Audit New Zealand. That inclusion did make it difficult to see the contribution of either organisation, but it did mean that both organisations are able to meet the reporting requirements of various statutes with which they are required to comply.

Mr Hope also noted that Audit had completed its work with WDHSL.

Cr Guy Percival joined the meeting at 11.02am.

Elected members who had questions about the content of the WDHSL annual report were asked to send their questions through to Mr Hope, who would forward them to WDHSL so that answers could be prepared and provided when the company representatives were present at future meetings.

Audit fees and the need to see individual sets of accounts so that Council is able to learn the results of the hospital and retirement village separately were raised as discussion points.

#### **MOTION**

Deputy Mayor Melanie Tavendale moved the report's recommendations and Cr Colin Wollstein seconded the motion.

#### **Discussion on the motion:**

The loss of transparency as a result of the combined reporting, the now historic nature of the figures, and the increased costs of auditing were raised as concerns.

It was highlighted that all but one of the Statement of Intent objectives had been met for both the hospital and the Observatory Retirement Village and the need to not lose sight of that given the difficulties for the company during the reporting period and instead to compliment the company on those achievements. WDHSL's success in recruiting rural specialists was also acknowledged, along with the very good discussions that had been held with the Southern District Health Board that had helped identified a funding shortfall that – if resolved – could help turn things around. The hard work of governance and new management at WDHSL was acknowledged as helping to turn things around and get things working smoothly again.

**RESOLVED WDC 2021/016**

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Colin Wollstein

That Council:

1. Formally receives the Waitaki District Health Services Limited 2019-2020 Annual Report; and
2. Authorises the Mayor and Chief Executive to sign the resolution pursuant to Section 122 of the Companies Act 1993 in lieu of the Annual General Meeting of shareholders of Waitaki District Health Services Limited.

**CARRIED**

**7.4 DISTRICT PLAN REVIEW - DRAFT CHAPTER APPROVAL**

The report, as circulated, sought Council approval for three draft District Plan chapters (subject to integration) to be released for community feedback as part of the District Plan Review process. The contents of these chapters will be discussed with landowners during the landowner engagement phase.

Acting Heritage, Environment and Regulatory Group Manager Roger Cook and Senior Planner District Plan Review Katrina Clark were present for this agenda item. Mr Cook introduced the report, and he and Ms Clark responded to questions from elected members.

When asked about the timetable for release of the draft documents, Ms Clark advised that the chapters which were the subject of the agenda report would be subject first to discussion through the landowner engagement process. The level of feedback received from that would determine the stage between the finalisation of the landowner engagement and the draft plan. A report would go to the Community, Culture and Regulatory Committee with that feedback and officer advice on any issues raised. The Committee may decide that there is further work to be done before the draft plan is released.

**MOTION**

Cr Jim Hopkins moved to amend the initial wording of the report's recommendation to read:

"Approves, for release initially to landowners in the engagement phase, the following three chapters in the Draft District Plan, subject to the plan integration process ..."

Deputy Mayor Melanie Tavendale seconded the motion.

**Discussion on the motion:**

Two elected members spoke against the motion, believing that there was no need for the change in wording. The Deputy Mayor said she had seconded the motion but wanted to be clear about the rationale for the change.

Cr Hopkins explained that the District Plan workshop the previous day had reiterated that the timetable is to engage with landowners first, and then engage with the community. He believed the recommendation needed to reflect that.

Invited to speak, Mr Cook apologised to the meeting for causing any confusion with comments made at the workshop the previous day and explained that it was the intention of officers to engage with landowners first.

Deputy Mayor Melanie Tavendale then withdrew her decision to second the motion.

**MOTION LAPSED**

The Chair noted that there was no longer a full motion before the meeting and called for another seconder for what had been moved by Cr Hopkins. When no one spoke, the Chair **declared the motion lapsed** for want of a seconder.

**NEW MOTION**

Deputy Mayor Melanie Tavendale moved the recommendation as worded in the agenda report. Cr Kelli Williams seconded the motion.

**Discussion on the motion:**

Cr Hopkins said he accepted that there may have been a misinterpretation of comments from the workshop the previous day. He added that he would not vote against the motion but was disappointed that Council was not being more measured and structured about how documents were being released.

Mr Cook reiterated his earlier comments that officers intended to engage with landowners first.

**RESOLVED WDC 2021/017**

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Colin Wollstein

That Council:

1. Approves the following draft chapters for release in the Draft District Plan, subject to the plan integration process:
  - a) Natural Features and Landscapes
  - b) Ecosystems and Indigenous Biodiversity
  - c) Natural Hazards (excluding new wildfire provisions).

**CARRIED**

**8 RESOLUTION TO EXCLUDE THE PUBLIC**

**RESOLVED WDC 2021/018**

Moved: Deputy Mayor Melanie Tavendale

Seconded: Cr Jeremy Holding

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

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

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>9.1 - Public Excluded minutes of the Extraordinary Council Meeting held on 15 December 2020</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	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

	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)	reason for withholding would exist under section 6 or section 7
<b>9.2 - Public Excluded Recommendations of the Assets Committee Meeting held on 9 February 2021</b>	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

**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 2021/021**

Moved: Cr Kelli Williams  
Seconded: Cr Jeremy Holding

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

**CARRIED**

**11 RELEASE OF PUBLIC EXCLUDED INFORMATION**

In accordance with Waitaki District Council Standing Orders, and pursuant to resolutions in the public excluded session of the meeting, Council decided to release the previously public excluded information from this meeting as recorded below:

**9.1 PUBLIC EXCLUDED MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 15 DECEMBER 2020**

**RESOLVED WDC 2021/019**

Moved: Cr Jim Hopkins  
Seconded: Cr Guy Percival

That Council confirms the Public Excluded minutes of the Extraordinary Council Meeting held on 15 December 2020, as circulated, as a true and correct record of that meeting.

**CARRIED**

**12 MEETING CLOSE**

There being no further business, the Chair declared the meeting closed, at 11.26am.

CONFIRMED at the Council Meeting held on Tuesday, 30 March 2021.

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CHAIRPERSON