



Waitaki

DISTRICT COUNCIL

TE KAUNIHERA Ā ROHE O WAITAKI

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

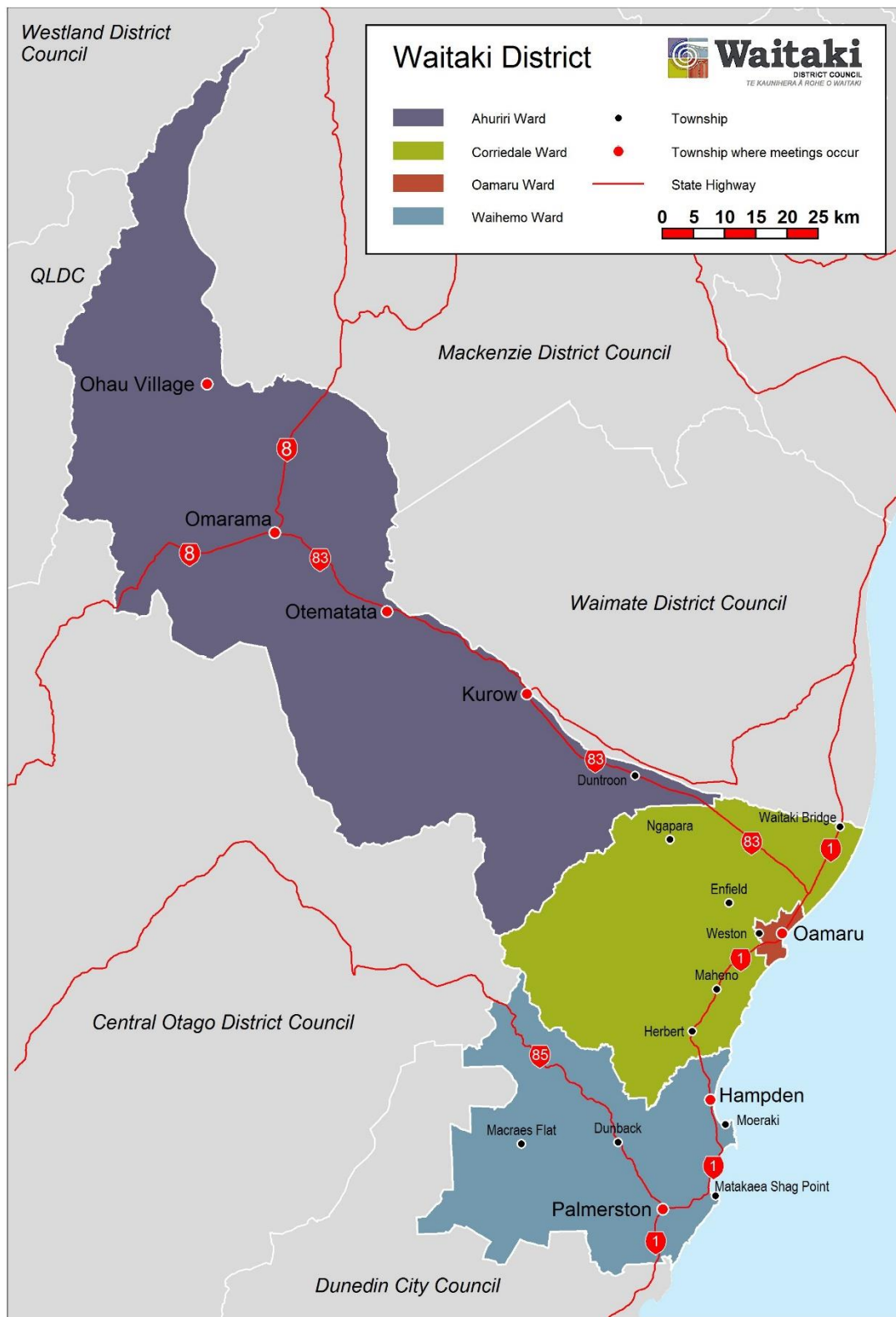
Date: Tuesday, 25 February 2025
Time: 9.00am
Location: Council Chamber, Third Floor
Office of the Waitaki District Council
20 Thames Street, Oamaru

Agenda

Council Meeting

25 February 2025

**Alex Parmley
Chief Executive**





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- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**
- 3 PUBLIC FORUM**

4 CONFIRMATION OF PREVIOUS MEETING MINUTES

4.1 PUBLIC MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 17 FEBRUARY 2025

Author: Sieglyn Duero, Executive Assistant

Authoriser: Alex Parmley, Chief Executive

Attachments: 1. Public minutes of the Extraordinary Council Meeting held on 17 February 2025

RECOMMENDATION

That the Council confirms the Public minutes of the Extraordinary Council Meeting held on 17 February 2025, as circulated, as a true and correct record of that meeting.

UNCONFIRMED MINUTES
OF THE EXTRAORDINARY COUNCIL MEETING
HELD VIA ZOOM VIDEO CONFERENCE
ON MONDAY, 17 FEBRUARY 2025 AT 9:00 AM

PRESENT: Member Guy Percival, Member Jim Thomson, Member Rebecca Ryan, Member Jim Hopkins, Member Hana Halalele, Chairperson Gary Kircher (Chair), Member Tim Blackler, Member Jeremy Holding, Member Brent Cowles

IN ATTENDANCE: Alex Parmley (Chief Executive)
Paul Hope (Director, Support Services)
Lisa Baillie (Director, Community Engagement and Experience)
Roger Cook (Director, Natural and Built Environment)
Louise van der Voort (Interim Director, Strategy Performance and Design)
Cyndi Christensen (Placemaking Lead)
Mike Harrison (Project Manager)
Mel Jones (Economic Development Manager)

The Chair declared the meeting open at 9.03am and welcomed everyone present.

1 APOLOGIES

RESOLVED WDC 2025/003

Moved: Cr Brent Cowles

Seconded: Cr Jim Hopkins

Apologies were accepted for Cr John McCone and Cr Courtney Linwood.

CARRIED

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 PUBLIC FORUM

Not applicable as this is an Extraordinary Meeting.

4 RECOMMENDATIONS FROM COMMITTEES REPORTS

4.1 RECOMMENDATIONS OF THE ROADING SUB-COMMITTEE MEETING HELD ON 11 FEBRUARY 2025

1. LOWER THAMES STREET TRIAL

The community-led trial is scheduled to take place from February 18 to March 19. Communications with partner businesses have been positive, and both safety and weather concerns are being addressed. There will be no loss of parking, and traffic management will only be necessary during the setup phase. Emergency services have been notified, and a trial budget of \$60,000 has been allocated from the Better Off funding. Should the trial be made permanent, additional planning and budget approval will be required.

RESOLVED WDC 2025/004

Moved: Cr Jim Thomson
Seconded: Cr Rebecca Ryan

That Council:

1. Approves the Thames Street Trial Road for February and March 2025.
2. Note that the project will be managed by Council Officers in terms of Council's delegations

**CARRIED
AGAINST CR GUY PERCIVAL**

5 MEETING CLOSE

The Chair declared the meeting closed at 9.33am.

TO BE CONFIRMED at the Council Meeting to be held on Tuesday, 25 February 2025.

.....
CHAIRPERSON

**4.2 PUBLIC MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 3
FEBRUARY 2025**

Author: Sieglyn Duero, Executive Assistant

Authoriser: Alex Parmley, Chief Executive

Attachments: 1. Public minutes of the Extraordinary Council Meeting held on 3
February 2025 [↓](#)

RECOMMENDATION

That the Council confirms the Public minutes of the Extraordinary Council Meeting held on 3 February 2025, as circulated, as a true and correct record of that meeting.

UNCONFIRMED MINUTES

**OF THE EXTRAORDINARY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, THIRD FLOOR, OFFICE OF THE WAITAKI DISTRICT
COUNCIL , 20 THAMES STREET, OAMARU
ON MONDAY, 3 FEBRUARY 2025 AT 7:00 PM**

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

IN ATTENDANCE: Simon Neale (Independent Chair of the Performance, Audit and Risk (PAR) Committee)
Alex Parmley (Chief Executive)
Paul Hope (Director, Support Services)
Lisa Baillie (Director, Community Engagement and Experience)
Roger Cook (Director, Natural and Built Environment)
Joanne O'Neill (Director, Strategy Performance and Design)
Louise van der Voort (Interim Director, Strategy Performance and Design)
Mandy McIntosh (Strategy and Performance Manager)
Amanda Nicholls, (Chief Financial Officer)

The Chair declared the meeting open at 7.10pm and welcomed everyone present.

1 APOLOGIES

There were no apologies for attendance.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 DECISION REPORTS

3.1 Resolution to Receive or Defer a Late Agenda Item

The report, as circulated, sought a formal resolution of Council on whether to accept or defer a late agenda item that was published outside of the required timeframe for agenda papers for consideration at the Extraordinary Meeting now scheduled for Monday 3 February 2025, pursuant to legislation and Council's Standing Orders.

The Chief Executive noted that if the report is not accepted, it will have implications on the LTP process.

RESOLVED WDC 2025/001

Moved: Cr Jim Thomson

Seconded: Cr John McCone

That Council decides, pursuant to the Local Government Official Information and Meetings Act 1987 (s46A (7)) and Council's Standing Orders (9.12), to accept the late report on the topic of "The Audit New Zealand audit report of the Waitaki District Council's Long Term Plan Consultation Document" as a late Public Excluded Agenda Item for consideration at this meeting.

Carried
AGAINST: Cr Jim Hopkins

3.2 2025 -2034 LONG TERM PLAN – READOPTED OF CONSULTATION DOCUMENT AND SUPPORTING INFORMATION AND RECEIPT OF INDEPENDENT AUDITOR’S REPORT

A request was made for the letter from Audit NZ to be posted on the website. Once the final version is received, it will be made public, attached to the consultation document, and available on the website.

MOTION

The Chair moved for the report’s recommendations, with an amendment to the third: “Resolves that it is financially prudent to adopt an initial unbalanced budget for each financial year of the term of the draft 2025-34 Long Term Plan, noting that during the deliberations the Governance Team and Officers will develop a balanced budget for the Long Term Plan”

Cr Jim Hopkins seconded the motion.

Resolved WDC 2025/002

Moved: Mayor Gary Kircher

Seconded: Cr Jim Hopkins

That Council:

1. Receives the Audit New Zealand audit report (Attachment 1 – Expected to be received Monday 3 February) on the Waitaki District Council 2025-34 Long Term Plan Consultation Document and supporting information and notes that the Audit New Zealand audit report is to be included in the consultation document; and
2. Adopts, for public consultation purposes, the audited draft supporting information that is relied upon for the content of the consultation document, as follows: • Draft Financial Strategy (Attachment 2); and • Draft Waitaki District Council Infrastructure Strategy 2025-34 (Attachment 3); and • Draft Significant Forecasting Assumptions (Attachment 4); and
3. Resolves that it is financially prudent to adopt an initial unbalanced budget for each financial year of the term of the draft 2025-34 Long Term Plan, noting that during the deliberations the Governance Team and Officers will develop a balanced budget for the Long Term Plan; and
4. Adopts for consultation purposes, subject to the inclusion of changes as directed by Audit New Zealand the audited Waitaki District Council 2025-34 Long Term Plan Consultation Document (Attachment 5 – Expected to have final audited version on Monday 3 February); and
5. Notes that the formal public consultation period commences on Tuesday 4 February and concludes on Tuesday 4 March 2025.

Carried
AGAINST Cr Tim Blackler

MOTION

Moved: Cr Jim Hopkins

Seconded: Cr Tim Blackler

To amend page 31 of the 2025-34 draft Long Term Plan consultation document by removing the word our preferred option and accompanying arrow from the option from the B column.

To amend page 31 of the 2025-34 draft Long Term Plan consultation document by adding the words *“People have strong views about this road, some say it must stay open, some say that it’s just too costly. We are looking at three options, which is your choice? We need to know so we can plan properly.”*

Discussion on the motion

According to the legislation, to consult on a specific issue, the Council must declare its preferred option. If amendments are made to the consultation document, it will need to be returned to Audit, and the consultation process cannot commence as initially resolved by the Council.

Cr Hopkins stated there is no preferred option. Auditors are imposing it, although at the Council meeting, where alternatives were discussed, Council indicated their preference to let the community express their preference. Cr Blackler endorsed the statement.

It was clarified that the Local Government Act mandates stating the preferred option and indicating to the reader the elements included in the budgets as well as all underlying assumptions.

The process must be initiated as mandated, with the intention of genuinely engaging the community. The best possible decision will be made once feedback from the community has been received.

Moved: Cr Hopkins

Seconded: Cr Blackler

That subject to endorsement from the audit office, that the Financial Strategy to be amended as per discussion.

Discussion on the motion

The Chief Financial Officer will consult with Audit to obtain their clearance.

There will be a future opportunity to change the Financial Strategy. The current draft of the Financial Strategy will not be finalised before the June 2025 meeting. The motion was then put.

DECLARED LOST

4 MEETING CLOSE

The Chair declared the meeting closed at 8.26pm

TO BE CONFIRMED at the Extraordinary Council Meeting to be held on Tuesday, 25 February 2025.

.....
CHAIRPERSON

4.3 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 17 DECEMBER 2024

Author: Stephanie White, Project Officer

Authoriser: Alex Parmley, Chief Executive

Attachments: 1. Public minutes of the Council Meeting held on 17 December 2024

RECOMMENDATION

That the Council confirms the Public minutes of the Council Meeting held on 17 December 2024, as circulated, as a true and correct record of that meeting.

UNCONFIRMED MINUTES

**OF THE WAITAKI DISTRICT COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, THIRD FLOOR,
OFFICE OF THE WAITAKI DISTRICT COUNCIL, 20 THAMES STREET, OAMARU
AND VIA ZOOM VIDEO-CONFERENCE
ON TUESDAY, 17 DECEMBER 2024 AT 9.00AM**

PRESENT: Mayor Gary Kircher (Chair), Deputy Mayor Hana Halalele (Deputy Chair), Cr Tim Blackler (via Zoom for public and then via phone for public excluded session) Cr Brent Cowles, Cr Jeremy Holding, Cr Jim Hopkins, Cr Courtney Linwood, Cr Guy Percival, Cr John McCone, and Cr Rebecca Ryan

APOLOGY: Cr Jim Thomson (all day), and Cr Courtney Linwood (for PE session)

IN ATTENDANCE: Alex Parmley (Chief Executive)
Paul Hope (Director Support Services)
Lisa Baillie (Deputy Chief Executive / Director Community Engagement and Experience)
Roger Cook (Director Natural and Built Environment)
Louise van der Voort (Interim Director Strategy, Performance and Design)
Joanne O'Neill (Director Strategy, Performance and Design)
Ainslee Hooper (Governance and Policy Advisor)

IN ATTENDANCE FOR SPECIFIC AGENDA ITEMS:

Mandy McIntosh (Strategy and Commissioning Lead)
Amanda Nicholls (Chief Financial Officer)
Joshua Rendell (Infrastructure Manager)
Andrew Bardsley (Regulatory Manager)
David Campbell (Heritage and Planning Manager)

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

1 APOLOGIES

RESOLVED WDC 2024/243

Moved: Deputy Mayor Hana Halalele

Seconded: Cr Rebecca Ryan

That the apologies received from Cr Jim Thomson (all day) and for Cr Linwood (for public excluded session) be accepted.

CARRIED

2 DECLARATIONS OF INTEREST

The Chair, Mayor Gary Kircher declared an interest in Agenda Item 5.7, because he is a current director of Waitaki District Health Services Limited. He said he would not vote on that item.

Chief Executive Alex Parmley and Independent Chair of the Performance, Audit, and Risk Committee Simon Neale also declared an interest in Agenda item 5.7, as they are a Director and the

Chair of Waitaki District Health Services Limited. They do not have voting rights at Council Meetings as they are not elected members. Accordingly, their declarations are for the record only and they will not impact on the voting arrangements permissible under law at this meeting.

3 PUBLIC FORUM

Mike Sweeney – Water Delivery Choices

Mr Sweeney addressed two basic options for water delivery choices and outlined the implications of these options for the Waitaki District. He encouraged Elected Members to consider the financial and service delivery costs to the rate payer if the water delivery for the Waitaki district were to become regionally managed

Fliss Butcher – Requests for Ratepayer Funding

Ms Butcher addressed the request for ratepayer funding item that was to appear later today in the agenda. She requested that Elected Members not grant any extra requests for funding from community groups as this impacts the rate payer. Acknowledging that while these groups provide great services and initiatives, she stated that there are other sources of funding that they can access.

Lisa Howard-Sullivan – Transformation

Ms Howard-Sullivan addressed the Transformation project being undertaken by Waitaki District Council. She noted concerns around the use of funds, projected savings, community consultation undertaken in relation to transformational changes, statutory requirements, resourcing and the impacts on Council staff. Given the breadth of issues addressed, it was established that a response would be given outside of this meeting to be able to give time to a proper response. Chief Executive Alex Parmley advised that his report, to appear later today in the agenda, provides insight and clarification to the issues raised by Ms Howard-Sullivan.

Ray Henderson – Development Contributions and Water Services

Mr Henderson spoke to the Development Contributions and Economic Development Contributions (RMA Reserves Contributions) funds that have been or may be designated towards the Waitaki Events Centre. He noted that there are more projects requiring funding from these sources than there is available funding and encouraged Elected Member to consider what this money is for and whether Council can afford to diminish them so drastically.

He also spoke to Council water services delivery and the options for this. He discussed the potential implications of the delivery of water services being run by a Council Controlled Organisation, and regionalisation by joining with other councils, and his concerns around the future of the district's water assets.

4 LEADERSHIP REPORTS

4.1 MAYOR'S REPORT - DECEMBER 2024

The Mayor's report for December 2024 was circulated for the information of the Governance Team, staff of Council, and the wider communities of the Waitaki district.

The mayor spoke to his report, highlighting the speeches from the Chair and Deputy Chair of the Youth Council and the updates regarding the current situation and next steps for the Long-Term Plan, and the future of water delivery.

RESOLVED WDC 2024/244

Moved: Cr Courtney Linwood

Seconded: Cr Jeremy Holding

That Council receives and notes the information.

CARRIED

4.2 CHIEF EXECUTIVE'S REPORT DECEMBER 2024

The report, as circulated, was provided to bring Elected Members up to date on progress with delivery of the Key Performance Indicators (KPIs) set by Council for the Chief Executive for the year ending 30 June 2025, together with other matters.

Mr Parmley spoke to his report and answered questions regarding the implementation of the service and locality models, delays with Audit New Zealand having an impact of consultation documents for the Long-Term Plan, rates, and communication of Council services to the community.

RESOLVED WDC 2024/245

Moved: Cr Courtney Linwood

Seconded: Deputy Mayor Hana Halalele

That Council receives and notes the information.

CARRIED

5 DECISION REPORTS

5.1 ADOPTION OF DRAFT 2025 POLICY ON DEVELOPMENT CONTRIBUTIONS AND FINANCIAL CONTRIBUTIONS FOR CONSULTATION (NEW)

The report, as circulated, sought Council's approval of an amended Policy on Development Contributions and Financial Contributions for consultation.

Strategy and Commissioning Lead Mandy McIntosh introduced the report and answered questions from Elected Members

In response to a question from Cr Blackler, Ms McIntosh agreed to confirm whether the data for Maheno is captured within the Oamaru data in summary tables regarding water supply.

ACTION: Ms McIntosh to complete agreed amendments and confirmations.

Agreed amendment:

Add the definition of "self-contained" to the "Definitions" section of the Development Contributions Policy (it is currently located under "family flat").

RESOLVED WDC 2024/246

Moved: Cr Brent Cowles
Seconded: Cr John McCone

That Council:

1. Approves the proposed key changes to the Development Contributions and Financial Contributions Policy as set out below:
 - Introduce a remission for development on Māori land to support the principles set out in the Te Ture Whenua Māori Act 1993.
 - Introduce a remission for Social Housing developments to support this activity in our community.
 - Introduce a remission for residential care for non-premium care beds.
 - Expand the definition of Development Contributions to reflect the Local Government Act (2002).
 - Define the interest rate basis to be applied to deferred payment agreements.
 - Refine the definition of “self-contained”.
 - Minor grammatical or spelling corrections.
 - Reflect the year of the policy and the Long-Term Plan.
 - Update the (Water, Wastewater and Roding) proposed charge in line with the Draft Infrastructure Strategy which forms part of the 2025-34 Long Term Plan.
2. Adopts, with one agreed amendment at this meeting, the Draft 2025 Policy on Development Contributions and Financial Contributions for consultation.
3. Adopts, with any amendments agreed at this meeting, the Draft 2025 Policy on Development Contributions and Financial Contributions Statement of Proposal.
4. Consults on these changes in a manner that meets the requirements of section 82 of the Local Government Act 2002.

CARRIED

5.2 WATER SERVICES DELIVERY PLAN CONSULTATION MATTERS

The report, as circulated, sought to confirm with Council the matters that will be consulted on in relation to the development of the Water Services Delivery Plan.

Director Support Services Paul Hope introduced the report, emphasising the scope of the Local Government (Water Services) Bill that was released last week, and that the current focus is how this legislation will impact the 2025-34 Long Term Plan.

Meeting Adjournment

The meeting was adjourned at 10.40am and reconvened at 10.51am.

The Chair read out an addition to the motion proposed by Cr Tim Blackler to be included in the Chair's motion:

5. Supports and assists in the further continuation of Timaru District Council lead investigation and development of North Otago, South and Mid-Canterbury joint options, noting that this relies on a willingness of other neighbouring councils to proactively participate.

Councillors discussed the motion.

RESOLVED WDC 2024/247

Moved: Cr Jim Hopkins

Seconded: Cr John McCone

That Council:

1. Approves the following options to be consulted on as part of the Long-Term Plan development process:
 - a) In-house delivery option
 - b) Council owned Water Services Delivery Organisationnoting that the Water Services Delivery Organisation is the recommended option
2. Directs the Chief Executive to develop additional material to support the consultation process once the third Local Waters Done Well Bill is released;
3. Delegates authority to the Chief Executive to finalise additional material to support the consultation process, in consultation with the Governance Team; and
4. Supports the further investigation and development of Otago and Southland Joint Council options, noting that Clutha, Gore, and Central Otago District Councils and Dunedin City Council have already resolved to support this work.

CARRIED

AGAINST: CR TIM BLACKLER

RESOLVED WDC 2024/248

Moved: Cr Tim Blackler

Seconded: Cr Guy Percival

That Council:

5. Supports and assists in the further continuation of Timaru District Council lead investigation and development of North Otago, South and Mid-Canterbury joint options, noting that this relies on a willingness of other neighbouring councils to proactively participate.

CARRIED

5.3 2025-2034 LONG TERM PLAN - ADOPTION OF CONSULTATION DOCUMENT AND SUPPORTING INFORMATION

The report, as circulated, sought Council's approval of the 2025-34 Long Term Plan Consultation Document (CD) and supporting information, and the Engagement Plan, to enable public consultation on the draft 2025-2034 Long Term Plan (LTP) to commence.

Mr Parmley gave an overview of the report and then Strategy and Commissioning Lead Mandy McIntosh highlighted key points in the report and responded to questions.

ACTION: Ms McIntosh to carry out investigations and amendments to the Long Term Plan as agreed at this meeting.

CARRIED

RESOLVED WDC 2024/249

Moved: Cr Jim Hopkins
Seconded: Cr Tim Blackler

That Council adopts Option 3 in the officer report, as follows:

1. Notes that the Audit New Zealand audit report on the draft Waitaki District Council 2025-34 Long Term Plan Consultation Document and supporting information has not been received, and that Audit have indicated that this will be received by Council on Monday 3 February 2025, and on receipt that this report is to be included in the consultation document; and
2. Approves, subject to the receipt of a report from Audit New Zealand, the supporting information listed below, that is relied upon for the content of the consultation document, subject to any minor amendments arising from this meeting.
 - Draft Financial Strategy (Attachment 3)
 - Draft Infrastructure Strategy (Attachment 4)
 - Draft Liability and Investment Management Policy (Attachment 5)
 - Draft Significant Forecasting Assumptions (Attachment 6)
 - Draft Water Services Delivery Plan (as adopted separately and earlier at this Council Meeting)
 - Draft Statement on Fostering Māori Contribution to Decision Making Processes (Attachment 7)
3. Agrees that, subject to the receipt of a report from Audit New Zealand regarding the supporting information listed below that is relied upon for the content of the consultation document, if the supporting information has significant amendments required on receipt of the audit report, that an Extraordinary Council Meeting will be held in February via Zoom video-conference on receipt of that audit report, to adopt the supporting information as follows:
 - Draft Financial Strategy (Attachment 3)
 - Draft Infrastructure Strategy (Attachment 4)
 - Draft Liability and Investment Management Policy (Attachment 5)
 - Draft Significant Forecasting Assumptions (Attachment 6)
 - Draft Water Services Delivery Plan (as adopted separately and earlier at this Council Meeting)
 - Draft Statement on Fostering Māori Contribution to Decision Making Processes (Attachment 7)
4. Approves, subject to the receipt of a report from Audit New Zealand, the content of the draft Waitaki District Council 2025-34 Long Term Plan Consultation Document (Attachment 1) including a proposed rate rise of 11.18% in Year One (from 1 July 2025), subject to any minor amendments arising from this meeting; and
5. Agrees that, subject to the receipt of a report from Audit New Zealand, if the draft Waitaki District Council 2025-34 Long Term Plan Consultation Document (Attachment 1) has significant amendments required on receipt of the audit report, that an Extraordinary Council Meeting will be held via Zoom video-conference in February 2025 upon receipt of that audit report, to adopt the Waitaki District Council 2025-34 Long Term Plan Consultation Document including a proposed rate rise of 11.18% in Year One (from 1 July 2025); and

6. Approves, subject to any minor changes arising from this meeting, the Community Engagement Plan (Attachment 2) and notes that in the absence of a report from Audit New Zealand at this meeting, the engagement period will be deferred to commence on Tuesday 4 February 2025 and conclude on 4 March 2025.

CARRIED

Councillors discussed recommended items one and two as a separate decision on which to vote. The Chair sought clarification that the recommendations refer to the draft Long-Term Plan as the word 'draft' is missing. Officers confirmed that the decisions do refer to the draft Long-Term Plan.

Cr Blackler moved recommendations one and two as they were written in the report. The Chair requested amendments to the proposals for Whitestone Geopark Operations and Waitaki Visitor Centre, as per discussions on the report. The changes were agreed, and the motion was put to the meeting.

Agreed changes in the motion as put to the meeting:

Whitestone Geopark Operations – change request to \$200,000 and change term to three years

Kurow Medical Centre – put it out to the community as it appears in the report

Waitaki Visitor Centre – change request to \$120,000 and change term to three years

On the basis of that comment, the Chair advised that he would put each motion individually.

VOTE ON MOTION relating to Geopark funding request:

The Chair advised that the Vote by Voice on this motion was unclear and he asked for a Show of Hands. On the basis of the Vote by Show of Hands, he declared the vote was 5-all.

As Chair, he advised the meeting that he wanted to see what the public have to say on this matter and he used his casting vote to vote in favour of the motion, and then declared it carried.

The resolution, as carried, is recorded below.

RESOLVED WDC 2024/250

Moved: Cr Tim Blackler

Seconded: Mayor Gary Kircher

That Council includes the following additional proposal in the 2025-34 Long Term Plan to be consulted on that were not previously included in the list agreed by Council at the 29 October 2024 Council Meeting, with amendments as agreed to the amount and term, as listed below:

Whitestone Geopark Operations	Request for \$200,000 for three years	Rates
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CARRIED

RESOLVED WDC 2024/251

Moved: Cr Tim Blackler

Seconded: Mayor Gary Kircher

That Council does not include the following additional proposal in the 2025-34 Long Term Plan to be consulted on that were not previously included in the list agreed by Council at the 29 October 2024 Council Meeting:

Kurow Medical Centre	Request for \$1 million split across 2025-26 and 2026-27	Ward Rate funded / Debt funded
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CARRIED

VOTE ON MOTION relating to Waitaki Visitor Centre funding request:

The Chair advised that the Vote by Voice on this motion was unclear and he asked for a Show of Hands. On the basis of the Vote by Show of Hands, he declared it carried.

The resolution, as carried, is recorded below.

RESOLVED WDC 2024/252

Moved: Cr Tim Blackler
Seconded: Mayor Gary Kircher

That Council includes the following additional proposal in the 2025-34 Long Term Plan to be consulted on that were not previously included in the list agreed by Council at the 29 October 2024 Council Meeting, with amendments as agreed to the amount and term, as listed below:

Waitaki Visitor Centre	Request for \$120,000 for three years	Rates
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CARRIED

RESOLVED WDC 2024/253

Moved: Cr Tim Blackler
Seconded: Mayor Gary Kircher

That Council:

2. Agrees that there will not be a balanced budget for years 1-2 of the draft 2025-34 Long Term Plan.

CARRIED

5.4 2024/25 CAPITAL WORKS BUDGET

The report, as circulated, sought to deliver on a resolution from the 30 July 2024 Council Meeting in providing an officer report which sets out potential necessary reprioritisation or revised delivery timeframes during quarter 2 of the financial year to ensure adherence to external borrowing in the Enhanced Annual Plans.

Infrastructure Manager Josh Rendell introduced report and answered questions from Elected Members.

RESOLVED WDC 2024/254

Moved: Mayor Gary Kircher
Seconded: Cr Courtney Linwood

That Council:

1. With reference to Attachment 1 and the tables inserted, agrees to:
 - a) Cancel Projects 1040 and 4523;

Project #	Project Name
1040	Southern Harbour Toilet facility upgrade

4523	Development of Humber Street Satellite Carpark
------	--

- b) Revised funding requirements for the 2024/25 financial year for projects 4545, 1028, 1054, 2448, 4441, CF001 and CF002 and agrees to reduce the capital works budget accordingly;

Project #	Project Name
4545	Network Waitaki Event Centre
1028	Kakanui Bridge planning and design
1054	Oamaru Water Facilities Renewals
2448	Backflow Prevention Plan
4441	Oamaru Rural Water Main Renewals
CF001	Oamaru Water Treatment Plant - Renewals
CF002	Oamaru Water Capacity Study & Upgrades

- c) Provide additional funding for sealed pavement rehabilitation totalling \$260,817 to match co-funding from NZTA;

Project #	Project Name
2489	Sealed pavement rehabilitation (financially assisted)

- d) Invest over and above the required co-funding amount for projects 2490, 2491, 2492;

Project #	Project Name
2490	Sealed road resurfacing
2491	Signpost and structure renewals (financially assisted)
2492	Unsealed road metalling (financially assisted)

- e) Defer further investment in the Holmes Wharf restoration project until such time as the Harbour Area Committee has provided a recommendation on the project to Council.

Project #	Project Name
CF003	Oamaru Harbour - Holmes Wharf Restoration Project 2020-2021 - Capital Renewals

- f) Agree to defer from the 2024/25 budget and reconsider as part of the 2025-2034 Long Term Plan the following projects 1100, 1135, 4497, 1035, 4078, 4440, 2487, 4532, 2467, 1043, 1046, 2457, 1069, 1084, 1085, 1212, 2459, 2470, 4547, 4548, 4554, 4558, 4559 as part of the Long-Term Plan finalisation process:

Project #	Project Name
1100	Palmerston Cemetery - new ash beam
1135	Aquatic centre main pool filtration x 2 replacement
4497	Oamaru Airport Fixed Wing Hangar Development
1035	Non-financially assisted carpark renewals
4078	Road Stormwater Discharge Treatment
4440	Roading Resilience Project
2487	Minor Roading improvements
4532	Oamaru Creek Stormwater
2467	Waihemo Urban Water Main Upgrades

1043	Awamoko DWS Upgrade
1046	Bushy Creek DWS Upgrade
2457	Kauru Hill DWS Upgrade
1069	Tokarahi DWS Upgrade
1084	Duntroon Wastewater Treatment Plant Upgrade
1085	Duntroon Wastewater Resource Consent Application
1212	Oamaru Wastewater - New Monitoring Equipment
2459	Wastewater Overflow Mitigation - Oamaru
2470	Windsor DWS Upgrade
4547	Oamaru Water Strategy P1 (Build) and P2-3 (Plan)
4548	Oamaru Water Treatment Plant Renewals
4554	Stoneburn Drinking Water Supply Upgrade
4558	Wastewater Screen Installs - Site Specific
4559	Water Strategy Rest of District - Stage 2

- g) Continue with its planned investment in projects 4463 and 4473 to enable emergency power supplies for water and wastewater facilities;

Project #	Project Name
4463	Emergency District Wide Generators - Large
4473	Emergency District Wide Generators - Medium

- Allocates \$125,000 of the \$300,000 remaining in the budget for developing the visitor economy project to support the Waitaki Whitestone Geopark this financial year (FY2025);
- Allocates the balance of \$175,000 from the 'Developing the Visitor Economy' project to the Waitaki Identity and Story and implementation of the District and Township Gateway Signage;
- Agrees that any shortfall in implementing the Waitaki Identity and Story district and township signage would need to be taken through the Long-Term Plan discussions to be implemented from 2025/2026 onwards; and
- Agrees that this report has satisfied the instructions given through Resolution WDC 2024/157.

CARRIED

AGAINST: CR GUY PERCIVAL

Meeting Adjourned

The meeting was adjourned at 12.35pm and reconvened at 1.03pm.

The Chair noted that he was bringing forward and calling Agenda Item 5.8, and that a separate Public Forum was being held for this item, for which three speakers had registered. The Chair welcomed the speakers to the public forum.

Public Forum – Proposed District Plan

Frans Schlack – Representing Landowners in Waianakakura and Hampden, Proposed Draft District Plan

Mr Schlack circulated a presentation document and spoke to the document, regarding the Wāhi Tūpuna and Sites and Areas of Significance to Māori overlays proposed in the proposed District

Plan. He spoke to two concerns, being the loss of rights to determine who comes onto their property and the loss of rights of status as landholders. Landowners have expressed concerns about how the resolutions agreed by the District Plan Review Sub-Committee will impact security and safety of landholders and urge Elected Members to consider amendments to these resolutions which would alleviate these concerns.

Sven Thelning – Representing Waitaki Property Guardians, Draft District Plan Review

Mr Thelning thanked the District Plan Review Sub-Committee for their work in shaping the proposed District Plan. He addressed concerns around the lack of cost/benefit analysis in key parts of the plan, and issues with the mapping overlays on land throughout the district, and consultation with landowners, particularly the Sites and Areas of Significance to Māori overlays. Mr Thelning then responded to questions.

Otto Dogterom – Representing Federated Farmers North Otago and Rural Communities, Effects of District Plan on the farming community of North Otago

Mr Dogterom expressed concerns about the mapping and that there hasn't been a proper Section 32 economic analysis completed. Federated Farmers support notification of the Proposed District Plan in its current form without the mapping. He also expressed hope that the future provides clarity from Council to staff about the expectations for the direction of the District Plan to remove unnecessary cost to ratepayers.

5.8 APPROVAL TO NOTIFY PROPOSED DISTRICT PLAN

The report, as circulated, sought Council approval for the public notification of the Proposed District Plan and confirmation of the submission period associated with this. The report also sought delegation to be given to implement the decision.

Director Natural and Built Environment Roger Cook, Chief Executive Alex Parmley and Heritage and Planning Manager David Campbell introduced the report. Mr Campbell took the opportunity to thank the many staff who have been involved in the process which started ten years and the contribution and expertise of the local Runanga and Aukaha.

In response to a question, Mr Campbell explained that if Council chose to exclude select, more contentious chapters of the Proposed District Plan when approving it for notification today, Council could face legal ramifications from not meeting our obligations under the Resource Management Act 1991.

Cr Jim Hopkins made a motion to agree to recommended items one through eight of the report. Deputy Chair Hana Halalele seconded the motion.

Following further discussion on the motion, Cr Hopkins made additional motion, in the form of an amendment to resolution DPRSC 2023/069, brought to Council by the District Plan Review Sub-Committee. The Chair confirmed that this would be part of Cr Hopkins' substantive motion as point 9.

RESOLVED WDC 2024/255

Moved: Cr Jim Hopkins

Seconded: Deputy Mayor Hana Halalele

That Council:

1. Notes the removal of heritage items listed in Appendix 1 of this report.

2. Approves the addition of a new rule and mapping for the 'moderate risk' area of land instability in Moeraki.
3. Approves the amendment of the definition of Rakatirataka to read as follows:
"In the context of resource management, the mana or authority to exercise the relationship between Kāi Tahu and their ancestral lands and resources. It includes the active involvement of mana whenua in resource management decision making processes that affect these ancestral lands and resources."
4. Approves the amendment of SASM-R4 Earthworks within a wāhi tūpuna, identified in SCHED5 - Sites and Areas of Significance to Māori (excluding mahika kai activities) as follows:

General Residential Zone	Activity status: Permitted	Activity status when compliance is not achieved: Restricted Discretionary
Settlement Zone	Where: PER-5 All earthworks where they comply with the following earthworks standards where relevant: <ol style="list-style-type: none"> 1. EW-S2 Maximum cut depth and fill height; and 2. EW-S4 Earthworks within 20 metres of a waterbody 	Where: RDIS-2 Compliance is not achieved with PER-5 Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the matters of discretion listed in SASM-R2 RDIS-1; and 2. the matters of discretion listed in any of the standards EW- S2 and/or EW-S4 that are not complied with. Notification: Any application made under RDIS-2 may be notified to Te Rūnanga o Moeraki.

5. Has particular regard to the evaluation reports prepared under Section 32 of the Resource Management Act 1991 when deciding whether to proceed with the notification of the Proposed Waitaki District Plan.
6. Approves the Proposed Waitaki District Plan, including the changes noted in 1 and 2 above (subject to alignment, formatting and minor wording changes for proofing and correction) for public notification in accordance with Clause 5, Schedule 1 of the Resource Management Act 1991.
7. Approves the notification period for submissions commencing on Saturday 1 March 2025 and ending on Friday 9 May 2025.
8. Delegates to the Director Natural and Built Environment the authority to undertake all administrative steps required by Schedule 1 of the Resource Management Act 1991 to give effect to the requirements for public notification of the Proposed Waitaki District Plan.
9. Agrees that any identified SNAs in the Draft District Plan already covered by QEII covenants be removed from the schedule.

CARRIED
AGAINST: CR JOHN MCCONE, CR GUY PERCIVAL

Council discussed the recommendations from the District Plan Review Sub-Committee (DPRSC) attached in the supplementary agenda. Mr Parmely clarified for members that those matters that were resolved by the DPRSC were captured in the version of the Proposed District Plan recommended to Council today. Therefore, if Council agreed to the Proposed District Plan, then they were agreeing to the recommendations that had come from the DPRSC.

RESOLVED WDC 2024/256

Moved: Cr Jim Hopkins
Seconded: Cr Tim Blackler

That Council requests Officers to submit to the Proposed District Plan outlining the means by which heritage guidelines shall be assessed and which, if any, should become standards.

CARRIED

RESOLVED WDC 2024/257

Moved: Cr Jim Hopkins
Seconded: Mayor Gary Kircher

That Council discusses with Aukaha about having a second schedule of Ngai Tahu cultural mapping that sits outside the rule framework and requests that officers progress this discussion prior to notification of the Proposed District Plan and incorporate any agreed outcome in the Proposed District Plan.

CARRIED

5.5 LEGALISATION AND ROAD STOPPING - PART SALEYARDS ROAD, OAMARU

The report, as circulated, sought approval to legalise land as legal road and at the same time dispose of a portion of surplus unformed legal road.

Director Paul Hope advised that this report related to an historic issue and a cut-off piece of road for which Council had no use.

RESOLVED WDC 2024/258

Moved: Cr John McCone
Seconded: Cr Guy Percival

That Council:

1. Agrees to formalise the incomplete legalisation process of 214 m2 being Part Section 5, Block IV, Ōamaru, Survey District; as section 4 on SO 338344 in Attachment 1; and
2. Agrees to stop 620 m2 of Waiareka Lane, Ōamaru as outlined in red on Attachment 2, and transfers the land to the adjoining landowner; and
3. Delegates authority to the Chief Executive to negotiate and undertake the necessary actions for the acquisition and disposal of the land; and
4. Directs the Chief Executive to report back on the actions taken under delegated authority and the gains achieved once the road stopping process is complete, as part of the reporting to a future Council Activity Update.

CARRIED

UNCONFIRMED

5.6 APPROVAL OF WAITAKI DISTRICT DOG CONTROL BYLAW AND POLICY

The report, as circulated, sought to ensure that the Waitaki Dog Control Bylaw 2014 and Waitaki Dog Control Policy 2014 are reviewed and updated to meet Council's legislative requirements and the community's expectations.

Regulatory Manager Andrew Bardsley took his report as read and thanked members of the community, to Elected Members for their contributions to the review process for the Dog Control Bylaw and Policy, and to the Officers involved in this work. Council discussed amendments to the policy put forward by Councillor Rebecca Ryan.

Agreed amendments:

- (a) Insert to the Introduction on page 3 of the Policy between the fourth paragraph (that starts 'The Act defines...') and fifth paragraph (that starts 'The management and control of dogs...')

“Education and the provision of information about dogs and their requirements are seen as methods to address dog control problems before they occur. Council aims to encourage people to comply with regulatory requirements initially through education and working with people, rather than by taking a strictly enforcement approach, but will consider each situation case by case, particularly where injury to people or animals occurs. It is important dog owners are aware of what is required of them and how they should address dog control problems as they arise.

The purpose of this policy is to:

- outline how the Council addresses requirements set out in the Act
- outline regulatory controls and methods to allow for the recreational needs of dogs and their owners with appropriate controls to minimise the danger, distress or nuisance that may be caused by dogs to people, other animals or protected wildlife
- encourage and facilitate good dog behaviour and good dog ownership through education.

- (b) Addition to be made to 2. of **4.2.3.6 Enforcement Protocol** on P16 of policy in bold.

2. As Council's preferred initial dog control approach is focused on education, a verbal or written warning may be issued in place of an infringement, at the discretion of the Director Natural and Built Environment. Where records disclose a verbal or written warning for the same offence has previously been issued to a dog owner, the offence may be dealt with by way of an infringement notice.

- (c) Changes to be made to **4.2.4 Dog awareness and education** on P17 of the policy in bold.

1. Council **may** from time to time undertake education programmes which promote responsible dog ownership and other information related to ownership, management and control of dogs;
2. Council **may** recognise and promote privately operated dog education and/or training courses and act as a referral agent to dog owners for these courses.

- (d) Addition to be made to **4.2.4.2 Public Education** on P17 of the policy in bold (*ie add new point 1 and renumber original points 1 and 2 to be 2 and 3*):

1. **Council acknowledges the importance and benefit of education for dog owners and the wider community as a method of minimising dog-related issues and encouraging dog owners to understand their responsibilities and be responsible owners.**
2. Council will identify opportunities to inform dog owners and others of responsible dog ownership and will provide this through various resources.

3. In any case where a dog owner is found not to be acting responsibly or is contravening the Act or Bylaws, this is treated as an opportunity to educate the person. Note: This does not limit any enforcement decisions which may also apply.

Cr Jim Hopkins also requested an additional reference to the Introduction section on page 3 of the policy, at the end of the second sentence in paragraph 1 – a new sentence, “However, these benefits come with responsibilities”. This was also agreed.

RESOLVED WDC 2024/259

Moved: Cr Rebecca Ryan

Seconded: Cr Jim Hopkins

That Council adopts the proposed Waitaki Dog Control Policy 2024 and the Waitaki Dog Control Bylaw 2024, with amendments as agreed at this meeting (refer (a) – (e) above).

CARRIED

Cr Tim Blackler moved a further change be made to the policy, as in (d) below:

- (e) Replacement wording for note at the end of 3.1 in the policy, in regard to Selected Owner status: *“Dog owners holding selected owner status, selected at random or, if deemed necessary on a case-by-case basis, may be required to be audited against the selected owner criteria once within a three-year period.”* This was agreed.

RESOLVED WDC 2024/260

Moved: Cr Tim Blackler

Seconded: Cr Jim Hopkins

That Council incorporates the amendment listed in (e) above as replacement wording for the Note on the bottom of page 8 in the policy:

“Dog holders holding selected owner status may be selected at random or, if deemed necessary on a case-by-case basis, may be required to be audited against the selected owner criteria once within a three-year period.”

CARRIED

It was noted that Option 1 in the officer report referred to a six-month trial. There was a request for officers to report back to Council after the trial, if it went ahead. A new motion was then put to the meeting to reflect this discussion and is recorded below.

RESOLVED WDC 2024/261

Moved: Cr Jim Hopkins

Seconded: Mayor Gary Kircher

That Council:

1. Adopts a six-month trial of the proposed Waitaki Dog Control Policy 2024 and the proposed Waitaki Dog Control Bylaw 2024; and
2. Requests that officers report back to Council on the results of the trial.

CARRIED

5.7 FUTURE OF WAITAKI DISTRICT HEALTH SERVICES LIMITED

The report, as circulated, sought Council's approval to wind up the Waitaki District Health Services Limited (WDHSL), a Council Controlled Company, following the transfer of health services and associated business assets, systems, and services to Health New Zealand / Te Whatu Ora (Health NZ).

The Chair confirmed his interest in this item as a current Director of Waitaki District Health Services Limited and stated that he would not vote.

Mr Parmley and Waitaki District Health Services Limited Chair Simon Neale introduced the report.

RESOLVED WDC 2024/262

Moved: Cr John McCone

Seconded: Cr Brent Cowles

That Council:

1. Requests the Board of Waitaki District Health Services Limited to resolve to enter into a Deed of Gift between Council and Waitaki District Health Services Limited, under which:
 - a) Council remits the loan from Council to Waitaki District Health Services Limited;
 - b) Waitaki District Health Services Limited gifts its assets to Council (including the buildings under its ownership that form the Oamaru Hospital Estate (subject to the leases granted to Health NZ and Awanui Labs) and bank account balances);
 - c) Council agrees to use the gifted assets (including the buildings and any income or proceeds derived from them) solely for "charitable purposes" as defined in the Income Tax Act 2007; and
 - d) Council agrees, with effect from the date of the gift, to assume liability for any outgoings that would have been payable by Waitaki District Health Services Limited in relation to the buildings.
2. Signs a Deed of Gift with Waitaki District Health Services Limited.
3. Approves the liquidation of Waitaki District Health Services Limited following the date the gift is made.
4. Directs the Chief Executive to commence the liquidation process at the earliest opportunity and before 30 June 2025, and delegates to the Chief Executive power to sign the required shareholder resolution.

CARRIED

ABSTENTION: MAYOR GARY KIRCHER

RESOLVED WDC 2024/263

Moved: Cr Jim Hopkins

Seconded: Cr John McCone

That Waitaki District Council requests the Minister of Regulation to review and reduce Audit New Zealand's role in Councils' Annual and Long Term Plans as part of its efforts to lessen unnecessary red tape.

CARRIED

The Chair thanked everyone for joining and wished them all the very best for Christmas and a happy new year.

The Chair declared public meeting closed at 3.24pm.

6 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED WDC 2024/264

Moved: Mayor Gary Kircher

Seconded: Deputy Mayor Hana Halalele

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
7.1 - Oamaru Whitestone Civic Trust - Trustee Appointment PE	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 reason for withholding would exist under section 6 or section 7
7.2 - Appointment of Council Trustees for Waitaki Whitestone Geopark Trust PE	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 reason for withholding would exist under section 6 or section 7
7.3 - 2024 Council Controlled Organisations' Directorship Recruitment and Appointments PE	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

CARRIED

7 PUBLIC EXCLUDED SECTION

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

8 RESOLUTION TO RETURN TO THE PUBLIC MEETING

RESOLVED WDC 2024/268

Moved: Deputy Mayor Hana Halalele

Seconded: Cr John McCone

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 MEETING CLOSE

The Chair declared the meeting closed at 4.45pm.

TO BE CONFIRMED at the Council Meeting to be held on Tuesday, 25 February 2025.

.....
CHAIRPERSON

4.4 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 26 NOVEMBER 2024

Author: Stephanie White, Project Officer

Authoriser: Alex Parmley, Chief Executive

Attachments: 1. Public minutes of the Council Meeting held on 26 November 2024

RECOMMENDATION

That Council confirms the Public minutes of the Council Meeting held on 26 November 2024, as circulated, as a true and correct record of that meeting.

UNCONFIRMED MINUTES

**OF THE WAITAKI DISTRICT COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, THIRD FLOOR,
AND VIA ZOOM VIDEO-CONFERENCE
OFFICE OF THE WAITAKI DISTRICT COUNCIL, 20 THAMES STREET, OAMARU
ON TUESDAY, 26 NOVEMBER 2024 AT 9.00AM**

PRESENT: Mayor Gary Kircher (Chair), Deputy Mayor Hana Halalele (Deputy Chair), Cr Tim Blackler (from 9.02am), Cr Brent Cowles, Cr Jeremy Holding, Cr Jim Hopkins, Cr Courtney Linwood, Cr Guy Percival (from 9.05am), Cr John McCone, Cr Rebecca Ryan, and Cr Jim Thomson (from 9.02am)

IN ATTENDANCE: Simon Neale (Independent Chair of PAR Committee)
Alex Parmley (Chief Executive)
Paul Hope (Director Support Services)
Lisa Baillie (Deputy Chief Executive / Director Community Engagement and Experience)
Roger Cook (Director Natural and Built Environment)
Louise van der Voort (Interim Director Strategy, Performance and Design)
Joanne O'Neill (Director Strategy, Performance and Design)
Ainslee Hooper (Governance and Policy Advisor)

IN ATTENDANCE FOR SPECIFIC AGENDA ITEMS:

Joshua Rendell (Infrastructure Manager)
Mel Jones (Community and Economic Development Manager)

Meeting Livestream Recording

This meeting was livestreamed on Council's YouTube page.
A direct link to that livestream location is provided below.

[Council Meeting - 26 November 2024](#)

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

1 APOLOGIES

RESOLVED WDC 2024/228

Moved: Deputy Mayor Hana Halalele

Seconded: Cr John McCone

That the apologies for lateness received on behalf of Cr Tim Blackler, Cr Jim Thomson, and Cr Guy Percival be accepted.

CARRIED

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 PUBLIC FORUM

There were no registrations for the Public Forum.

Cr John McCone called a Point of Order to ask about the absence of minutes.

Chief Executive Alex Parmley referred to his comments to a previous meeting about capacity constraints and advised that resources were currently prioritised on the various iterations of the District Plan Review and meetings. A recruitment process was underway to add more resources.

Cr Tim Blackler and Cr Jim Thomson joined the meeting at 9.02am.

4 RECOMMENDATIONS FROM COMMITTEES REPORTS

4.1 RECOMMENDATIONS OF THE PERFORMANCE, AUDIT AND RISK COMMITTEE MEETING HELD ON 29 OCTOBER 2024

4.1.1 INSURANCE RENEWAL FY 2025

A copy of the Officer Report on Agenda Item 4.1 to the Performance, Audit and Risk Committee Meeting held on 29 October 2024 is attached for the information and consideration of Council.

Discussion recognised the very high premium cost and the extensive work staff had done to try and minimise the costs by addressing excess levels and the level of self-insurance; the reasonable portion of the rate take that was expended on insurance and the lessons learned from the Christchurch earthquakes that, without the correct level of insurance, then there can be some very big surprises.

Council's contributions to the Local Authority Protection Programme Disaster Fund (LAPP) (a mutual pool created by local authorities to cater for the replacement of infrastructure following catastrophic damage by natural disaster) was also highlighted as 'a very significant increase' that was driven by the revaluations of our assets.

RESOLVED WDC 2024/229

Moved: Cr Brent Cowles

Seconded: Cr Courtney Linwood

That Council confirms the Insurance renewal for 2024-25 with premium changes as indicated.

CARRIED

4.2 RECOMMENDATIONS OF THE AHURIRI COMMUNITY BOARD MEETING HELD ON 11 NOVEMBER 2024

4.2.1 OTEMATATA RESERVE IMPROVEMENTS - COMMUNITY LED DEVELOPMENT PROGRAMME

A copy of the officer report for Agenda Item 5.1 to the Ahuriri Community Board Meeting of 11 November 2024 is attached for the information and consideration of Council.

The work being done by the Otematata Residents' Association Inc (ORAI) through its Community-Led Development Programme was recognised as value for money.

RESOLVED WDC 2024/230

Moved: Cr Brent Cowles
Seconded: Cr Rebecca Ryan

That Council:

1. Approves the developments proposed by the Otematata Residents' Association Incorporated as shown in Attachment 1; and
2. Accepts responsibility for the maintenance and depreciation of the improvements once completed.

CARRIED

4.3 RECOMMENDATIONS OF THE HARBOUR AREA SUB-COMMITTEE MEETING HELD ON 12 NOVEMBER 2024

4.3.1 COMMERCIAL STATUS OF ŌAMARU HARBOUR

A copy of the officer report for Agenda Item 4.1 to the Harbour Area Sub-Committee Meeting of 12 November 2024 is attached for the information and consideration of Council.

Infrastructure Manager Joshua Rendell introduced the report and addressed questions from Members relating to limits on commercial operations, budgets for dredging, and the Harbour Endowment Fund. Director Paul Hope clarified the purpose of the resolution as seeking Council approval for a submission to be made to the Otago Regional Council (ORC) to change the status of the Oamaru harbour; it as noted that the submission would come to Council for approval before being sent to ORC. It would propose a move away from a commercial to recreational status for the Oamaru harbour, which did not preclude commercial activity from happening; it would still allow some commercial activity at a lower level and for smaller vessels. Recreation would be the primary focus of the harbour. Mr Hope also clarified that the large vessel which appeared in the report was too large for Oamaru Harbour; it would have almost precluded use by the public while it was in port and it would require considerable infrastructure on the wharf to address health and safety measures. The cost and assessment on returns were too far apart to make it viable.

RESOLVED WDC 2024/231

Moved: Cr Jeremy Holding

Seconded: Deputy Mayor Hana Halalele

That Council:

1. Approves the continuation of existing small-scale fishing and charter operations, and Ōamaru and Moeraki Harbour recreational activities.
2. Considers the removal of the Commercial Port status of Ōamaru Harbour by Otago Regional Council (ORC) during the review and consultation for the Coastal Plan and Navigation Safety Bylaw in 2025, subject to further information and a risk assessment being provided to Council.
3. Directs the Chief Executive to prepare a Wharf Policy to protect the infrastructure and define current and future use for future consideration by the Sub-Committee for a recommendation to Council.
4. Agrees to continue to dredge Ōamaru Harbour as required and to allocate a fixed annual sum of \$70,000 from Harbour Endowment funds, setting aside the funds in a Dredging Reserve.
5. Agrees to continue to survey the Ōamaru Harbour entrance every two years from 2026 and as required by the Otago Regional Council Harbourmaster and to allocate a fixed annual sum of \$10,000 from Harbour Endowment funds in a Dredging Reserve to cover the cost of survey.

CARRIED

4.4 RECOMMENDATIONS OF THE DISTRICT PLAN REVIEW SUB-COMMITTEE MEETING HELD ON 14 NOVEMBER 2024

4.4.1 RESPONSE TO PETITION PRESENTED TO COUNCIL 27 AUGUST 2024 ENTITLED "OPPOSING PROPERTY OVERLAYS IN WAITAKI DRAFT DISTRICT PLAN 2022"

Heritage and Planning Manager David Campell introduced the report.

One Member said they did not support the recommendation.

Chair of the District Plan Review Sub-Committee, Cr Jim Thomson, advised that the DPRSC had accepted the petition when it could have been declined because it did not meet the criteria. The Sub-Committee was still working through the draft district plan and there was still further scrutiny available through the formal submissions process. The Sub-Committee had made this recommendation as the most expedient way to move the issue forward. He said he would vote in favour of the recommendations.

MOTION

Cr Jim Thomson moved the DPRSC's recommendation and Cr Courtney Linwood seconded the motion.

Discussion on the motion

Points made during the discussion included that the people who signed the petition might feel that it is a sub-optimal response. The petition was relatively silent in proposing amendments to the draft plan or solutions to the problems they raised, and the proposed approach was believed to be the best way forward. The DPRSC was continuing to look at contentious issues in the plan.

It was also suggested that, in reality, being able to go out to the community with a notified plan that is perfect was not realistic. There is still a process to go through and legal steps that needed to be taken. Members wanted to do all they could to minimise costs to submitters and that would be part of the process that had to be managed.

RESOLVED WDC 2024/232

Moved: Cr Jim Thomson

Seconded: Cr Courtney Linwood

That Council:

- b) Agrees that the Resource Management Act 1991 (RMA) submission process is the appropriate mechanism to address the petitioner's concerns once the Proposed District Plan is publicly notified; and
- c) Directs the Chief Executive to prepare a letter to the petition organisers, to be signed by both the Mayor and the Chair of the District Plan Review Sub-Committee, to signal that it is the final decision of Council in response to the petition and is supported by the District Plan Review Sub-Committee.

CARRIED

AGAINST: CR JOHN MCCONE

5 DECISION REPORTS

5.1 ADOPTION OF THE WAITAKI IDENTITY AND STORY

The report, as circulated, sought Council approval of the Waitaki Story and District brand identity including logo to enable promotion of the district to potential visitors, investors and residents, together with implementation of new District Gateway and Township signage and a review of the Waitaki District Council brand logo to more effectively link and leverage with the refreshed District brand.

Chief Executive Alex Parmley introduced the report, and he and Community and Economic Development Manager Mel Jones highlighted key aspects, including that those who engaged in the community conversations genuinely supported the work that was being done. It was also noted that not everyone chose to engage, and one group had given a negative response. However, overall, the response had been very positive, especially for the Waitaki Story.

Discussion focused on the three decision elements in the report; funding matters; and the issues of community pride and safety that underpinned the need to promote the district to potential investors and visitors. It was highlighted that, in seeking Council's adoption of the Waitaki Identity and Story today, that would enable progress to be made on reaping the benefits of the initiative.

Funding allocations and additional requests for funding assistance from other entities, including the Geopark for signage, were discussed. Mr Parmley undertook to bring a report to the Council Meeting scheduled for 17 December 2024 that would address additional funding requests, and options around possible funding sources for Council discussion and a decision in response.

ACTION: Chief Executive

Members praised the efforts of the Economic Development and Communications and Engagement teams for the extensive work that had gone into the process thus far. Director Lisa Baillie echoed that praise in her endorsement of the teams' work.

Feedback from community engagement sessions would now be used to inform design work for signage, with a local flavour element to be considered based on suggestions that had been put forward.

MOTION

Cr Jim Hopkins moved the report's recommendation, with the addition of the words "subject to local engagement" after "2025" at the end of point 2(a). Cr Rebecca Ryan seconded the motion.

Discussion on the motion

It was suggested that, because there had already been engagement, that 'local engagement' could be just taking a design back; there would be a need to do something as efficiently as possible.

Reasons to support the motion were put forward by three Members, including (i) the great debate and discussions; and (iii) the energising vibe from some of the community sessions and the mostly positive responses. The poor state of some current township signs was also highlighted to encourage urgency on that particular work.

RESOLVED WDC 2024/233

Moved: Cr Jim Hopkins

Seconded: Cr Rebecca Ryan

That Council:

1. Adopts the Waitaki Story and District brand identity as the foundational work to support branding and promotion of the district.
2. Directs the Chief Executive to:
 - a) Commence implementation of the brand identity with existing resources, prioritising the refresh of District entry signage and Township signage from 2025 subject to local engagement; and
 - b) Review the Waitaki District Council (WDC) brand to better complement and leverage the refreshed District brand.

CARRIED

The Chair confirmed to the meeting that Agenda Item 5.2 had been withdrawn and would be included in the final agenda papers for the 17 December 2024 Council Meeting.

5.3 APPROVAL OF THE DOG CONTROL ACT 1996 S10A REPORT FOR YEAR ENDING JUNE 2024

The report, as circulated, sought Council's approval of the Annual Dog Control S10A Report for 2023/24 (included as Attachment 1).

Senior Compliance Officer Tristan Hope spoke to the report.

A Member suggested that future reports state the actual numbers alongside the percentage increases in the community safety section as well.

ACTION: Senior Compliance Officer

RESOLVED WDC 2024/234

Moved: Cr Brent Cowles

Seconded: Cr Courtney Linwood

That Council approves the Annual Dog Control S10A Policy and Practices Report 2023/24 in order that the report can be publicly notified and made publicly available.

CARRIED

The Chair directed the meeting forward to Item 5.5 and then sought a mover and seconder for item L.1 in the Agenda Addendum first as a procedural requirement.

L.1 RESOLUTION TO ACCEPT OR DEFER LATE AGENDA ITEMS

The report, as circulated, sought a formal resolution of Council, pursuant to legislation and Council's Standing Orders, on whether to accept or defer the late agenda item as named for consideration at this Council Meeting.

RESOLVED WDC 2024/235

Moved: Cr John McCone

Seconded: Cr Jim Hopkins

That Council decides, pursuant to the Local Government Official Information and Meetings Act 1987 (s46A (7)) and Council's Standing Orders (Clause 9.12), to accept the late agenda item (Public) entitled the "Future of Beach Road North Update – Pricing" for consideration at this Meeting alongside the original "Future of Beach Road North" agenda report that was included in the final agenda papers.

CARRIED

The Chair ruled that the late information was now part of the meeting agenda for consideration.

5.5 FUTURE OF BEACH ROAD NORTH

The report, as circulated, sought a decision of Council on the future of Beach Road North following the conclusion of the remediation of Beach Road landfills.

Infrastructure Manager Joshua Rendell spoke to the report's key points. He advised that, if Council was to look just at the economics of the situation, he would be recommending that Beach Road North is closed. But, if aesthetics was also a key factor, then it is a place that is enjoyed by the public, and therefore the recommendation is that Council consults on the options to obtain the community's views on the options.

Discussion addressed funding, engagement with landowners, erosion, traffic counts, and the options that may or may not qualify for a subsidy from NZTA.

Cr Jim Thomson asked to be kept informed about the engagement, as the Chair of the Roding Sub-Committee, so that he can talk to the local landowners. Mr Rendell agreed to do that.

ACTION: Infrastructure Manager, with Chair of Roding Sub-Committee

The meeting acknowledged that there were not too many options. Beach Road North was known to be a piece of road under coastal erosion pressure, but the cost of armoury and other things was also a key consideration.

The additional information on pricing that was included in the Agenda Addendum report was acknowledged via the first resolution passed under this agenda item, as recorded below.

RESOLVED WDC 2024/236

Moved: Cr Jim Hopkins

Seconded: Cr Courtney Linwood

That Council receives and notes this late additional information for consideration as part of the original agenda report to this meeting under Agenda Item 5.5 entitled "Future of Beach Road North".

CARRIED

MOTION

Cr Hopkins moved the two recommendations in the principal report under this agenda item and an additional third – “Agrees that consultation with the community will include clear design options and cost information.” Cr Tim Blackler seconded the motion.

Discussion on the motion:

Points made in support of the motion acknowledged that it was premature for Council to make a decision today on either opening or closing the road; that there are strong views either way; and that the matter was ideally suited to genuine community engagement for those reasons. The cost information in the late report would be important to share with the community.

Agreed Actions:

1. A suggestion was made that officers would need to set the context for this decision and for the options – ie to paint the future picture. This was acknowledged.
2. A specific request was made for officers to talk to affected landowners.

ACTION: Infrastructure Manager Joshua Rendell

RESOLVED WDC 2024/237

Moved: Cr Jim Hopkins

Seconded: Cr Tim Blackler

That Council:

1. Agrees to consult with the community about whether to reopen Beach Road North as part of the 2025-2034 Long Term Plan consultation document; and
2. Agrees that Beach Road North will remain closed until a decision to reopen it occurs.
3. Agrees that consultation with the community will include clear design options and cost information.

CARRIED

The meeting was adjourned at 10.23am and reconvened at 10.39am.

5.4 LOCAL GOVERNMENT NEW ZEALAND FOUR-MONTHLY REPORT FOR MEMBERS (JULY - OCTOBER 2024)

The report, as circulated, sought Council's formal receipt of the Local Government New Zealand (LGNZ) Four-Monthly Report for Members for the period July – October 2024.

LGNZ's Chief Advisor Ranjani Ponnuchetty and Director of Advocacy and Strategic Partner Harriet Shelton joined the meeting via Zoom video-conference to discuss this report with Members.

Cr Rebecca Ryan thanked the LGNZ representatives for the Young Elected Members' (YEM) hui and the work being done in that space; she was excited and energised by being involved in YEM.

Discussion topics included the LGNZ meeting the previous week, regional or collective agreements on Local Water Done Well, and proposed work in relation to the Government's suggestion of a binding poll in Maori wards. A Member congratulated the panel for the work done the last matter, which was “excellent”, and advised that Council would be wanting to support it.

Water services reform and unfunded mandate work was also raised. Ms Shelton advised that LGNZ was not working on that matter itself, but many other councils were actively working in that space. She suggested that LGNZ could ask other councils to share their information with LGNZ so that it could be collated. This was an action point for LGNZ's Policy team.

MOTION

Cr Jim Hopkins moved the report's recommendation and Cr Jeremy Holding seconded the motion.

Discussion on the motion

It was noted that central government was looking at rates capping. Cr Hopkins suggested that there was a need for campaigning to start now to proactively collect data individually and collectively in relation to what was being imposed on local government by central government, on the basis that the problem would persist and get worse unless Treasury funds could be unlocked.

Ms Shelton acknowledged that as 'very helpful feedback' and thanked Cr Hopkins for it.

RESOLVED WDC 2024/238

Moved: Cr Jim Hopkins

Seconded: Cr Jeremy Holding

That Council formally receives and considers the Four-Monthly Report for Members from Local Government New Zealand for the period July – October 2024 at this meeting.

CARRIED

The Chair thanked both LGNZ representatives for joining the Council meeting to discuss the LGNZ's four-month report and acknowledged the workload and the hard work that is put in by LGNZ to assist and support local councils.

The Chair directed the meeting forward to item 5.6.

5.6 BIODIVERSITY RESERVE FUND TRANSFER

The report, as circulated, sought Council's approval of the transfer of \$3,513.83 from the Biodiversity Reserve Fund to pay for an approved grant for the Neighbours of Hikaroroa/Mt Watkin Community Group predator trap network project around the Mount Watkin Scenic Reserve.

RESOLVED WDC 2024/239

Moved: Cr Jim Thomson

Seconded: Mayor Gary Kircher

That Council:

1. Approves the transfer of \$3,513.83 from the Biodiversity Reserve Fund back to the current Biodiversity Fund; and
2. Delegates to the Chief Executive to action that transfer after the meeting.

CARRIED

5.7 ROAD NAMING - CAMBROOK PLACE

The report, as circulated, sought Council's approval of the naming of the new road created by the subdivision at Kenilworth Road, Ōamaru.

Heritage and Planning Manager David Campbell introduced the report and acknowledged that it had taken some time to reach this position. There was no discussion.

RESOLVED WDC 2024/240

Moved: Cr Jim Hopkins
Seconded: Cr Brent Cowles

That Council approves the recommended road name for the section of road created by the subdivision at 9A Kenilworth Road, Ōamaru being Cambrook Place.

CARRIED

L URGENT BUSINESS

L.1 MEETINGS SCHEDULE 2025 FOR WAITAKI DISTRICT COUNCIL

The report, as circulated, sought Council's adoption of the Meetings Schedule 2025 for Council and its Committee, Sub-Committees and Community Boards to meet legislative requirements.

Governance Advisor Ainslee Hooper introduced the report and highlighted the two key changes to what was otherwise a 'rollover' of the 2024 Meetings Schedule as requested by Council, as well as the final quarter of 2025 being subject to final confirmation or amendment by the incoming Council following the Local Government Elections on Saturday 11 October 2025.

The two key changes were that Community Boards would both meet on the same day (the second Monday of their meeting months of March, May, July, September, November and December), and that Meetings Day (for Council and Performance, Audit and Risk Committee meetings) would be scheduled on the fifth Tuesday of the month for those months with five Tuesdays (ie in April, July, and September). The report also stated that the publishing of agendas would be scheduled for the week prior to any meeting date (ie the previous Tuesday for a Council or PAR meeting, or the previous Monday for the Community Board Meetings).

Additional agreed actions during discussion:

- To schedule only one Meeting Calendar invitation for each Council Day into Members' calendars and to 'hard wire' them in, if possible, so that responses were not required; and
- To schedule placeholder dates for other sub-committees, in consultation with the Chairs of those sub-committees.

ACTION: Governance Advisor to complete

In response to a Member's request to move the Tuesday Council day's activities to a Wednesday when the Monday of the same week was a public holiday, the Chair suggested that Members could probably manage that themselves given that agendas were being published 2-3 days earlier than they had sometimes been in the past. Another Member stated their preference to keep Council activities to Tuesdays wherever possible, because some Members had less flexibility than others to work around different commitments on other workdays.

The Chief Executive and the Governance Advisor both confirmed that they would be able to action a request from Council to move a particular meeting if that situation arose.

ACTION: Governance Advisor, with Chief Executive – to complete upon request

The Governance Advisor also undertook to issue separate Meeting Calendar invitations to officers to those issued to Elected Members, if that was required in order to have multiple invitations going to officers to attend different parts of any scheduled activities on a particular day but not disrupting the one entry per day that Members preferred and had requested. The Chair said that would be appreciated.

ACTION: Governance Advisor to complete

The Chair thanked the Governance Advisor for her work on the Meetings Schedule, acknowledging that it required considerable coordination around other commitments for him,

Councillors and the Chief Executive relating to their attendances at regional or national local government events.

RESOLVED WDC 2024/241

Moved: Cr Jim Hopkins

Seconded: Cr Courtney Linwood

That Council:

1. Adopts the attached proposed Meetings Schedule 2025 for Waitaki District Council; and
2. Agrees that the Ahuriri and Waihemo Community Boards may confirm venues for their meetings in 2025 at their respective Board Meetings in March 2025, and that Council's Meetings Schedule for 2025 will be updated with those venue details once they are available; and
3. Agrees that the Waitaki District Council Meetings Schedule 2025, once adopted, will be populated as Meeting Calendar invites as soon as practicable after this meeting, and a public version will be published on Council's website and its availability promoted to the community, including via social media; and
4. Notes that the 2025 Schedule, as presented, remains subject to change, and especially subject to separate confirmation or amendment by the incoming 13th Waitaki District Council following the Local Government Elections on 11 October 2025.

CARRIED

L.2 FUTURE OF BEACH ROAD NORTH UPDATE - PRICING

The report, as circulated, provided late supplementary information to Council to consider the future of Beach Road North.

RESOLVED WDC 2024/242

Moved: Cr Jim Hopkins

Seconded: Cr Courtney Linwood

That Council receives and notes this late additional information for consideration as part of the original agenda report to this meeting under Agenda Item 5.5 entitled "Future of Beach Road North".

CARRIED

6 MEETING CLOSE

The Chair declared the meeting closed at 11.25am.

TO BE CONFIRMED at the Council Meeting to be held on Tuesday, 25 February 2025.

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CHAIRPERSON

4.5 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 5 NOVEMBER 2024

Author: Stephanie White, Project Officer

Authoriser: Alex Parmley, Chief Executive

Attachments: 1. Public minutes of the Council Meeting held on 5 November 2024 [↓](#)

RECOMMENDATION

That Council confirms the Public minutes of the Council Meeting held on 5 November 2024, as circulated, as a true and correct record of that meeting.

UNCONFIRMED MINUTES
OF THE ADDITIONAL WAITAKI DISTRICT COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, THIRD FLOOR,
OFFICE OF THE WAITAKI DISTRICT COUNCIL, 20 THAMES STREET, OAMARU
AND VIA ZOOM VIDEO CONFERENCE
ON TUESDAY, 5 NOVEMBER 2024 AT 9.00AM

PRESENT: Mayor Gary Kircher (Chair), Deputy Mayor Hana Halalele (Deputy Chair), Cr Tim Blackler, Cr Brent Cowles, Cr Jeremy Holding, Cr Jim Hopkins, Cr Courtney Linwood, Cr Guy Percival, Cr John McCone, Cr Rebecca Ryan (from 9.12am), and Cr Jim Thomson

IN ATTENDANCE: Simon Neale (Independent Chair of Performance, Audit and Risk Committee) (via Zoom, from 9.21am)
Alex Parmley (Chief Executive)
Lisa Baillie (Deputy Chief Executive / Director Community Engagement and Experience)
Paul Hope (Director Support Services)
Roger Cook (Director Natural and Built Environment)
Louise van der Voort (Interim Director Strategy, Performance, and Design)
Ainslee Hooper (Governance and Policy Advisor)

IN ATTENDANCE FOR SPECIFIC AGENDA ITEMS:

Amanda Nicholls (Chief Financial Officer)
Guest: Dereck Ollsson (Audit New Zealand Director) (via Zoom, from 9.09am)

Meeting Livestream Recording

This meeting was livestreamed on Council's YouTube page.

A direct link to that livestream location is provided below.

[Additional Council Meeting - 5 November 2024](#)

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

1 APOLOGIES

RESOLVED WDC 2024/226

Moved: Cr Jim Thomson

Seconded: Cr Jeremy Holding

That the apologies received from Cr Guy Percival for absence and from Cr Rebecca Ryan for lateness be accepted.

CARRIED

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 PUBLIC FORUM

As this was an Additional Council Meeting, no Public Forum was held.

4 DECISION REPORTS

4.1 ADOPTION OF WAITAKI DISTRICT COUNCIL ANNUAL REPORT FY2023-2024

The report, as circulated, sought Council's consideration and adoption of the Annual Report for the Year Ended 30 June 2024 in accordance with Local Government Act 2002 statutory requirements.

Chief Financial Officer Amanda Nicholls presented the report. She answered questions on debt affordability benchmarks, balanced budget, debt control graphs, legislative breach implications, and the resident's satisfaction survey.

Audit New Zealand Director Dereck Ollsson joined the meeting via Zoom from 9.09am.

Cr Rebecca Ryan arrived in the Chamber at 9.12am.

Mr Neale joined the meeting via Zoom at 9.21am.

Mr. Ollsson addressed the audit qualification in the Annual Report, stating that it was due to comparative information on revaluation and other comprehensive income (OCI) movement. Other issues addressed included the going concern status of Waitaki District Health Services Limited and resolving an accounting matter early. The Audit team confirmed that the balance sheet figure for roading and waters is fair value per accounting standards.

The Chair raised concerns about the lack of meetings with the Audit Manager and the PAR Committee Chair, which had previously been standard practice. Mr. Ollsson responded that he met with both chairs before the start of the audit and the Chief Executive to discuss audit status, noting that meeting frequency is determined by governance. The Chair expressed the need for a mechanism to meet the audit team before signing off documents, hoping this will be included in future audits.

ACTION: Chief Financial Officer to note for future audit process arrangements

Mr. Ollsson acknowledged the internal controls and the cooperation between the audit team and management, noting the timely exchange of information. He also stated that, despite the Council meeting delay, remote work allowed the Audit team to complete the audit more promptly.

Independent Chair Simon Neale highlighted the necessity of externally signing off the Annual Report at this meeting.

MOTION

Moved: Deputy Mayor Hana Halalele

Seconded: Cr Brent Cowles

Discussion on the motion:

A Member noted that the last issue is typically handled at the management level and thanked the Audit Director and staff for keeping governance representatives informed. There was no further discussion.

RESOLVED WDC 2024/227

Moved: Deputy Mayor Hana Halalele

Seconded: Cr Brent Cowles

That Council adopts the Annual Report for the year ended 30 June 2024 in accordance with sections 98 and 99 of the Local Government Act 2002.

CARRIED

5 MEETING CLOSE

The Chair declared the meeting closed at 9.23am.

TO BE CONFIRMED at the Council Meeting to be held on Tuesday, 25 February 2025.

.....
CHAIRPERSON

4.6 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 27 AUGUST 2024

Author: Stephanie White, Project Officer

Authoriser: Alex Parmley, Chief Executive

Attachments: 1. Public minutes of the Council Meeting held on 27 August 2024

RECOMMENDATION

That the Council confirms the Public minutes of the Council Meeting held on 27 August 2024, as circulated, as a true and correct record of that meeting.

UNCONFIRMED MINUTES

**OF THE WAITAKI DISTRICT COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, THIRD FLOOR,
OFFICE OF THE WAITAKI DISTRICT COUNCIL, 20 THAMES STREET, OAMARU
AND VIA ZOOM VIDEO-CONFERENCE
ON TUESDAY, 27 AUGUST 2024 AT 9.03AM**

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

IN ATTENDANCE: Simon Neale (Independent Chair of Performance, Audit and Risk Committee)
Alex Parmley (Chief Executive)
Paul Hope (Acting Assets Group Manager and Finance and Corporate Development Group Manager)
Lisa Baillie (Deputy Chief Executive / People and Transformation 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)
Erik van der Spek (Projects Manager – Major Projects) (via Zoom)

The Chair declared the meeting open at 9.03am and welcomed everyone present. He noted that the Public Forum was fully subscribed for today's meeting and asked Councillors to keep their questions as succinct as possible. He reiterated to everyone in the room that no decisions or resolutions could be made during the Public Forum.

The Chair directed the meeting forward to Agenda Item 3 (Public Forum).

3 PUBLIC FORUM

Speaker 1: Mr Jim O'Gorman – Water Fluoridation

Mr O'Gorman highlighted the unintended consequences of adding fluoride to water and soils in the Waitaki region, emphasizing the lack of consideration for its impact on essential soil bacteria and fungi. He noted that fluoride contamination poses a significant threat to soil fertility, preventing him from offering his produce to the chef at Government House for visiting dignitaries. Additionally, he referenced the higher food standards in Europe compared to New Zealand, noting that few producers in the Waitaki region can meet these criteria. He expressed regret that he can no longer supply food for the Geopark table, which he had previously enjoyed doing.

Speaker 2 Ms Sheryl Black – Water Fluoridation

Mrs Black emphasized Tauranga City Council's decision to delay water fluoridation until after the judicial review. She noted that the Director-General has not pursued enforcement action or completed the BOR analysis. The Ministry of Health does not plan to attend fluoridation meetings or provide necessary signage and pharmacological information. She highlighted the lack of dose control and informed consent, urging the Council to push back and stand with Tauranga. Mrs Black suggested motions similar to those passed by Tauranga, including lowering the fluoride dose to 1.1 parts per million if costs are a concern, to reduce fluoride harm in the community.

Speaker 3 Mr Andy Denham - Rural Roothing

Residents of Stoneburn, including Mr Andy Denham, have expressed concerns about the poor

maintenance of rural roads, especially Taieri Peak Road, since Southroads took over. The gravel used was sharp, causing flat tires, and later turned to dust, leading to vehicles needing towing. Mr Denham noted that \$17,000 was allocated for Taieri Peak Road, but the work was substandard, resulting in muddy conditions and the need for caution signs even after repairs. He criticized the use of inferior materials and questioned the necessity of certain expenditures, such as culvert marker pegs. He also mentioned that no culverts have been cleaned since installation and questioned the timing of bridge repairs, suggesting it might be related to a new forestry block for carbon credits. Mr Denham emphasized the need for a safe gravel road and expressed his views respectfully.

The roading sub-committee chair acknowledged the concerns and promised to seek answers from the roading team regarding the different products used.

Speaker 4 Mr Ray Henderson - Standing Orders

The Public Forum allows members to raise issues democratically. Current Standing Orders (SO), ratified on 28 February 2023, are meant to last three years. However, a recent change required Public Forum registrations to close at noon on Fridays, effective from 1 August, which was not in the current SO. This change caused concern about the erosion of democracy and unauthorized rule changes. At the 30 July meeting, only four speakers were allowed, limiting public participation. The chair acknowledged the operational decision to cap speakers due to a heavy agenda and workload. There is a need to discuss and possibly revise the standards and rules to ensure public participation is not hindered.

Speaker 5 Ms Kate Macgregor – in Relation to the Petition

Ms. Macgregor spoke on behalf of 221 petition signatories, 205 of whom are Waitaki district residents. Their feedback highlights significant concerns about the draft plan process and mapping overlays. Although councillors cannot change these overlays, created by expert landscape architects, they can seek justification, clarity, and evidence for their extent and impact on ratepayers.

She referred to key parts of the Resource Management Act (RMA) and questioned if Schedule 32, Section 1 had been provided to councillors. She also urged review of Sections 73, 85(3)(b), and 86(b), noting some rules, especially those on Significant Natural Areas (SNAs), take immediate effect. Limited information has been available at DPRSC meetings.

She emphasized the need to refocus on protecting those affected and called for meaningful and productive engagement with landowners.

Speaker 6 Ms Jane Smith – RMA Classifications

Mrs Smith raised concerns about Section 6 RMA classifications, emphasizing her commitment to the Waitaki district's prosperity. She spoke on behalf of landowners who feel threatened and intimidated by planning and compliance staff, expressing concern for their mental health. Mrs Smith highlighted issues such as unclear classifications, lack of transparency, equality, consultation, and meaningful engagement with landowners. She called for a delay in notifying the Draft DP to accurately identify affected properties, potentially saving the council millions. Mrs Smith requested the council informally adopt their petition and not notify the DP without completing Section 32 analysis, stressing the need for landowner involvement in mapping. She also mentioned legal advice from Mr. Frans Schlack regarding the lack of clear guidelines and implored the council to consider their broader concerns.

Speaker 7 Mr Frans Schlack – Draft District Plan

Mr Schlack advised that everyone would have already received many emails from him about the draft District Plan. The Wahi Tupuna or SASM overlays applied by experts are done in a blanket manner, which he believes is not truly expert. There has been much discussion about experts in DPRSC, who have determined overlay boundaries that members cannot change. As a survey professional, he can handle the GIS data of the maps currently under review. Using data provided by the council in 2011, he conducted a simple analysis showing 4,700 buildings within the SASM overlay in the draft DP. How can these buildings be significant to Māori?

When they first received the overlays, they understood the need to protect certain areas. He used this overlay to protect culture and redrew the map, which the council accepted and promised to implement. However, the draft DP did not reflect this. He requested GIS data from the council and now asks that council officers provide data and tools to landowners to demonstrate the overlays on their properties before the plan is notified.

The Chair closed the Public Forum at 9.46am and directed the meeting back to Agenda Item 1.

1 APOLOGIES

There were no apologies. Cr Tim Blackler's participation via Zoom was acknowledged.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

The Chair directed the meeting forward to Agenda Item 6.1.

6.1 "PETITION TO COUNCIL - STOP WATER FLUORIDATION" - FORMAL RECEIPT AND RESPONSE

The report, as circulated, sought Council's formal receipt, consideration and agreement of a response to the Petition entitled "Petition – Stop water fluoridation", as dated 22 July 2024 and received in principle only at the 30 July Council Meeting from Ms Sheryl Black, a Waitaki District resident, on behalf of Petition signatories, giving due consideration to Clauses 17.1 and 17.2 of the Waitaki District Council's Standing Orders.

Chief Executive Alex Parmley explained that the Director-General of Health has ordered the Waitaki District Council to fluoridate the Oamaru Water Supply, as per the Health Fluoridation and Drinking Water Amendment Act 2021. If the Council disagrees, they must seek an exemption, but past requests have been denied.

RESOLVED WDC 2024/162

Moved: Deputy Mayor Hana Halalele

Seconded: Cr Jim Thomson

That Council:

1. Notes that the attached Petition from Ms Sheryl Black on behalf of petition signatories, with the subject title of "Petition – Stop water fluoridation", was received in principle only at the 30 July 2024 Council Meeting as a late agenda item, subject to it being deferred for formal receipt and consideration at today's Council Meeting; and
2. Agrees to formally receive the Petition under reference in point 1 above at this meeting, noting that it complies with Clauses 17.1 and 17.2 of Waitaki District Council Standing Orders; and
3. Notes that fluoridation of the Ōamaru water supply commenced in late July pursuant to the Director-General of Health's statutory direction to the Waitaki District Council to do so; and
4. Notes that the power of decision making on fluoridation of water supplies in law, does not rest with Council but with the Director-General of Health; and
5. Notes that an action to discontinue fluoridating the Ōamaru water supply would be a breach of a legal statutory direction which would expose the Council to the potential of enforcement

action including a potential fine of \$10,000 a day if it ceased that fluoridation process while the statutory direction from the Director-General of Health remains in place; and

6. Agrees to write to Ms Black, the petition organiser, formally stating the Council's position on this matter and the reasons for it.

CARRIED

ADDITIONAL MOTION

Cr Jim Hopkins then sought to move an additional motion, with the wording as follows: *"That Council requests of the Director-General of Health a commitment to stop fluoridation of Waitaki's water supply at the directed level until such time as the judicial review process on this matter is completed and an assurance that the Waitaki District Council will not be subject to a penalty should it cease to fluoridate the water at the directed level until such time as the judicial review court process is completed and the consequences are understood."* Cr Guy Percival seconded the motion.

RESOLVED WDC 2024/163

Moved: Cr Jim Hopkins

Seconded: Cr Guy Percival

That Council requests of the Director-General of Health:

1. A commitment to stop fluoridation of Waitaki's water supply at the directed level until such time as the judicial review court process on this matter is completed; and
2. Assurance that Waitaki District Council will not be subject to a penalty should it cease to fluoridate the water at the directed level until such time as the judicial review court process is completed and the consequences are understood.

AGAINST: DEPUTY MAYOR HANA HALALELE, MAYOR GARY KIRCHER

CARRIED

ADDITIONAL MOTION

Cr Rebecca Ryan moved another additional motion: *"That Council asks staff to present the investigated options to provide a non-fluoridated water supply for those who choose it, to elected members for a decision."* Cr Jim Hopkins seconded that motion.

RESOLVED WDC 2024/164

Moved: Cr Rebecca Ryan

Seconded: Cr Jim Hopkins

That Council asks staff to present the investigated options to provide a non-fluoridated water supply for those who choose it to elected members for a decision.

CARRIED

6.2 PETITION - "OPPOSING PROPERTY OVERLAYS IN WAITAKI DRAFT DISTRICT PLAN 2022"

Chief Executive Alex Parmley noted that he would not comment on the petition's content but highlighted a procedural issue. The petition does not comply with the Council's Standing Orders, which outline meeting rules and petition handling. The Council can waive these orders with a 75% majority vote.

MOTION

Cr Jim Hopkins then moved that Council receives the petition and refers it to the District Plan Review Sub-Committee for consideration. Cr Guy Percival seconded the motion.

Amended Motion

Cr Jim Hopkins amended the wording of his motion to be: That Council resolves to waive Standing Orders and receive the petition.

Point of Order raised

Cr Jim Hopkins raised a Point of Order and suggested that he believed the Chair was entitled to rule on this matter, and that Standing Orders could be waived and the words “received” could be used at the Chair’s discretion. Mr Parmley advised that, for the sake of surety, having Council’s decision to waive Standing Orders first would avoid having any possible complications.

RESOLVED WDC 2024/165

Moved: Cr Jim Thomson
Seconded: Cr John McCone

That Council agrees to waive Standing Order 17.1 for the discussion and vote on this agenda item, and then agrees that it is immediately reinstated upon the Chair calling the next agenda item.

CARRIED

RESOLVED WDC 2024/166

Moved: Cr Jim Hopkins
Seconded: Cr Guy Percival

That Council:

1. Receives the petition entitled “Opposing Property Overlays in the Waitaki Draft District Plan 2022”; and
2. Refers it to the District Plan Review Sub-Committee for advice and a recommendation back to Council on what actions to take in response.

CARRIED

RESOLVED WDC 2024/167

Moved: Mayor Gary Kircher
Seconded: Cr Jim Hopkins

That Council seeks a report from the Chief Executive giving greater clarity around the acceptance or receiving of petitions.

CARRIED

The Chair then directed the meeting to Agenda Item 5 and called Agenda Item 5.1.

5 RECOMMENDATIONS FROM COMMITTEES REPORTS

5.1 RECOMMENDATIONS OF THE WAIHEMO COMMUNITY BOARD MEETING HELD ON 1 JULY 2024

5.1.1 PUKETAPU TRACK PROJECT SCOPE AND PROJECT BOARD TERMS OF REFERENCE

A copy of the agenda report that went to the 1 July 2024 Waihemo Community Board Meeting was attached to the Recommendation from Community Board report.

Cr Jim Thomson informed the meeting that the Waihemo Community Board accepted reduced Better Off Funding (BOF) for the project, which he supported. He emphasised that the Puketapu track must be community funded. The initial BOF should resolve access issues, and the Trust received \$57k from the Otago Regional Council for plant restoration.

RESOLVED WDC 2024/168

Moved: Cr Jim Thomson

Seconded: Cr Brent Cowles

That Council:

1. Approves a two-stage process for the Puketapu Track Project, with Stage 1 (securing legal access) implemented by using Council funding, and Stage 2 (Construction of the Track and associated facilities) commencing if and when the required remaining funds have been raised by the Puketapu Community Trust.
2. Approves the Terms of Reference for the Puketapu Track Project Board.
3. Delegates to the Chief Executive all powers necessary to negotiate and complete necessary land acquisition for the Puketapu Track Project.
4. Delegates to the Waihemo Community Board Chair the responsibility of nominating two Waihemo Community Board Members on the Board's behalf to be Council's representatives on the Puketapu Track Project Board.

CARRIED

Cr Percival left the meeting at 10.23am and returned at 10.26am.

5.2 RECOMMENDATIONS OF THE HARBOUR AREA SUB-COMMITTEE MEETING HELD ON 13 AUGUST 2024

5.2.1 MARKETPLACE SCOPE AND BUDGET

A copy of the agenda report that went to the 13 August 2024 Harbour Area Sub-Committee Meeting was attached to the Recommendation from Committee report.

RESOLVED WDC 2024/169

Moved: Mayor Gary Kircher

Seconded: Cr Jeremy Holding

That Council:

1. Approves a scope reduction by deferring Urban Park – Stage 2, Parking – Area 4, and the new exit to Waterfront Road (including the cobble drains); and
2. Approves an additional \$145,600 from the Harbour Endowment Fund for Parking Area 1; and
3. Approves a scope change of additional landscaping on the corner of Wansbeck and Tyne Streets, with the cost to be met within the project budget by working with a private benefactor.

CARRIED

AGAINST: CR JOHN MCCONE, CR GUY PERCIVAL

Cr Guy Percival queried the Chair's declaration. The Chair advised that only four Members had voted against the motion; two had asked for their vote to be recorded and two had not. He repeated his ruling that the motion was carried. This was accepted.

6 DECISION REPORTS

6.3 MOERAKI BOULDERS TOILET

The report, as circulated, sought to determine Council's contribution to the capital cost of a toilet for Moeraki Boulders.

Project Manager (Major Projects) Erik van der Spek introduced the report and confirmed, in response to a question, that the total cost was \$160k and \$30k was being sought from Council.

MOTION

The Chair moved the report's recommendations, with the addition of a second point being: "Requests the Mayor to write to the Minister of Conservation requesting \$30k to cover that contribution." Cr Rebecca Ryan seconded the motion.

Moved: Mayor Gary Kircher

Seconded: Cr Rebecca Ryan

That Council:

1. Approves \$30,000 loan funding towards the capital cost of a Public Toilet at the Moeraki Boulders carpark; and
2. Requests the Mayor to write to the Minister of Conservation requesting \$30k to cover that contribution.

DECLARED LOST

6.4 2024 LABOUR WEEKEND LIQUOR BAN FOR LOCH LAIRD

The report, as circulated, sought Council's approval to place an alcohol ban on the upper terrace of Loch Laird and the foreshore between Loch Laird and Wildlife camp for Labour Weekend in 2024 to protect the community and improve safety.

RESOLVED WDC 2024/170

Moved: Mayor Gary Kircher
Seconded: Cr Brent Cowles

That Council agrees to designate the area in Loch Laird shown in Attachment 1 as a specified public place under the Waitaki Alcohol Ban Bylaw 2018 from 5.00pm on Friday 25 October 2024 (being the Friday preceding Labour Weekend 2024) to 12.00am on Tuesday 29 October 2024 (being the Tuesday following Labour Weekend).

CARRIED

6.5 RATIFICATION OF COUNCIL SUBMISSION ON DRAFT CANTERBURY REGIONAL POLICY STATEMENT

The report, as circulated, to retrospectively ratify Waitaki District Council's (WDC's) submission on the Draft Canterbury Regional Policy Statement, which was submitted to Environment Canterbury on 31 July 2024.

In response to questions, Heritage and Planning Manager David Campbell clarified that Council was asking ECan to revise the wording in its RPS where the future management options were being proposed. They would still have options, but Waitaki District Council wanted to see clearer wording about how the management options were split. Mr Campbell also clarified that Council would not be seeking to speak to its submission.

RESOLVED WDC 2024/171

Moved: Deputy Mayor Hana Halalele
Seconded: Cr Jim Thomson

That Council formally ratifies Waitaki District Council's submission on the Draft Canterbury Regional Policy Statement, as submitted to Environment Canterbury on 31 July 2024.

CARRIED

The Chair advised that Agenda Item 6.6 would come to a future Council Meeting.

The Chair then directed the meeting back to Agenda Item 4.

4 CONFIRMATION OF PREVIOUS MEETING MINUTES

The Chair expressed concern over the increasing number of unconfirmed Minutes from previous meetings, noting it was unreasonable to expect Councillors, staff, or the community to rely on online recordings for details. He emphasized the importance of this issue, previously raised by Councillors, in holding staff accountable. Chief Executive Alex Parmley acknowledged the unacceptable situation, citing under-resourcing in Governance services and additional workload pressures. He assured that efforts were being made to address the backlog and improve resourcing.

7 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED WDC 2024/172

Moved: Cr Jim Hopkins
Seconded: Cr Jim Thomson

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
8.1 - Recommendations from the Development Contributions Sub-Committee PE	<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)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</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>	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
8.2 - Council Headquarters Building Repairs PE	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</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>s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</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
8.3 - Approval to Proceed with Procurement and Award of Contract for Construction of Forrester Gallery Extension PE	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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

8.4 - Council Controlled Organisation Director Remuneration Review 2023 PE	<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)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</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>
8.5 - Public Excluded Minutes of Extraordinary Council Meeting held on 7 May 2024 PE	<p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</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>s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</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>
8.6 - Public Excluded Minutes of Council Meeting held on 28 May 2024	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</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>
8.7 - Public Excluded Minutes of the Council Meeting held on 30 July 2024	<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</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>

	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)	
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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 2024/176

Moved: Cr Brent Cowles
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

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, Council decided not to release any previously public excluded information under this agenda item in the Public Minutes of this meeting.

11 MEETING CLOSE

The Chair thanked Councillors and staff for their contributions to the discussions and then declared the meeting closed at 11.55am.

TO BE CONFIRMED at the Waitaki Council Meeting to be held on Tuesday 25 February 2025.

.....
CHAIRPERSON

4.7 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 29 OCTOBER 2024

Author: Stephanie White, Project Officer

Authoriser: Alex Parmley, Chief Executive

Attachments: 1. Public minutes of the Council Meeting held on 29 October 2024

RECOMMENDATION

That the Council confirms the Public minutes of the Council Meeting held on 29 October 2024, as circulated, as a true and correct record of that meeting.

UNCONFIRMED MINUTES
OF THE WAITAKI DISTRICT COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, THIRD FLOOR,
OFFICE OF THE WAITAKI DISTRICT COUNCIL, 20 THAMES STREET, OAMARU
AND VIA ZOOM VIDEO-CONFERENCE
ON TUESDAY, 29 OCTOBER 2024 AT 9:00 AM

PRESENT: Mayor Gary Kircher (Chair until 11.12am and then from 11.48am onwards), Deputy Mayor Hana Halalele (Deputy Chair, and Chair from 11.12am to 11.48am), Cr Tim Blackler, Cr Jeremy Holding, Cr Jim Hopkins, Cr Courtney Linwood, Cr Guy Percival, Cr John McCone, Cr Rebecca Ryan, and Cr Jim Thomson

APOLOGY: Cr Brent Cowles

IN ATTENDANCE: Simon Neale (Independent Chair of Performance, Audit and Risk Committee)
Alex Parmley (Chief Executive)
Paul Hope (Director Support Services) (via Zoom)
Lisa Baillie (Deputy Chief Executive / Director Community Engagement and Experience) (via Zoom)
Roger Cook (Director Natural Built Environment)
Louise van der Voort (Interim Director Strategy, Performance, and Design)
Ainslee Hooper (Governance and Policy Advisor)

IN ATTENDANCE FOR SPECIFIC AGENDA ITEMS:

Amanda Nicholls (Chief Financial Officer)
Mel Jones (Community and Economic Development Manager)
Helen Algar (Partnerships Manager)

External Guests:

Stephen Hill (Electionz Advisor – via Zoom)
CCO representatives (both in person and via Zoom – as recorded under relevant Agenda Item)

Meeting Livestream Recording

This Additional Council Meeting was livestreamed on Council's YouTube platform. The direct link to the recording there is provided below.

<https://www.youtube.com/watch?v=lZEsvNjsuz4>

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

1 APOLOGIES

RESOLVED WDC 2024/205

Moved: Cr Tim Blackler

Seconded: Deputy Mayor Hana Halalele

That the apology for absence received from Cr Brent Cowles be accepted.

CARRIED

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

The Chair directed the meeting to the Supplementary Agenda Item relating to the Adoption of Final Proposal for Representation Review 2024.

L.1 ADOPTION OF FINAL PROPOSAL FOR REPRESENTATION REVIEW 2024

The report, as circulated, sought a Council decision on the Final Proposal for the Representation Review 2024.

Governance Advisor Ainslee Hooper spoke to the report, advising that the Final Proposal was unchanged from the Initial Proposal and that it presented the status quo option that had been supported by Council.

Invited to speak by the Chair, Electionz representative Mr Stephen Hill reiterated that Council's adoption of the Final Proposal at this meeting was the culmination of a comprehensive process that had been sound and followed all the requisite steps according to legislation, and that the document as presented reflects that fact.

RESOLVED WDC 2024/207

Moved: Deputy Mayor Hana Halalele

Seconded: Cr Jim Thomson

That Council:

1. Receives the report and accepts the level of significance;
2. Formally adopts its Initial Proposal as the Final Proposal without amendment for Waitaki District Council's Representation Review 2024, as set out below:

"It is proposed that, pursuant to Sections 19H and 19J of the Local Electoral Act 2001, the following Final Proposal for Waitaki District Council's representation arrangements for the local elections to be held on 11 October 2025 and future elections until altered by a subsequent decision:

- (a) That the Waitaki District Council comprises the Mayor who is elected at large, and 10 Councillors elected from four Wards; and
- (b) That the Waitaki District is divided into four general wards with boundaries as illustrated in the map at Attachment 1, with the Ward names and number of Councillors to represent them as set out below:
 - i) The Ahuriri Ward represented by one Councillor elected by the electors of the Ahuriri Ward
 - ii) The Ōamaru Ward represented by six Councillors elected by the electors of the Ōamaru Ward; and
 - iii) The Corriedale Ward represented by two Councillors elected by the electors of the Corriedale Ward; and
 - iv) The Waihemo Ward represented by one Councillor elected by the electors of the Waihemo Ward.
- (c) That the population (based on Statistics New Zealand estimates as at 30 June 2023) that each Member will represent is as follows:

	Population Members		Population-Difference member ratio	Difference from quota	% Difference from quota
Ahuriri Ward	2,040	1	2,040	-396	-16.26
Oamaru Ward	14,900	6	2,483	47	1.94
Waihemo Ward	2,500	1	2,500	64	2.63
Corriedale Ward	4,920	2	2,460	24	0.99
Total	24,360	10	2,436		

- (d) That there will be two communities which will be represented by a community board, as follows:

Ahuriri Community Board	Area covered by the present Ahuriri Ward boundaries
Waihemo Community Board	Area covered by the present Waihemo Ward boundaries

- (e) That the Ahuriri and Waihemo Ward communities will each elect five members, and they will not be sub-divided for electoral purposes, and that following elections, elected Ward Members will be appointed to the Boards by Council, as follows:

Ahuriri Community Board	The Ahuriri Ward Councillor
Waihemo Community Board	The Waihemo Ward Councillor

3. Acknowledges that the proposed arrangement for the Ahuriri Ward does not meet the requirements of Section 19V(2) of the Local Electoral Act 2001; and
4. Agrees that the Ahuriri Ward be treated as an isolated community and exempted from complying with Section 19V(2) of the Local Electoral Act 2001 on the grounds provided under section 19V(3)(a) and (b), that non-compliance is required for effective representation of isolated communities of interest within and between wards, for reasons including:
 - a) That the Ahuriri Ward has previously been recognised by the Local Government Commission as an isolated community in representation reviews since 2007; and
 - b) That compliance with Section 19V(2) would limit effective representation by dividing communities of interest between and within wards; and
 - c) That the Ahuriri Ward spans a very large geographical area comprising isolated communities with separate and distinct needs which consequently require a separate Councillor and Community Board to be effectively represented; and
 - d) The Ahuriri Ward's character as a summer destination where small permanent populations in separate communities of interest are significantly increased by visitors during the holiday season; and
 - e) That the Ahuriri Ward's non-compliance ratio in 2023 of -16.26% is a considerable decrease in over-representation from the -21.95% ratio for that ward in the 2018 Representation Review, and that the Ward's population growth continues to trend upwards as a result of ongoing tourism and economic development.
5. Agrees that public notice be given of Council's Final Representation Review Proposal on Council's website from 30 October 2024 until 2 December 2024 being a period of not less than one month from the date of the notification as required by the Local Electoral Act 2001; and

6. Agrees the content of the Public Notice to accompany that Final Proposal for public consultation, subject to final graphic design; and
7. Delegates to the Chief Executive the responsibility of making any required minor changes to the Final Proposal and Public Notice so that they can be publicly notified by 30 October 2024 in accordance with legislative requirements.

CARRIED

The Chair directed the meeting back to Agenda Item 3 (Public Forum).

3 PUBLIC FORUM

Mr Barry Spooner – Boat Ramp in Ōamaru Harbour.

Mr Spooner spoke to Council about the lack of a boat ramp at Ōamaru Harbour and the boat ramp at Friendly Bay being for tourist use only. He requested that there be better access to the picnic area and make it more user friendly for the community who want to use this area.

Ms Glenys Robinson – petition on the Council Transformation and Restructuring of Waitaki District Libraries

Ms Robinson presented a petition on behalf of a local group of people, to be discussed later in the meeting. The petition expresses that The Council Transformation process was done without consultation of the wider community, asks Council to protect and grow library services in the Waitaki district, in consultation with the community. They also requested the public release of the Organisational Design that informed discussion, particularly in regard to the restructuring of the six Waitaki District Libraries.

PDR Lindsay Salmon – Libraries

PDR Salmon posed three questions for Elected Members:

1. What is your vision for the library?
2. Could Council share the survey and results of the survey that indicated to Council that Ōamaru residents desire a 'one-stop shop' to do their business?
3. Why are residents being kicked out of the Council buildings?

The Chair, Chief Executive Alex Parmley and Elected Members responded to these questions. Mr Parmley explained that there was no survey completed reflecting the desire of a 'one-stop shop' and that there has been no statement from Council that the community are 'clamouring for this.'

He and the Chair also confirmed that they have heard of no members of the public being kicked out of Council buildings and that these spaces are intended to be used by the public. There should be no restrictions on members of the public entering public areas of Council buildings.

Mr Patrick French – Petition on Water Fluoridation.

Mr French asked Council to agree to ensure the level of Fluoridation does not exceed 0.7ppm and to provide an unfluoridated water tap for public use. He urged Elected Members to consider this not just a practical and economic decision but also a moral and ethical decision. He presented information from studies regarding the impact of fluoridation on public health and encouraged elected members to consider this information and provide leadership on this topic. Elected Members discussed the points raised in his presentation and responded to points raised. A copy of the presentation was requested to be sent for Elected Members to refer to, which Mr French agreed to provide. The Chair noted that Council will be discussing the petition further later in the meeting.

Mr Ray Henderson – Meeting Minutes

Mr Henderson expressed his concerns for the current situation for Council Meeting minutes. He has been unable to find confirmed meeting minutes available alongside the information for that meeting which used to be standard practice. To find minutes, he has needed to look at the agendas for the following meetings until locating the meeting at which those minutes will be approved, and as the unconfirmed minutes are amended during the meeting, they are not the final correct version. He stated that the current system is not user friendly and hoped that the final confirmed minutes would in the future be as accessible and easy to find as they had in the past.

4 CONFIRMATION OF PREVIOUS MEETING MINUTES

4.1 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 23 JULY 2024

RESOLVED WDC 2024/208

Moved: Cr Jim Hopkins

Seconded: Cr Jim Thomson

That Council confirms the Public Minutes of the Council Meeting held on 23 July 2024, as circulated, as a true and correct record of that meeting.

CARRIED

4.2 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 24 SEPTEMBER 2024

Amendments:

Cr Jeremy Holding advised that he had been unable to hear anything throughout the 24 September 2024 meeting so he would prefer to have abstentions recorded for him on all agenda items. Other Members supported this request, and the Chair ruled it as accepted.

ACTION: Governance Advisor to add the abstentions

Cr Jim Hopkins requested three minor grammatical amendments, which were accepted by the Chair:

Item 6.1.2, paragraph 6, line 2: replace “they” with “he”.

Item 7.1, paragraph 8, line four, delete “be to” before “minor changes”

Item 7.2, paragraph 5, line 3, the first word should be “to”.

RESOLVED WDC 2024/209

Moved: Cr Jim Hopkins

Seconded: Deputy Mayor Hana Halalele

That Council confirms the Public minutes of the Council Meeting held on 24 September 2024, with minor amendments as agreed, as a true and correct record of that meeting.

CARRIED

5 RECOMMENDATIONS FROM COMMITTEES REPORTS

5.1 RECOMMENDATIONS OF THE PERFORMANCE, AUDIT AND RISK COMMITTEE MEETING HELD ON 24 SEPTEMBER 2024

5.1.1 TREASURY STRATEGY, FY 2024-2025 SECOND QUARTER

RESOLVED WDC 2024/210

Moved: Cr Jim Hopkins

Seconded: Cr Courtney Linwood

That Council:

1. Adopts a Treasury Strategy for the second quarter of the 2024-25 financial year which includes:
 - a) Monitoring available cash and projecting future cash requirements
 - b) Liaising with the Local Government funding Agency (LGFA) to ensure Council's ability to function and deliver on behalf of its communities is not impeded by lack of fund
 - c) Obtaining advice and support from Bancorp Treasury Services on key projects in addition to ensuring compliance with policy limits
 - d) Investing funds considered surplus to immediate requirements based on current forecasts to best advantage to maximise returns.

CARRIED

6 DECISION REPORTS

6.1 FORMAL RECEIPT OF PETITION: "TRANSFORMATION AND RESTRUCTURING OF THE SIX WAITAKI DISTRICT LIBRARIES"

The report, as circulated, sought Council's formal receipt, consideration and agreement of an approach in response to the Petition received on 16 September 2024 from Petition Organiser Ms Glenys Robinson, a Waitaki resident on behalf of "Leave Our Libraries Alone" (LOLA) group, pursuant to Clauses 17.1 and 17.2 of Waitaki District Council's Standing Orders.

Chief Executive Alex Parmley introduced the report and provided some answers to the questions raised during the Public Forum. He advised that Transformation was likely to be a topic in the Long Term Plan and that there was much more engagement planned to occur with the community.

RESOLVED WDC 2024/211

Moved: Cr Jim Hopkins

Seconded: Deputy Mayor Hana Halalele

That Council:

1. Agrees to formally receive the Petition from Ms Glenys Robinson on behalf of Leave Our Libraries Alone (LOLA) group, on the topic of "Transformation and Restructuring of the Six Waitaki District Libraries", pursuant to Clauses 17.1 and 17.2 of Waitaki District Council Standing Orders; and
2. Acknowledges that the Petition as submitted on 16 September 2024 meets all requirements of Waitaki District Council Standing Orders Clause 17.1 (Form of petitions); and

3. Directs the Chief Executive to provide a response to Ms Robinson after the meeting, given that the matters raised in the Petition are related to the Transformation Programme and associated staff employment matters which the Chief Executive is best placed to address as the employer of all staff.

CARRIED

6.2 FORMAL RECEIPT OF PETITION: "WATER FLUORIDATION"

The report, as circulated, sought Council's formal receipt, consideration, and agreement of a response action to the Petition received on 11 October 2024 from Petition Organiser Mr Patrick French, a Waitaki resident, pursuant to Clauses 17.1 and 17.2 of Waitaki District Council's Standing Orders and other circumstances relevant to the issues raised.

Chief Executive Alex Parmley spoke to the report, highlighting that Council is required to obey the law. He also provided more information on the related issues of the non-fluoridated tap suggestion and Council's dosage of fluoridation which at 0.8ppm ensured that Council remained within the limit allowed (between 0.7ppm and 1.00ppm).

Cr Jim Hopkins moved the report's recommendations, with the addition of the words "including options to provide a non-fluoridated water option" after "specific matters" in point 3, to reflect the discussion. Cr Rebecca Ryan seconded the motion.

RESOLVED WDC 2024/212

Moved: Cr Jim Hopkins

Seconded: Cr Rebecca Ryan

That Council:

1. Agrees to formally receive the Petition from Mr Patrick French on the topic of "Water Fluoridation", pursuant to Clauses 17.1 and 17.2 of Waitaki District Council Standing Orders; and
2. Acknowledges that the Petition as submitted on 11 October 2024 meets all requirements of Waitaki District Council Standing Orders Clause 17.1 (Form of petitions); and
3. Directs the Chief Executive to address specific matters including options to provide a non-fluoridated water option in a response to the Petition that might include reference to the current pause in fluoridation already enacted by Council, among other matters, for the Chief Executive to forward to Mr French after the meeting.

CARRIED

The Chair directed the meeting forward to item 6.6.

6.6 ŌMĀRAMA AIRFIELD LIMITED ANNUAL REPORT FY 2023-2024

The report, as circulated, sought a Council resolution of formal receipt of the audited Ōmarama Airfield Limited 2023-2024 Annual Report, and to present a resolution for the formal receipt of the report by Council as the shareholder and the appointment of auditors, such resolution being in lieu of a shareholders' meeting.

Ōmarama Airfield Limited (OAL) Directors, Terry Jones and Simon Wilkinson, spoke to the company's Annual Report for FY 2023-2024 and answered questions. They also submitted an apology on behalf of OAL Chair Clive Geddes who was currently overseas.

Discussion with Members addressed matters relating to the development contributions and how the Council's loan to cover them was reported, the income for the airfield from the sub-division and the long-term financial position of the company, and the cost of auditors.

RESOLVED WDC 2024/213

Moved: Cr Jim Thomson

Seconded: Cr John McCone

That Council:

1. Formally receives the Ōmarama Airfield Limited 2023-2024 Annual Report included as Attachment 1; 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 Ōmarama Airfield Limited.

CARRIED

The Chair thanked the Directors for their work and acknowledged that the CCO's are in the best position that they have been for many years thanks to their dedication.

The Chair directed the meeting to the Agenda Addendum and to Agenda Item L.1 in the first instance.

L.1 RESOLUTION TO ACCEPT OR DEFER LATE AGENDA ITEMS

The report, as circulated, sought a formal resolution of Council, pursuant to legislation and Council's Standing Orders, on whether to accept or defer the late agenda item, being the audited signed version of the Waitaki District Health Services Limited Annual Report FY2023-2024 for consideration at this Council Meeting.

RESOLVED WDC 2024/214

Moved: Cr Rebecca Ryan

Seconded: Cr Jim Thomson

That Council decides, pursuant to the Local Government Official Information and Meetings Act 1987 (s46A (7)) and Council's Standing Orders (Clause 9.12), to accept the late agenda item (Public) being the audited, signed version of the Annual Report FY2023-2024 for the Waitaki District Health Services Limited for consideration at this Council Meeting.

CARRIED

The Chair directed the meeting to Agenda item L.2 in the Agenda Addendum, which was the replacement report for Agenda Item 6.7 in the principal agenda papers.

6.7 AND L.2 (IN AGENDA ADDENDUM)

WAITAKI DISTRICT HEALTH SERVICES LIMITED ANNUAL REPORT FY 2023-2024

The report, as circulated, sought a Council resolution of formal receipt of the audited Waitaki District Health Services Limited 2023-2024 Annual Report, and to present a resolution for the formal receipt of the report by Council as the shareholder and the appointment of auditors, such resolution being in lieu of a shareholders' meeting.

It was noted that the Updated agenda report had been published in the Agenda Addendum to this meeting, as Agenda Item L.2.

The Chair welcomed Keith Marshall, Chair of the Board for Waitaki District Health Services Limited, who presented the report and apologised for the lateness of the accounts due to working through the final details with the auditors. Mr Marshall spoke to the report and answered questions.

The Chair then directed Members to the Updated WDHSL Annual Report for FY2023-2024 which had been published in the Agenda Addendum and which contained the audited signed version of the document that had not been available to include in the original version of the agenda report under Agenda Item 6.7.

L.2 UPDATED WAITAKI DISTRICT HEALTH SERVICES LIMITED ANNUAL REPORT FY 2023-2024

The report, as circulated in the Agenda Addendum to this meeting as an updated replacement for the original Agenda Item 6.7, sought Council's formal receipt of the audited Waitaki District Health Services Limited 2023-2024 Annual Report, and to present a resolution for the formal receipt of the report by Council as the shareholder and the appointment of auditors, such resolution being in lieu of a shareholders' meeting.

RESOLVED WDC 2024/215

Moved: Cr Courtney Linwood
Seconded: Deputy Mayor Hana Halalele

That Council:

1. Formally receives the Updated Waitaki District Health Services Limited 2023-2024 Annual Report (audited and signed version, included as Attachment 1); 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

ADDITIONAL MOTION

The Chair moved a new motion for an additional point 3 on this Agenda Item:

"That Council:

3. Thanks the Board and staff of WDHSL for their very significant contributions during highly challenging times over the past year, to lead the hospital and the company to a sustainable future."

Discussion on the motion

The Chair acknowledged Mr Marshall, the Board and the staff of WDHSL during the reporting period of the Annual report. He hoped that there would be an opportunity to thank the Board more formally at a later date, but for now he acknowledged the work of the Board Members who had gone 'above and beyond'; of the WDHSL staff who had stayed during very difficult times; and also the work of Council staff who had contributed to the negotiations and worked alongside the hospital team throughout.

RESOLVED WDC 2024/216

Moved: Mayor Gary Kircher
Seconded: Cr Courtney Linwood

That Council thanks the Board and staff of Waitaki District Health Services Limited for their very significant contributions during highly challenging times over the past year, to lead the Ōamaru Hospital and the company to a sustainable future.

CARRIED

6.8 TOURISM WAITAKI LIMITED ANNUAL REPORT FY 2023-2024

The report, as circulated, sought formal receipt by Council of the audited Tourism Waitaki Limited 2023-2024 Annual Report, and to present a resolution for the formal receipt of the report by Council as the shareholder and the appointment of auditors, such resolution being in lieu of a shareholders' meeting.

Tourism Waitaki Limited (TWL) Chair Mike McElhinney spoke to the report, first by extending congratulations to General Manager Dr Philippa Agnew and the staff of the Ōamaru Blue Penguin Colony (OBPC) for being awarded the Qualmark Gold Award for sustainable tourism which had been well deserved.

The Chair thanked the TWL Chair and General Manager for their presentation and attendance and acknowledged the efforts of all TWL directors and of the General Manager and her team that had generated the rebounding of numbers.

RESOLVED WDC 2024/217

Moved: Cr Courtney Linwood
Seconded: Cr Rebecca Ryan

That Council:

1. Formally receives the Tourism Waitaki Limited 2023-2024 Annual Report included as Attachment 1; 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 Tourism Waitaki Limited.

CARRIED

6.9 WHITESTONE CONTRACTING LIMITED ANNUAL REPORT FY 2023-2024

The report, as circulated, sought Council's formal receipt of the audited Whitestone Contracting Limited 2023-2024 Annual Report, and to present a resolution for the formal receipt of the report by Council as the shareholder and the appointment of auditors, such resolution being in lieu of a shareholders' meeting.

Company Director George Kelcher and Executive Manager Tony Read were present in the Council Chamber. WCL Chief Executive Paul Bisset joined the meeting via Zoom. Mr Kelcher spoke to the company's Annual Report, highlighting the financial results and that they exceeded the shareholder's expectations of 8% return on investment, with a result of 10.55%. He also spoke to the successful delivery of the NZTA flood mitigation project and Council's Kakanui water upgrades; contributions made in Central Otago; safety results; investment in staff; review of the long term strategy and its provision of long-term growth objectives including to ensure capital projects are finished rather than carried forward. They then answered questions.

*The Chair left the meeting for another engagement at 11.12am.
Deputy Mayor Hana Halalele assumed the role of Chair.*

RESOLVED WDC 2024/218

Moved: Cr Tim Blackler

Seconded: Cr Jim Hopkins

That Council:

1. Formally receives the audited Whitestone Contracting Limited 2023-2024 Annual Report included as Attachment 1; 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 Whitestone Contracting Limited.

CARRIED

The Chair acknowledged the departure of Mayor Gary Kircher during the previous item, so that he could host the Irish Ambassador. She advised that the Mayor had asked for Agenda Item 6.4 to be taken next, and she directed the meeting forward to that item.

6.4 WAITAKI DISTRICT COUNCIL TRANSFORMATION PROGRAMME - COMMITMENT TO GETTING FIT FOR THE FUTURE

The report, as circulated, presented a progress update on the early stages of the Transformation programme, and sought Council's reconfirmation of its commitment and support to the full programme.

Chief Executive Alex Parmley submitted an apology for Transformation Director Lisa Baillie who was unable to be present in the Council Chamber today but was available online for any questions. He then presented the report. He referred to previous discussions about the scale of change that was occurring, how challenging it would be, and that it would contain risks. He outlined the forward steps in the Transformation programme, the changes still to be implemented, and the considerable effort and time being invested in moving the organisation forward. Mr Parmley reassured Elected Members that Council staff are committed to seeing the changes through despite the potential disruptions and risks.

RESOLVED WDC 2024/219

Moved: Cr Jim Hopkins

Seconded: Cr John McCone

That Council:

1. Recognises the progress made in the early stages of implementing the transformation changes and the commitment of staff to engaging in the change, whilst also maintaining essential services for our community and minimising the disruption to the business; and
2. Reconfirms their commitment and support to the full Transformation Programme, including the completion of the Implementation Phase (Phase 3), and the transition to an organisation focused on continuous learning and improvement.

CARRIED

The Chair directed the meeting forward to Agenda Item 6.5.

6.5 ORGANISATIONAL ARRANGEMENTS FOR WAITAKI ECONOMIC DEVELOPMENT STRATEGY

The report, as circulated, sought Council approval to repurpose Tourism Waitaki Limited as an Economic Development Agency and establish the Ōamaru Blue Penguin Colony as a stand-alone Council Controlled Organisation effective from 1 July 2025.

Chief Executive Alex Parmley introduced the report. Community and Economic Development Manager Mel Jones and Partnership Manager Helen Algar also spoke to the report.

Ms Jones highlighted that the recommendation in the report had changed slightly from a year ago, as a result of legal advice and other advice received. She acknowledged the fantastic work that had been done especially in collaboration with key stakeholders and the huge benefits that could come from being within Council, but also the lack of operational efficiency currently due to limited resource.

At 11.48am, Mayor Gary Kircher returned to the meeting and resumed the role of Chair.

MOTION

Cr Hopkins proposed to move the report's recommendations with the addition of the words "along with support for the other sectors that are important for our future" added to the end of recommendation 1.

RESOLVED WDC 2024/220

Moved: Cr Jim Hopkins

Seconded: Cr Rebecca Ryan

That Council:

1. Directs the Chief Executive to:
 - a) Undertake consultation on repurposing Tourism Waitaki Limited as an Economic Development Agency which includes development of the tourism sector and promotion of the Waitaki district as a destination along with support for the other sectors that are important for our future; and
 - b) Undertake consultation on establishing the Ōamaru Blue Penguin Colony as a stand-alone Council Controlled Organisation from 1 July 2025; and
 - c) Secure resources, following consultation, to develop a transition plan to set up both organisations from 1 July 2025.

CARRIED

6.3 2025-2034 LONG TERM PLAN PRELIMINARY DECISIONS

The report, as circulated, sought approval for the list of initiatives to be included in the 2025-2034 Long Term Plan programme, and for the list of initiatives that are not going to be progressed further.

Chief Executive Alex Parmley introduced the report and highlighted the need to deliver the water services plan as required by legislation and the likelihood of the need to establish a CCO for that purpose. Meanwhile, whilst water services remained the responsibility of Council, there would be a constraint of its finances, and they were presented in the report.

Mr Parmley and Chief Financial Officer Amanda Nicholls responded to questions regarding the status of various projects that had been put forward for consideration to be put on the list.

RESOLVED WDC 2024/221

Moved: Cr Jim Hopkins
Seconded: Cr Jeremy Holding

That Council:

1. Approves the list of initiatives to be included in the Council's 10-year (9-year) 2025-2034 Long Term Plan consultation; and
2. Approves the list of initiatives not being progressed through the 2025-2034 Long Term Plan consultation.

CARRIED

7 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED WDC 2024/222

Moved: Cr John McCone
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:

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
8.1 - Recommendations from the Development Contributions Sub-Committee PE	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information 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

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 2024/225

Moved: Cr Jeremy Holding

Seconded: Cr Jim Thomson

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, Council decided not to release any previously public excluded information under this agenda item in the Public Minutes of this meeting.

11 MEETING CLOSE

The Chair declared the meeting closed at 3.34pm.

TO BE CONFIRMED at the Council Meeting to be held on Tuesday, 25 February 2025.

.....
CHAIRPERSON

4.8 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 11 JULY 2024

Author: Stephanie White, Project Officer

Authoriser: Alex Parmley, Chief Executive

Attachments: 1. Public minutes of the Council Meeting held on 11 July 2024

RECOMMENDATION

That the Council confirms the Public minutes of the Council Meeting held on 11 July 2024, as circulated, as a true and correct record of that meeting.

UNCONFIRMED MINUTES

**OF THE WAITAKI DISTRICT COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, THIRD FLOOR,
OFFICE OF THE WAITAKI DISTRICT COUNCIL, 20 THAMES STREET, OAMARU
AND VIA ZOOM VIDEO-CONFERENCE
ON TUESDAY, 27 AUGUST 2024 AT 9.03AM**

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

IN ATTENDANCE: Simon Neale (Independent Chair of Performance, Audit and Risk Committee)
Alex Parmley (Chief Executive)
Paul Hope (Acting Assets Group Manager and Finance and Corporate Development Group Manager)
Lisa Baillie (Deputy Chief Executive / People and Transformation 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)
Erik van der Spek (Projects Manager – Major Projects) (via Zoom)

The Chair declared the meeting open at 9.03am and welcomed everyone present. He noted that the Public Forum was fully subscribed for today's meeting and asked Councillors to keep their questions as succinct as possible. He reiterated to everyone in the room that no decisions or resolutions could be made during the Public Forum.

The Chair directed the meeting forward to Agenda Item 3 (Public Forum).

3 PUBLIC FORUM

Speaker 1: Mr Jim O'Gorman – Water Fluoridation

Mr O'Gorman highlighted the unintended consequences of adding fluoride to water and soils in the Waitaki region, emphasizing the lack of consideration for its impact on essential soil bacteria and fungi. He noted that fluoride contamination poses a significant threat to soil fertility, preventing him from offering his produce to the chef at Government House for visiting dignitaries. Additionally, he referenced the higher food standards in Europe compared to New Zealand, noting that few producers in the Waitaki region can meet these criteria. He expressed regret that he can no longer supply food for the Geopark table, which he had previously enjoyed doing.

Speaker 2 Ms Sheryl Black – Water Fluoridation

Mrs Black emphasized Tauranga City Council's decision to delay water fluoridation until after the judicial review. She noted that the Director-General has not pursued enforcement action or completed the BOR analysis. The Ministry of Health does not plan to attend fluoridation meetings or provide necessary signage and pharmacological information. She highlighted the lack of dose control and informed consent, urging the Council to push back and stand with Tauranga. Mrs Black suggested motions similar to those passed by Tauranga, including lowering the fluoride dose to 1.1 parts per million if costs are a concern, to reduce fluoride harm in the community.

Speaker 3 Mr Andy Denham - Rural Roothing

Residents of Stoneburn, including Mr Andy Denham, have expressed concerns about the poor

maintenance of rural roads, especially Taieri Peak Road, since Southroads took over. The gravel used was sharp, causing flat tires, and later turned to dust, leading to vehicles needing towing. Mr Denham noted that \$17,000 was allocated for Taieri Peak Road, but the work was substandard, resulting in muddy conditions and the need for caution signs even after repairs. He criticized the use of inferior materials and questioned the necessity of certain expenditures, such as culvert marker pegs. He also mentioned that no culverts have been cleaned since installation and questioned the timing of bridge repairs, suggesting it might be related to a new forestry block for carbon credits. Mr Denham emphasized the need for a safe gravel road and expressed his views respectfully.

The roading sub-committee chair acknowledged the concerns and promised to seek answers from the roading team regarding the different products used.

Speaker 4 Mr Ray Henderson - Standing Orders

The Public Forum allows members to raise issues democratically. Current Standing Orders (SO), ratified on 28 February 2023, are meant to last three years. However, a recent change required Public Forum registrations to close at noon on Fridays, effective from 1 August, which was not in the current SO. This change caused concern about the erosion of democracy and unauthorized rule changes. At the 30 July meeting, only four speakers were allowed, limiting public participation. The chair acknowledged the operational decision to cap speakers due to a heavy agenda and workload. There is a need to discuss and possibly revise the standards and rules to ensure public participation is not hindered.

Speaker 5 Ms Kate Macgregor – in Relation to the Petition

Ms. Macgregor spoke on behalf of 221 petition signatories, 205 of whom are Waitaki district residents. Their feedback highlights significant concerns about the draft plan process and mapping overlays. Although councillors cannot change these overlays, created by expert landscape architects, they can seek justification, clarity, and evidence for their extent and impact on ratepayers.

She referred to key parts of the Resource Management Act (RMA) and questioned if Schedule 32, Section 1 had been provided to councillors. She also urged review of Sections 73, 85(3)(b), and 86(b), noting some rules, especially those on Significant Natural Areas (SNAs), take immediate effect. Limited information has been available at DPRSC meetings.

She emphasized the need to refocus on protecting those affected and called for meaningful and productive engagement with landowners.

Speaker 6 Ms Jane Smith – RMA Classifications

Mrs Smith raised concerns about Section 6 RMA classifications, emphasizing her commitment to the Waitaki district's prosperity. She spoke on behalf of landowners who feel threatened and intimidated by planning and compliance staff, expressing concern for their mental health. Mrs Smith highlighted issues such as unclear classifications, lack of transparency, equality, consultation, and meaningful engagement with landowners. She called for a delay in notifying the Draft DP to accurately identify affected properties, potentially saving the council millions. Mrs Smith requested the council informally adopt their petition and not notify the DP without completing Section 32 analysis, stressing the need for landowner involvement in mapping. She also mentioned legal advice from Mr. Frans Schlack regarding the lack of clear guidelines and implored the council to consider their broader concerns.

Speaker 7 Mr Frans Schlack – Draft District Plan

Mr Schlack advised that everyone would have already received many emails from him about the draft District Plan. The Wahi Tupuna or SASM overlays applied by experts are done in a blanket manner, which he believes is not truly expert. There has been much discussion about experts in DPRSC, who have determined overlay boundaries that members cannot change. As a survey professional, he can handle the GIS data of the maps currently under review. Using data provided by the council in 2011, he conducted a simple analysis showing 4,700 buildings within the SASM overlay in the draft DP. How can these buildings be significant to Māori?

When they first received the overlays, they understood the need to protect certain areas. He used this overlay to protect culture and redrew the map, which the council accepted and promised to implement. However, the draft DP did not reflect this. He requested GIS data from the council and now asks that council officers provide data and tools to landowners to demonstrate the overlays on their properties before the plan is notified.

The Chair closed the Public Forum at 9.46am and directed the meeting back to Agenda Item 1.

1 APOLOGIES

There were no apologies. Cr Tim Blackler's participation via Zoom was acknowledged.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

The Chair directed the meeting forward to Agenda Item 6.1.

6.1 "PETITION TO COUNCIL - STOP WATER FLUORIDATION" - FORMAL RECEIPT AND RESPONSE

The report, as circulated, sought Council's formal receipt, consideration and agreement of a response to the Petition entitled "Petition – Stop water fluoridation", as dated 22 July 2024 and received in principle only at the 30 July Council Meeting from Ms Sheryl Black, a Waitaki District resident, on behalf of Petition signatories, giving due consideration to Clauses 17.1 and 17.2 of the Waitaki District Council's Standing Orders.

Chief Executive Alex Parmley explained that the Director-General of Health has ordered the Waitaki District Council to fluoridate the Oamaru Water Supply, as per the Health Fluoridation and Drinking Water Amendment Act 2021. If the Council disagrees, they must seek an exemption, but past requests have been denied.

RESOLVED WDC 2024/162

Moved: Deputy Mayor Hana Halalele

Seconded: Cr Jim Thomson

That Council:

1. Notes that the attached Petition from Ms Sheryl Black on behalf of petition signatories, with the subject title of "Petition – Stop water fluoridation", was received in principle only at the 30 July 2024 Council Meeting as a late agenda item, subject to it being deferred for formal receipt and consideration at today's Council Meeting; and
2. Agrees to formally receive the Petition under reference in point 1 above at this meeting, noting that it complies with Clauses 17.1 and 17.2 of Waitaki District Council Standing Orders; and
3. Notes that fluoridation of the Ōamaru water supply commenced in late July pursuant to the Director-General of Health's statutory direction to the Waitaki District Council to do so; and
4. Notes that the power of decision making on fluoridation of water supplies in law, does not rest with Council but with the Director-General of Health; and
5. Notes that an action to discontinue fluoridating the Ōamaru water supply would be a breach of a legal statutory direction which would expose the Council to the potential of enforcement

action including a potential fine of \$10,000 a day if it ceased that fluoridation process while the statutory direction from the Director-General of Health remains in place; and

6. Agrees to write to Ms Black, the petition organiser, formally stating the Council's position on this matter and the reasons for it.

CARRIED

ADDITIONAL MOTION

Cr Jim Hopkins then sought to move an additional motion, with the wording as follows: *"That Council requests of the Director-General of Health a commitment to stop fluoridation of Waitaki's water supply at the directed level until such time as the judicial review process on this matter is completed and an assurance that the Waitaki District Council will not be subject to a penalty should it cease to fluoridate the water at the directed level until such time as the judicial review court process is completed and the consequences are understood."* Cr Guy Percival seconded the motion.

RESOLVED WDC 2024/163

Moved: Cr Jim Hopkins

Seconded: Cr Guy Percival

That Council requests of the Director-General of Health:

3. A commitment to stop fluoridation of Waitaki's water supply at the directed level until such time as the judicial review court process on this matter is completed; and
4. Assurance that Waitaki District Council will not be subject to a penalty should it cease to fluoridate the water at the directed level until such time as the judicial review court process is completed and the consequences are understood.

AGAINST: DEPUTY MAYOR HANA HALALELE, MAYOR GARY KIRCHER

CARRIED

ADDITIONAL MOTION

Cr Rebecca Ryan moved another additional motion: *"That Council asks staff to present the investigated options to provide a non-fluoridated water supply for those who choose it, to elected members for a decision."* Cr Jim Hopkins seconded that motion.

RESOLVED WDC 2024/164

Moved: Cr Rebecca Ryan

Seconded: Cr Jim Hopkins

That Council asks staff to present the investigated options to provide a non-fluoridated water supply for those who choose it to elected members for a decision.

CARRIED

6.2 PETITION - "OPPOSING PROPERTY OVERLAYS IN WAITAKI DRAFT DISTRICT PLAN 2022"

Chief Executive Alex Parmley noted that he would not comment on the petition's content but highlighted a procedural issue. The petition does not comply with the Council's Standing Orders, which outline meeting rules and petition handling. The Council can waive these orders with a 75% majority vote.

MOTION

Cr Jim Hopkins then moved that Council receives the petition and refers it to the District Plan Review Sub-Committee for consideration. Cr Guy Percival seconded the motion.

Amended Motion

Cr Jim Hopkins amended the wording of his motion to be: That Council resolves to waive Standing Orders and receive the petition.

Point of Order raised

Cr Jim Hopkins raised a Point of Order and suggested that he believed the Chair was entitled to rule on this matter, and that Standing Orders could be waived and the words “received” could be used at the Chair’s discretion. Mr Parmley advised that, for the sake of surety, having Council’s decision to waive Standing Orders first would avoid having any possible complications.

RESOLVED WDC 2024/165

Moved: Cr Jim Thomson
Seconded: Cr John McCone

That Council agrees to waive Standing Order 17.1 for the discussion and vote on this agenda item, and then agrees that it is immediately reinstated upon the Chair calling the next agenda item.

CARRIED

RESOLVED WDC 2024/166

Moved: Cr Jim Hopkins
Seconded: Cr Guy Percival

That Council:

3. Receives the petition entitled “Opposing Property Overlays in the Waitaki Draft District Plan 2022”; and
4. Refers it to the District Plan Review Sub-Committee for advice and a recommendation back to Council on what actions to take in response.

CARRIED

RESOLVED WDC 2024/167

Moved: Mayor Gary Kircher
Seconded: Cr Jim Hopkins

That Council seeks a report from the Chief Executive giving greater clarity around the acceptance or receiving of petitions.

CARRIED

The Chair then directed the meeting to Agenda Item 5 and called Agenda Item 5.1.

5 RECOMMENDATIONS FROM COMMITTEES REPORTS

5.1 RECOMMENDATIONS OF THE WAIHEMO COMMUNITY BOARD MEETING HELD ON 1 JULY 2024

5.1.1 PUKETAPU TRACK PROJECT SCOPE AND PROJECT BOARD TERMS OF REFERENCE

A copy of the agenda report that went to the 1 July 2024 Waihemo Community Board Meeting was attached to the Recommendation from Community Board report.

Cr Jim Thomson informed the meeting that the Waihemo Community Board accepted reduced Better Off Funding (BOF) for the project, which he supported. He emphasised that the Puketapu track must be community funded. The initial BOF should resolve access issues, and the Trust received \$57k from the Otago Regional Council for plant restoration.

RESOLVED WDC 2024/168

Moved: Cr Jim Thomson

Seconded: Cr Brent Cowles

That Council:

1. Approves a two-stage process for the Puketapu Track Project, with Stage 1 (securing legal access) implemented by using Council funding, and Stage 2 (Construction of the Track and associated facilities) commencing if and when the required remaining funds have been raised by the Puketapu Community Trust.
2. Approves the Terms of Reference for the Puketapu Track Project Board.
3. Delegates to the Chief Executive all powers necessary to negotiate and complete necessary land acquisition for the Puketapu Track Project.
4. Delegates to the Waihemo Community Board Chair the responsibility of nominating two Waihemo Community Board Members on the Board's behalf to be Council's representatives on the Puketapu Track Project Board.

CARRIED

Cr Percival left the meeting at 10.23am and returned at 10.26am.

**5.2 RECOMMENDATIONS OF THE HARBOUR AREA SUB-COMMITTEE MEETING HELD
ON 13 AUGUST 2024**

5.2.1 MARKETPLACE SCOPE AND BUDGET

A copy of the agenda report that went to the 13 August 2024 Harbour Area Sub-Committee Meeting was attached to the Recommendation from Committee report.

RESOLVED WDC 2024/169

Moved: Mayor Gary Kircher

Seconded: Cr Jeremy Holding

That Council:

1. Approves a scope reduction by deferring Urban Park – Stage 2, Parking – Area 4, and the new exit to Waterfront Road (including the cobble drains); and
2. Approves an additional \$145,600 from the Harbour Endowment Fund for Parking Area 1; and
3. Approves a scope change of additional landscaping on the corner of Wansbeck and Tyne Streets, with the cost to be met within the project budget by working with a private benefactor.

CARRIED

AGAINST: CR JOHN MCCONE, CR GUY PERCIVAL

Cr Guy Percival queried the Chair's declaration. The Chair advised that only four Members had voted against the motion; two had asked for their vote to be recorded and two had not. He repeated his ruling that the motion was carried. This was accepted.

6 DECISION REPORTS

6.3 MOERAKI BOULDERS TOILET

The report, as circulated, sought to determine Council's contribution to the capital cost of a toilet for Moeraki Boulders.

Project Manager (Major Projects) Erik van der Spek introduced the report and confirmed, in response to a question, that the total cost was \$160k and \$30k was being sought from Council.

MOTION

The Chair moved the report's recommendations, with the addition of a second point being: "Requests the Mayor to write to the Minister of Conservation requesting \$30k to cover that contribution." Cr Rebecca Ryan seconded the motion.

Moved: Mayor Gary Kircher

Seconded: Cr Rebecca Ryan

That Council:

3. Approves \$30,000 loan funding towards the capital cost of a Public Toilet at the Moeraki Boulders carpark; and
4. Requests the Mayor to write to the Minister of Conservation requesting \$30k to cover that contribution.

DECLARED LOST

6.4 2024 LABOUR WEEKEND LIQUOR BAN FOR LOCH LAIRD

The report, as circulated, sought Council's approval to place an alcohol ban on the upper terrace of Loch Laird and the foreshore between Loch Laird and Wildlife camp for Labour Weekend in 2024 to protect the community and improve safety.

RESOLVED WDC 2024/170

Moved: Mayor Gary Kircher
Seconded: Cr Brent Cowles

That Council agrees to designate the area in Loch Laird shown in Attachment 1 as a specified public place under the Waitaki Alcohol Ban Bylaw 2018 from 5.00pm on Friday 25 October 2024 (being the Friday preceding Labour Weekend 2024) to 12.00am on Tuesday 29 October 2024 (being the Tuesday following Labour Weekend).

CARRIED

6.5 RATIFICATION OF COUNCIL SUBMISSION ON DRAFT CANTERBURY REGIONAL POLICY STATEMENT

The report, as circulated, to retrospectively ratify Waitaki District Council's (WDC's) submission on the Draft Canterbury Regional Policy Statement, which was submitted to Environment Canterbury on 31 July 2024.

In response to questions, Heritage and Planning Manager David Campbell clarified that Council was asking ECan to revise the wording in its RPS where the future management options were being proposed. They would still have options, but Waitaki District Council wanted to see clearer wording about how the management options were split. Mr Campbell also clarified that Council would not be seeking to speak to its submission.

RESOLVED WDC 2024/171

Moved: Deputy Mayor Hana Halalele
Seconded: Cr Jim Thomson

That Council formally ratifies Waitaki District Council's submission on the Draft Canterbury Regional Policy Statement, as submitted to Environment Canterbury on 31 July 2024.

CARRIED

The Chair advised that Agenda Item 6.6 would come to a future Council Meeting.

The Chair then directed the meeting back to Agenda Item 4.

4 CONFIRMATION OF PREVIOUS MEETING MINUTES

The Chair expressed concern over the increasing number of unconfirmed Minutes from previous meetings, noting it was unreasonable to expect Councillors, staff, or the community to rely on online recordings for details. He emphasized the importance of this issue, previously raised by Councillors, in holding staff accountable. Chief Executive Alex Parmley acknowledged the unacceptable situation, citing under-resourcing in Governance services and additional workload pressures. He assured that efforts were being made to address the backlog and improve resourcing.

7 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED WDC 2024/172

Moved: Cr Jim Hopkins
Seconded: Cr Jim Thomson

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
8.1 - Recommendations from the Development Contributions Sub-Committee PE	<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)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</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>	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
8.2 - Council Headquarters Building Repairs PE	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</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>s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</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
8.3 - Approval to Proceed with Procurement and Award of Contract for Construction of Forrester Gallery Extension PE	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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

8.4 - Council Controlled Organisation Director Remuneration Review 2023 PE	<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)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</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>
8.5 - Public Excluded Minutes of Extraordinary Council Meeting held on 7 May 2024 PE	<p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</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>s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</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>
8.6 - Public Excluded Minutes of Council Meeting held on 28 May 2024	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</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>
8.7 - Public Excluded Minutes of the Council Meeting held on 30 July 2024	<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</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>

	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)	
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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 2024/176

Moved: Cr Brent Cowles
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

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, Council decided not to release any previously public excluded information under this agenda item in the Public Minutes of this meeting.

11 MEETING CLOSE

The Chair thanked Councillors and staff for their contributions to the discussions and then declared the meeting closed at 11.55am.

TO BE CONFIRMED at the Waitaki Council Meeting to be held on Tuesday 25 February 2025.

.....
CHAIRPERSON

4.9 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 11 JUNE 2024

Author: Stephanie White, Project Officer

Authoriser: Alex Parmley, Chief Executive

Attachments: 1. Public minutes of the Council Meeting held on 11 June 2024

RECOMMENDATION

That the Council confirms the Public minutes of the Council Meeting held on 11 June 2024, as circulated, as a true and correct record of that meeting.

UNCONFIRMED MINUTES

**OF THE ADDITIONAL COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, THIRD FLOOR,
OFFICE OF THE WAITAKI DISTRICT COUNCIL, 20 THAMES STREET, OAMARU
ON TUESDAY, 11 JUNE 2024 AT 9.00AM**

PRESENT: Mayor Gary Kircher (Chair), Deputy Mayor Hana Halalele (Deputy Chair), Cr Tim Blackler, Cr Jeremy Holding, Cr Jim Hopkins, Cr Courtney Linwood, Cr Guy Percival, Cr John McCone, and Cr Rebecca Ryan

APOLOGY: Cr Jim Thomson (on official business elsewhere) and Cr Brent Cowles

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

IN ATTENDANCE FOR SPECIFIC AGENDA ITEMS:

Joshua Rendell (Assets Operations Manager)
Mandy McIntosh (Strategy and Performance Manager)

Meeting Livestream Recording

This Additional Council Meeting was livestreamed on Council's YouTube platform. The direct link to the recording is provided below.

<https://www.youtube.com/watch?v=rdBRhXCZ1Ro&list=PLFDcJnIU-10Y-1hmgY7z875gHrTRIsihm&index=29>

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

A Minute's Silence was then observed in honour of Pam Spite, who was a former Councillor (from 2001 to 2010) and Deputy Mayor (from 2004 to 2007).

The Chair also made special mention of Marise Martin who had passed away the previous week. He noted that she had been a strong advocate for Waitaki and our district's heritage, and that people would know her from a number of different roles and as a strong contributor to the community.

1 APOLOGIES

RESOLVED WDC 2024/113

Moved: Deputy Mayor Hana Halalele

Seconded: Cr Courtney Linwood

That the apologies for absence received from Cr Jim Thomson and Cr Brent Cowles be accepted.

CARRIED

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 PUBLIC FORUM

As this was an Additional Council Meeting, no Public Forum was held.

L LATE ITEMS [AS CONTAINED IN AGENDA ADDENDUM]

L.1 RESOLUTION TO RECEIVE OR DEFER A LATE AGENDA ITEM

The report, as circulated in the Agenda Addendum, sought a formal resolution of Council on whether to accept or defer a late agenda item for consideration at this Additional Council Meeting on 11 June 2024, pursuant to legislation and Council's Standing Orders.

RESOLVED WDC 2024/114

Moved: Cr Jeremy Holding
Seconded: Cr Courtney Linwood

That Council decides, pursuant to the Local Government Official Information and Meetings Act 1987 (s46A (7)) and Council's Standing Orders (Clause 9.12), to accept the late report (Public) and related attachments on the topic of "Proposal to Redirect Better Off Funding to Local Water Done Well" as a late Public Agenda Item for consideration at this meeting.

CARRIED

4.1 PUBLIC MINUTES OF THE COUNCIL HEARING HELD ON 8 APRIL 2024

RESOLVED WDC 2024/115

Moved: Cr Jim Hopkins
Seconded: Cr Jeremy Holding

That Council confirms the Public Minutes of the Council Hearing (Waste Minimisation and Management Plan) held on 8 April 2024, as circulated in the Agenda Addendum, as a true and correct record of that meeting.

CARRIED

SUBSEQUENTLY RESCINDED WDC 2024/118

4.2 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 23 APRIL 2024

RESOLVED WDC 2024/116

Moved: Cr Jeremy Holding
Seconded: Cr Courtney Linwood

That Council confirms the Public Minutes of the Council Meeting held on 23 April 2024, as circulated in the Agenda Addendum, as a true and correct record of that meeting.

CARRIED

4.3 PUBLIC MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 7 MAY 2024

RESOLVED WDC 2024/117

Moved: Cr Tim Blackler

Seconded: Cr Jeremy Holding

That Council confirms the Public Minutes of the Extraordinary Council Meeting held on 7 May 2024, as circulated in the Agenda Addendum, as a true and correct record of that meeting.

CARRIED

Cr Jim Hopkins asked for the meeting to return to Item 4.1 to address the matter raised in those Minutes in the Agenda Addendum (confirming the wording of the final resolution of the Hearings held on 8 April 2024).

4.1 PUBLIC MINUTES OF THE COUNCIL HEARING HELD ON 8 APRIL 2024

Cr Hopkins expressed dissatisfaction with the changes to Resolution WDC 2024/047, believing it altered the debate's intent without proper discussion, and stated he would vote against it. The Chair noted his concerns but confirmed the revised wording was procedurally confirmed. He added that recommendation 4 was excluded based on the Governance Advisor's advice and would be addressed at the subsequent Council meeting.

MOTION

Cr Hopkins moved that Council rescind the confirmation of the minutes of the 8 April 2024 Council Hearings and that they lie on the table.

RESOLVED WDC 2024/118

Moved: Cr Jim Hopkins

Seconded: Cr Rebecca Ryan

That Council rescinds the confirmation of the minutes of the 8 April 2024 Council Hearings and that they lie on the table.

CARRIED

5 DECISION REPORTS

5.1 PROPOSAL TO REDIRECT BETTER OFF FUNDING TO LOCAL WATER DONE WELL

The report, as circulated in the Agenda Addendum, sought Council's approval for the redirection of Better Off Funding (BOF) to the Local Water Done Well programme of work.

Chief Executive Alex Parmley highlighted that this report would not result in a reduction of funding for Better Off projects, as opportunities had been found to fund them in different ways.

MOTION

Cr Blackler stated to keep his wording of "totalling \$1.25m", and Cr Guy Percival seconded Cr Blackler's motion.

Motion amendment

Cr Hopkins moved an amendment that the motion reads “up to \$1.25m”. The Chair called for a seconder to that amendment and, when no one spoke, he declared the amendment motion lapsed for want of a seconder.

Chair rulings:

- **Amendment motion lapsed for want of a seconder**
- **Substantive Motion (moved by Cr Blackler, seconded by Cr Percival) ruled as back on the table**

When the verbal vote was unclear, the Chair requested a show of hands (per Standing Orders 19.4(a)) and declared the motion lost based on that result.

Chair ruling – MOTION LOST on Vote by Show of Hands

NEW MOTION

Deputy Mayor Hana Halalele moved that the item lie on the table. Cr Courtney Linwood seconded the motion.

RESOLVED WDC 2024/121

Moved: Deputy Mayor Hana Halalele

Seconded: Cr Courtney Linwood

That Council agrees to let this item lie on the table.

CARRIED

The Chair apologised to staff for asking to have more information and noted that he looked forward to this matter coming back to Council in due course.

The Chair directed the meeting back to the main agenda papers and Agenda Item 5.2.

5.2 KEY DIRECTIONS FOR THE 2024/25 ANNUAL PLAN

The report, as circulated, sought Council’s consideration of additional information provided in response to a request from the Governance Team arising from the draft 2024/25 Enhanced Annual Plan hearing of submissions on Monday 13 May and Tuesday 14 May 2024, and the Deliberations held on Monday 20 May 2024, and to provide final direction to officers on changes to the draft 2024/25 Enhanced Annual Plan.

Strategy and Performance Manager Mandy McIntosh introduced the report, the Attachment (summary of responses received through the engagement period), and the additional information provided in response to Council’s requests during the hearings.

The Graymont's request for lime chip usage instead of seal was debated, with a policy in place requiring 50% of the cost to be covered by Graymont. The council considered meeting with Graymont to discuss further.

The Chair and Cr Ryan left at 10.57am to attend a funeral. Deputy Mayor Halalele continued as Chair.

RESOLVED WDC 2024/122

Moved: Cr Jim Hopkins

Seconded: Cr Courtney Linwood

That Council:

1. Receives further information as requested at the Deliberations held on Monday 20 May 2024 (Attachment 1); and
2. Agrees any final changes to the draft 2024/25 Enhanced Annual Plan in advance of its adoption on 25 June 2024 as recorded in the Summary of Movements in Projected Rates (Attachment 2); and
3. Pursuant to section 95 (2A) of the Local Government Act 2002, agrees that the proposed 2024/25 Enhanced Annual Plan does not include significant or material differences to Year 4 of the 2021/31 Long Term Plan; and
4. Instructs the Chief Executive to make final changes to the draft 2024/25 Enhanced Annual Plan based on the resolution of recommendations 1 and 2 above; and
5. Notes that the draft 2024/25 Enhanced Annual Plan will be presented to Council for adoption at the Council Meeting scheduled for 25 June 2024.

CARRIED UNANIMOUSLY

5.3 ADOPTION OF THE 2024 REVENUE AND FINANCING POLICY AND ASSOCIATED POLICIES

The report, as circulated, sought Council's consideration and adoption of the 2024 Revenue and Financing Policy and related policies, and additions to the Remission Policy.

During discussion, the following matters were clarified.

- Officers would be actively identifying the properties that could be short-term visitor accommodation providers. .
- The Whalan Lodge redevelopment grant was a grant from the community to repay the loan.
- Regarding a remission on small dwellings, rewording was proposed as follows: "Further work is required on this remission before it is included for consideration in the Long Term Plan." Group Manager Paul Hope said he was comfortable with that revised wording.
- The review of the rating policy may be required as part of the Long Term Plan in 2025, or it might be able to be done in 2027.

RESOLVED WDC 2024/123

Moved: Cr Jim Hopkins

Seconded: Cr Courtney Linwood

That Council:

1. Adopts the 2024 Revenue and Financing Policy and related policies, those being the:
 - a) 2024 Rating Policy
 - b) 2024 Funding Needs Analysis
2. Adopts the Remission Policy additions for:
 - a) Māori Freehold Land, and
 - b) Social, Community, and Affordable Housing.

CARRIED

6 MEETING CLOSE

The Chair declared the meeting closed at 12.03pm.

TO BE CONFIRMED at the Council Meeting to be held on Tuesday, 25 February 2025.


.....
CHAIRPERSON

UNCONFIRMED

5 LEADERSHIP REPORTS

5.1 MAYOR'S REPORT

Author: Gary Kircher, Mayor for Waitaki

Attachments: 1. Mayors Report [↓](#) 

RECOMMENDATION

That Council receives and notes the information.

PURPOSE

The Mayor's Report for February 2025 is attached, for the information of the Governance Team, staff of Council, and the wider communities of the Waitaki district.

MAYOR'S REPORT – 25 February 2025 COUNCIL MEETING

This report is an opportunity for me to update Councillors and our community on a number of issues and events that I feel are relevant to our community, since my last Mayor's report on 17 December 2024.

2025-2034 Long Term Plan update

Now that we have been able to get our consultation document adopted, our engagement with our community is underway. There was no shortage of frustration expressed at the bureaucratic process involved, during our online Extraordinary Council Meeting held on the 3rd of Feb. It underlined the need for government to simplify the relevant legislation and to revisit the audit requirements for the Consultation Document (CD) part of the LTP process.

Of note, was the need to state a 'preferred option' when setting out feasible options for any particular issue featured in the CD. When we are going out to genuinely ask our community what they would like to happen, stating a 'preferred option' when we did not actually agree on one was not only distracting from the issue itself, but it made us appear to be predetermined on the result.

The other issue for us was going to consult with an unbalanced budget. There doesn't appear to be any understanding in Wellington that a draft budget might include options which will be distilled down through the process, and that we will end up with a balanced budget. Not one of us is expecting that we will agree to an unbalanced budget when we adopt the final version of the LTP in June. We have the option to increase rates, but with a potential rate increase already sitting at 10.3%, many of us will be looking at how we reduce that figure, not increase it.

For now, we have an intensive programme of engagement opportunities to carry out with our communities. Personally, I look forward to the various sessions when we can share information, discuss issues with residents and ratepayers, and when we can urge people to submit. We have already had several FaceBook Live sessions which have generally been well attended and well-received. From feedback that I have seen to date, the biggest complaint appears to be that we have shared too much information, so I think we are doing well!

There will be paper copies of the consultation document available at Waitaki District Libraries, as well as a lot more information on each topic at the Council's consultation website <https://letstalk.waitaki.govt.nz/>



Water Services Delivery Update

Time is ticking on the creation of our water services delivery plan. As we know, it's due in September, and there is a lot of work being carried out in the background to ensure we meet this time frame.

It's fair to say there's a lot of uncertainty amongst councils around the country. Legislation is needed to allow Council Controlled Organisations to operate as effective deliverers of water services, but that legislation is still being drafted. The actual standards for water services also have to be confirmed, and in some cases, amended. The implications of those standards will make a very significant difference to our communities, but we don't have that detail yet. So, assumptions have to be made, and leaps of faith taken. If the government doesn't provide greater certainty soon, there is a real risk that an increasing number of Councils will decide to go alone, many retaining in-house service delivery, as the alternatives become too difficult.

If we want to save ratepayers money and deliver brilliant services, continuing to do things that way we have will not get us there. One constant with overseas experience has been that there are savings to be made through joining together. It increases efficiency and standardisation, it decreases risk, and it takes political decisions out of the equation. There is one 'but' though, and that is to achieve the above benefits, the CCO needs to be set up well.

One of the key conversations we are having is with three other Councils – Central Otago, Clutha and Gore. In total, we have a total resident population of 84,000 and a combined land area close to that of Rwanda – about 25,000 square kilometres. While there are efficiencies in us joining together, the expected savings aren't great due to the large area, relatively small population base and large reticulation networks. However, overseas experience shows that smaller groupings lead to larger groupings as the combined benefits start to prove themselves. Benefits for such organisations include them being more attractive to employees, more attractive to skilled directors, and more attractive to a larger range of contractors.

Will this follow suit in New Zealand? We can't know that for sure, but we do know that water bills for our communities will continue to rise at rates exceeding inflation, and those costs will take an increasing share of people's incomes.

There is still work to do and we aren't close to making a decision on what the future delivery will be, but it is important that we face the facts and thoroughly explore the options.

Ministerial Changes

Following the Prime Minister's announcement of a cabinet reshuffle on the 19th of January, there was a lot of interest in who were the winners, and who were the losers.

For local government, there are a number of key roles that impact on the sector. While taking on the major role of Minister of Health, Simeon Brown lost his Local Government portfolio to Simon Watt, previously spokesperson for the portfolio when National was in opposition. Whether that allows the new Minister to focus more on working with our sector, remains to be seen. Feedback so far is that Minister Watts is keen to engage more and that is a healthy start to any relationship.

Transport is another important portfolio for Councils, with roading and freight transport being key activities for many, and public transport affecting many larger Councils. That portfolio was also previously held by Minister Brown, and it now moves to Minister Chris Bishop. The Canterbury Mayoral Forum has a meeting with Minister Bishop in Wellington on the 27th of February, so that will be a focus of discussion that day.

Minister Nicola Willis picks up Economic Development and Minister Louise Upston adds Tourism and Hospitality to her portfolio of Social Development. These are all roles that local government has keen interest in so we will be working with those Ministers as closely as possible to achieve the social and economic goals of our districts. (Despite the government indicating they are taking those roles from the sector.)

Lastly, James Meager, MP for Rangitata takes on several new roles, becoming a Minister outside Cabinet. He has the opportunity to make the new portfolio of Minister for the South Island one that really delivers for the country. Following a meeting with him at the Combined Otago & Southland Mayoral Forums in Queenstown on the 5th of February, he set out the expectations given to him by the Prime Minister.

The PM expects Minister Meager to get a strong understanding of the Mainland, and to contribute any specific South Island view to any policy or legislation work being done in Parliament. I've known James for a considerable length of time, and I am confident that he will perform well. He is a star in the making, and this is an opportunity for him to make his star shine brightly for us all.



Cabinet reshuffle - The revolving doors of power

Election 2025

2025 is an election year for local government. It promises to be another election of significant change due to much of the angst and frustration of the current term. I'm hearing from first term mayors and councillors much greater uncertainty about whether they will stand again.

This is much greater than any that I've heard in any previous run-up to an election, and that's a problem for many councils and many districts facing a lack of continuity and succession, which in turn, risks the the stability of councils.

At a local level, we have less than 8 months left in this term. It is my hope that we will use that time wisely – to achieve as much as we can for our communities and to ensure we all feel that our time has been spent productively. If we look back at the past two years, we have achieved a lot. Despite all of the challenges and the complexity that has been added to our roles, we should be pleased about much of what has been done. I know that not all of it has been the stuff of rainbows and unicorns, and that there have been significant distractions for us all, but I do intend that the Governance Team can take time over the next three months to acknowledge the good things we have achieved with our operational team, and that we can set the best direction possible for some of the 'big stuff' that we want to see in place before October's election.

Pleasingly, I am hearing of some good people expressing an interest in standing, which gives me faith that our community will have great options to choose from. Our first-term Councillors now have a strong grasp on how Council works and how to be effective, and I hope they do take that experience forward to become second-term Councillors. Or Mayor, if they have that ambition.

Meanwhile, there have been some excellent recommendations that have come from the Local Government NZ panel for electoral reform. I suspect that none of them will be picked up in time for this election, but one would hope that they are adopted for future elections. These changes include:

- Improve community understanding on why local government is relevant and important
- Improve information on candidates
- Having the Electoral Commission administer and promote local government elections
- Use in-person voting booths for communities to vote more easily
- Introduce four-year terms to improve decision-making and therefore credibility

The panel has done well to distil down the issues and solutions. If they are implemented, they should assist in increasing voter turnout and improved voter understanding.



Elections – 8 months to go

The New Regional Hospital

One of the first actions for the new Health Minister, was to make the announcement that the New Dunedin (Regional) Hospital will proceed. It will largely be built at the intended scale, and it will provide the services that our community needs.

It came as a relief to many of us, and I'm sure that the protesting and lobbying that has happened in public and behind closed doors has been effective. The Otago and Southland Mayors have been active, as have the clinicians, unions and communities of our region.

I want to acknowledge Health NZ's Head of Infrastructure, Blake Lepper. It has been Blake's job to comb through all of the previous information and plans, to find a way to not only stay within the latest enlarged budget, but to deliver as much of the original plan as possible. I know he has worked very hard to do just that and his work has been critical to achieving the result.

Blake has had numerous meetings with the Otago and Southland Mayoral Forums, both in-person and online. A number have been in the evenings when everyone could join the Zoom to discuss progress. No stone has been left unturned in Blake's work. To be blunt, he inherited a difficult situation with an overseas contractor having been given an open-ended contract that shifted all of the financial risk into taxpayers. Getting that renegotiated, along

with subcontractors' services, has been key to getting to where we are today.

So thank you and congratulations to everyone who has contributed to getting the major project back on track – it is a fantastic result!



New Hospital - The building may look different to this 2023 artist's impression, but it is what's on the inside that matters to Waitaki

Waitaki's Health Shuttle Update

Discussions on the future health shuttle service have been ongoing. We still have Trevor Goodin providing his donation-based service, but more organisations have stepped up to help contribute to Trevor's operational costs. He hasn't sought to make a profit, but equally, it was unfair on him to incur any loss at the expense of his overall business.

The latest update has seen the Masonic Lodge step up to not only provide a grant, but to also utilise their charitable trust to funnel funding from other organisations through cover any monthly shortfall. That will kick in shortly, and in the meantime, the local Rotary Club have confirmed a significant contribution to keep the service running. Once that is exhausted, any other contributions will go through the Lodge's trust and be used to top up those costs.

There is progress on the St John Health Shuttle option, with funding identified for a new shuttle, and some of the operational costs being funded. We are due for another meeting with St John to see where the organisation is at with recruiting volunteers and sorting the remaining funds, and I hope to give a further update in my next report.



The St John shuttle is a sustainable option, but the organisation needs to push on with it.

Trevor Goodin - An angel in disguise for many people!



Oamawood

Although the number of filming days in Ōamaru was minor, the impact that East of Eden had on our community was anything but minor. It brought national attention to the district, and it provided an appreciable bonus to our economy. The filming was an example of the impact a big budget film or series can bring. That was part of the Economic Development Strategy which Council adopted around 2006, and it just goes to show – good things do take time!

Seriously though, the district has hosted a number of films, series and advertisements over the years and while it is difficult to envisage a significant film production industry developing here due to distance and scale, it does show that our place is of interest to the industry. Add to that the interest and passion that our community brings to such productions, and we have every right to think that film makers will see Waitaki as a great location with a cooperative community for future productions.

With East of Eden, the production team was impressed with how well our community worked with them. Special thanks go to the Ōamaru Whitestone Civic Trust and its tenants which, along with other businesses involved, made filming possible. The filming clauses built into the OWCT leases makes it so much easier for it to happen, and it was great to see those businesses generally being well-compensated for any interruptions to their operations.



I also want to acknowledge the Council's ED team for the collaborative way they worked with the team. Bringing together all of the Council departments which may be required to make the production go smoothly was a considerable help, and that was also acknowledged by the production team. It was a very good example of Council and community working closely together on a common goal to achieve a very positive result!



MEETINGS ATTENDED BY MAYOR GARY KIRCHER

12 December	District Plan Review Subcommittee
12 December	Shareholder meeting with Whitestone Contracting Ltd
12 December	Otago Civil Defence & Emergency Management Meeting
12 December	Otago Mayoral Forum working dinner
13 December	Otago Mayoral Forum
13 December	Waitaki Multicultural Festive Feast
14 December	Christmas Carols in the Park
16 December	LTP Leadership Group Meeting
16 December	A2O Joint Committee meeting
16 December	Chief Executive Employment Subcommittee catch-up with CEO
17 December	Council and Performance, Audit & Risk Committee Meetings
17 December	Mayoral Christmas Function
18 December	Meet with Bruce Daniel re Health Shuttle
18 December	Meet with Philip Turner, Location manager for East of Eden
18 December	Checking out the Museum's Squid Exhibition
18 December	Local Government (Water Services) Bill webinar for Mayors & CEs
18 December	Meeting with Phil Shuker, Alliance Pukeuri
19 December	MTFJ networking Christmas lunch
19 December	Meeting with ratepayer re housing for at-risk people
21 December	NZAA Graduation Ceremony & Dinner

23 December	MTFJ catch up
23 December	Meeting regarding New Year's Eve event
23 December	Meet with Whalan Lodge representatives
31 December	New Years Eve in the Gardens event
9 January	OneNews interview – East of Eden
10 January	Meeting with Hon. Matt Doocey visit to Mackenzie/Waitaki re tourism
12 January	Official welcome to film cast and crew
13 January	East of Eden Film set tour – Harbour area
14 January	RNZ interview – East of Eden
14 January	Meeting with ratepayer re Ōamaru Airport
17 January	Meeting with Mayors re Water Services Delivery Plan
20 January	LTP Leadership Group
20 January	Governance & Operations Interface Group Meeting
24 January	Joint Water CCO - Councils Executive Group (CEG)
27 January	LTP Leadership Group
27 January	Catch-up with ODT
27 January	Catch-up with Geopark
27 January	Briefing from North Otago Tennis
27 January	LTP Update re Audit, CD, engagement via Zoom
28 January	Real Radio session
28 January	Facebook Live Session – Q&A on changing climate, Beach Rd etc.
29 January	Oamaru Tales - Meeting and Update
29 January	Meeting with ratepayer re financial questions and 2025 election
30 January	Stronger Waitaki Management meeting
31 January	MTFJ F26 Q and A - for Mayors and CEs
31 January	Ministerial Briefing on New Dunedin Hospital – via Zoom
1 February	Palmerston & Waihemo A&P Assn. Show
3 February	Site blessing for Forrester Gallery extension project
3 February	MTFJ catch up
3 February	Shareholder meeting with Whitestone Contracting Ltd
3 February	Discussion with tourism operator re opportunities in Waitaki
3 February	Extraordinary Council meeting – via Teams
5 February	Joint Otago and Southland Mayoral Forum
5 February	Te Rōpū Taiao Otago and Southland
6 February	Southern Waitangi Day Event – Queenstown
7 February	Joint CCO Councils Executive Group meeting
10 February	LTP Leadership Group meeting
10 February	LTP sessions – Community Housing: Reed St, Usk St, Exe St tenants

6 RECOMMENDATIONS FROM COMMITTEES REPORTS

6.1 RECOMMENDATIONS OF THE WAIHEMO COMMUNITY BOARD MEETING HELD ON 2 DECEMBER 2024

Author: Ainslee Hooper, Governance and Policy Advisor

Authoriser: Lisa Baillie, Director Community Engagement and Experience

Attachments: 1. **COPY Officer Report to 2 December 2024 Waihemo Community Board meeting - Waihemo Recreation Reserve Grazing Licence** [↓](#) 

6.1.1 WAIHEMO RECREATION RESERVE - GRAZING LICENCE

A copy of the Officer report to the 2 December 2024 Waihemo Community Board meeting on this topic is attached, for the information and consideration of Council in relation to this Board recommendation.

RESOLVED WCB 2024/051

Moved: Mr Kerry Stevens

Seconded: Mr Paul Roy

That the Waihemo Community Board recommends:

That Council:

1. Agree to issue a licence to graze part of the Waihemo Recreation Reserve, subject to public notification and consideration of any submissions.
2. Uses Option 1 from the Waihemo Recreation Reserve Retirement Plan (a three-staged retirement) as the detail for the consultation.

CARRIED

Additional Recommendation to Council from Waihemo Community Board Meeting held on 2 December 2024:

ADDITIONAL MOTION

RESOLVED WCB 2024/058

Moved: Mr Kerry Stevens

Seconded: Mrs Carol Watson

That the Waihemo Community Board recommends:

That Council have the two items 5.2 Adoption of Updated Standing Orders and 5.3 Adoption of Updated Code of Conduct put on the first possible agenda for the next Community Board after the October election so it does not get missed for another term.

CARRIED

WAIHEMO COMMUNITY BOARD
MEETING AGENDA

2 DECEMBER 2024

L URGENT BUSINESS

L.1 WAIHEMO RECREATION RESERVE - GRAZING LICENCE

Author: Lindsay Hyde, Recreation Manager
Authoriser: Paul Hope, Director Support Services
Attachments: 1. Waihemo Recreation Reserve Map and Licence to occupy area

RECOMMENDATION

That the Waihemo Community Board recommends:

That Council agrees to issue a licence to graze part of the Waihemo Recreation Reserve, subject to public notification and consideration of any submissions.

This is the actual report for Agenda Item 5.1.

DECISION OBJECTIVE

To determine whether to issue a licence to graze part of the Waihemo Recreation Reserve.

SUMMARY

Waihemo Recreation Reserve has been grazed for over 100 years. The grazier would like to continue grazing. The Reserve is a significant part of their farming operation.

The Reserve contains unique vegetation and is proposed to be zoned a Significant Natural Area in the draft District Plan. Waitaki District Council has a current project in partnership with the Puketapu Community Trust to create a formal track up Puketapu Maunga via the Reserve. The Trust also plans to carry out pest control and restoration work on the Reserve.

Concern has been expressed that a rapid retirement of the land could result in an increase in invasive pest species.

The Reserves Act 1977 allows for a grazing licence where the Reserve is not required for its designated purpose, subject to notification and consideration of submissions.

Grazing of deer is considered inconsistent with the requirements of the Reserves Act and should eventually be retired. A staged retirement (Attachment One), as considered in the restoration plan, would enable recreation access and biodiversity restoration over a large portion of the reserve without detriment to the longer-term Reserve values, while managing the potential for invasive weed species. It will also allow the current lessee to plan for the ultimate removal of deer from the Reserve.

Public notification of any intention to issue a licence to occupy of Waihemo Recreation Reserve is required under the Reserves Act 1977. Council is required to consider all objections and submissions.

DECISION-MAKING EXPECTATIONS

Governance Decision-Making:	A Waihemo Community Board recommendation to Council to consider issuing a licence to occupy to G and N Oliver for part of the Waihemo Recreation Reserve
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Operational Decision-Making:	Implement the decision of Council
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**WAIHEMO COMMUNITY BOARD
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Communications	Media Releases – contributed to by officers and Elected Members
	Media/public enquiries regarding governance decision-making topics above can be addressed by governance
	Media/public enquiries regarding operational decision-making topics above can be addressed by officers

SUMMARY OF DECISION-MAKING CRITERIA

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	Moderate	Environmental Considerations	Moderate
Legal	Moderate	Cultural Considerations	Moderate
Significance	No	Social Considerations	Moderate
Financial Criteria	No	Economic Considerations	No
Community Views	Key	Community Board Views	Moderate
Consultation	Key	Publicity and Communication	Moderate

BACKGROUND

Waihemo Recreation Reserve has been grazed by the same family for over 100 years. The current licence to occupy expired on 30 June 2024 and the grazier would like to renew a lease. The land is used to graze Deer Hinds, and is used as their primary fawning area, due to the cover the vegetation provides. Retirement of grazing would have a significant impact on their operations, particularly if they have a short timeframe to change their farming structure.

A biodiversity assessment has established unique remnant vegetation on the Reserve and it has been proposed that this is included as a Significant Natural Area in the draft District Plan.

Waitaki District Council is working with a local Community Trust (Puketapu Community Trust) to secure access and develop a formal track up Puketapu Maunga. The route for this track passes through part of the Waihemo Recreation Reserve.

The Puketapu Community Trust also plans to undertake some pest control and planting in the Reserve. The Trust members would prefer that Council retires all grazing as soon as possible to allow the whole Reserve to be restored as quickly as possible.

Concern has been expressed that retiring the entire block in one go would result in invasive pest species such as gorse and broom. In addition, uncontrolled grass could present a fire danger, particularly if the community is unable to manage the entire block.

The land is subject to the Reserves Act 1977. The relevant sections are provided in Appendix 1.

In 2013, The Minister of Conservation delegated powers under Sections 72(1), 73(1), 73(2), 73(3), 73(5) and 73(6) to territorial authorities where they are the administering body of the reserve.

Discussion

Grazing of a Reserve by another party may not necessarily restrict public access to the Reserve. However, deer fencing and grazing of deer effectively restricts access, precludes public use, and gives the impression access is not available. The nature of deer may also discourage recreational access, particularly if stags are grazed in the Reserve. Hinds when fawning may be protective of their young and access as a result may be hazardous.

**WAIHEMO COMMUNITY BOARD
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Waihemo Recreation Reserve has biodiversity values that Council and the community seek to protect and enhance. The grazing of deer is largely incompatible with these values, as deer will suppress regeneration and damage existing native vegetation.

Waihemo Recreation Reserve is located on the southern side of a cultural Taonga (Puketapu Maunga). It also offers spectacular 360-degree views. Natural springs occur along the bottom of the Reserve. The grazing of deer and particularly the use of springs as wallows are considered inconsistent with cultural values.

A local community Trust wishes to work in partnership with Council to restore the native ecosystem and to develop recreation opportunities (initially on the Western portion) in the Reserve.

Concern has been expressed that retiring the Reserve from grazing could lead to infestations of invasive vegetation such as gorse.

The Council's Biodiversity Advisor has assessed options to restore the Reserve (refer Attachment 2). The assessment concluded that a staged approach to the restoration of the Reserve would not adversely impact restoration efforts any more than immediate retirement of the entire block. A staged approach would allow ample scope for restoration in the short term, enabling the community to demonstrate they have the capacity to undertake full restoration, and it will help to prevent infestation of noxious weeds. Additional retirement can be triggered by the success of the initial retired area.

SUMMARY OF OPTIONS CONSIDERED

Option 1 – The Waihemo Community Board recommends that Council agrees to issue a grazing licence for part of the Waihemo Recreation Reserve subject to the outcome of public notification and consideration of submissions (**Recommended**)

Option 2 – The Waihemo Community Board recommends that Council declines to consider a licence to occupy for part of the Waihemo Recreation Reserve.

Option 3 – The Waihemo Community Board requests additional information to enable them to make a future decision.

ASSESSMENT OF PREFERRED OPTION

Option 1 is the preferred option as it allows for a sustainable approach to the ongoing management of the Reserve and allows for Council to consider any submissions before making a final decision.

CONCLUSION

The Waihemo Recreation Reserve is an important asset for the district. The management approach for maintenance and development needs to be carefully considered to ensure that future generations can benefit from the variety of initiatives that could occur at this location. The consideration of issuing a grazing licence in this area is one approach that needs to be weighed up.

**WAIHEMO COMMUNITY BOARD
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ADDITIONAL DECISION-MAKING CONSIDERATIONS

Waitaki District Council Strategic Framework

Outcomes

Community Outcomes

Prosperous District

- Fostering a diverse and resilient economy

Strong Communities

- Enabling safe, healthy communities
- Connected, inclusive communities
- Promoting a greater voice for Waitaki
- Celebrating our community identity

Quality Services

- Community facilities and services we are proud of

Valued Environment

- Protecting our diverse landscapes and water bodies
- Meeting environmental and climate change challenges

Policy and Plan Considerations

Grazing is included in the Reserve Management Plan for this Reserve.

Community Views

The Puketapu Community Trust has been part of the conversation over the development of the Reserve. Views from the remainder of the community have not been sought. The process identified in the Reserves Act requires Council to publicly notify its intention to issue a licence and to consider any submissions.

Legal Considerations

Waihemo Recreation Reserve is gazetted as a Recreation Reserve under the Reserves Act 1977 and is vested in Council.

S54(2) of the Reserves Act requires that, before granting any lease or licence, the administering body shall give public notice, specifying the lease or licence proposed to be granted and shall give full consideration to all objections and submissions in relation to the proposal.

Environmental Considerations

The Reserve is classified as Recreation Reserve and has some identified endemic plants.

Publicity and Community Considerations

Public notification is required under the Reserves Act.

WAIHEMO COMMUNITY BOARD
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APPENDIX 1 – EXCERPTS FROM THE RESERVES ACT 1977

Section 17 Recreation Reserves

- (1) *It is hereby declared that the appropriate provisions of this Act shall have effect, in relation to reserves classified as recreation reserves, for the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside.*
- (2) *It is hereby further declared that, having regard to the general purposes specified in subsection (1), every recreation reserve shall be so administered under the appropriate provisions of this Act that—*
- (a) *the public shall have freedom of entry and access to the reserve, subject to the specific powers conferred on the administering body by sections 53 and 54, to any bylaws under this Act applying to the reserve, and to such conditions and restrictions as the administering body considers to be necessary for the protection and general well-being of the reserve and for the protection and control of the public using it:*
 - (b) *where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve:*
provided that nothing in this subsection shall authorise the doing of anything with respect to fauna that would contravene any provision of the Wildlife Act 1953 or any regulations or Proclamation or notification under that Act, or the doing of anything with respect to archaeological features in any reserve that would contravene any provision of the Heritage New Zealand Pouhere Taonga Act 2014:
 - (c) *those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and to the better use and enjoyment of the reserve shall be conserved:*
 - (d) *to the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.*

Section 73 (Leasing of recreation reserves for farming, grazing, afforestation, or other purposes) states

- (1) *Where any recreation reserve or any part of such a reserve is not for the time being required for the purpose for which it was classified, or where the Minister considers it in the public interest, or where the administering body of any recreation reserve has decided under section 53(1)(a)(ii) that it is necessary or desirable to farm or graze the reserve or any part thereof, leases of the reserve or of any part thereof may be granted by the administering body with the prior consent of the Minister in cases where the reserve is vested in such a body, or by the Minister in any other case.*
- (2) *Where the administering body has decided under section 53(1)(a)(ii) that it is necessary or desirable to afforest any part of a recreation reserve, leases of the whole or any part thereof may be granted by the administering body with the prior consent of the Minister in cases where the reserve is vested in such a body, or by the Minister in any other case.*
- (3) *Where any recreation reserve or any part of such a reserve is not being used for the purposes of a recreation reserve and in the opinion of the Minister is not likely to be used for that purpose, but it is inadvisable or inexpedient to revoke the reservation, leases of the whole or*

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any part thereof may be granted by the administering body with the prior consent of the Minister in cases where the reserve is vested in such a body, or by the Minister in any other case.

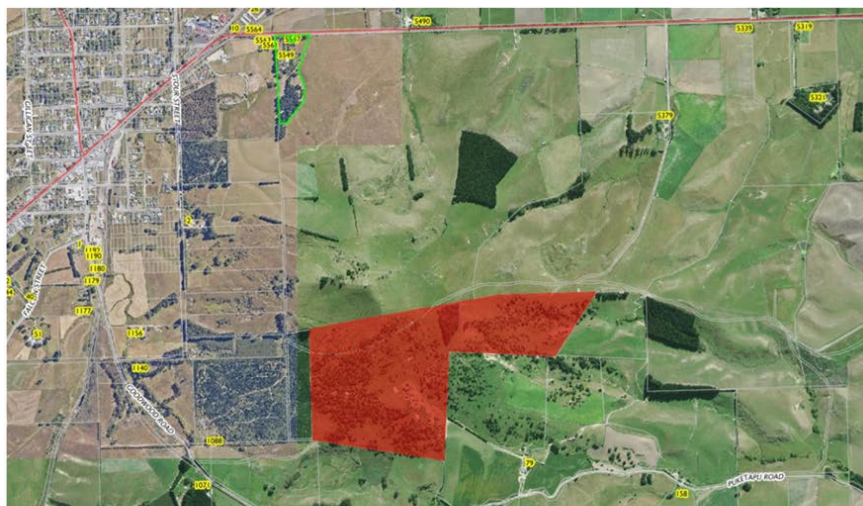
(3A) Every lease granted under subsection (1) or subsection (2) or subsection (3),—

- a. in the case of a reserve vested in an administering body, shall be subject to the further provisions set out in Schedule 1 relating to leases of recreation reserves issued pursuant to that subsection:*
 - b. in the case of a reserve vested in the Crown, shall be issued in accordance with the provisions of Part 3B of the Conservation Act 1987 and those provisions shall apply as follows:*
 - i. in the case of any concession over or in respect of a reserve controlled or managed by an administering body, every reference in the said Part 3B to a conservation management strategy or conservation management plan shall be read as a reference to a management plan approved under section 41 of this Act, but otherwise the said Part 3B shall apply as if every reference to a conservation area were a reference to such a reserve and with any other necessary modifications:*
 - ii. in the case of any other reserve vested in the Crown, the said Part 3B shall apply as if every reference to a conservation area were a reference to such a reserve and with any other necessary modifications.*
- (4) Before granting any lease under subsection (1), or subsection (2), or subsection (3), the administering body shall give public notice in accordance with section 119 specifying the lease proposed to be granted, and shall give full consideration in accordance with section 120 to all objections and submissions in relation to the proposal received pursuant to the said section 120.*
- (5) No member of an administering body may become the lessee of any land under the control of that body without the prior consent in writing of the Minister.*
- (6) Any lease granted under this section may, with the approval of the administering body, be surrendered on such terms as are agreed upon by the lessee and the administering body.*

WAIHEMO COMMUNITY BOARD
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Location of Waihemo Recreation Reserve

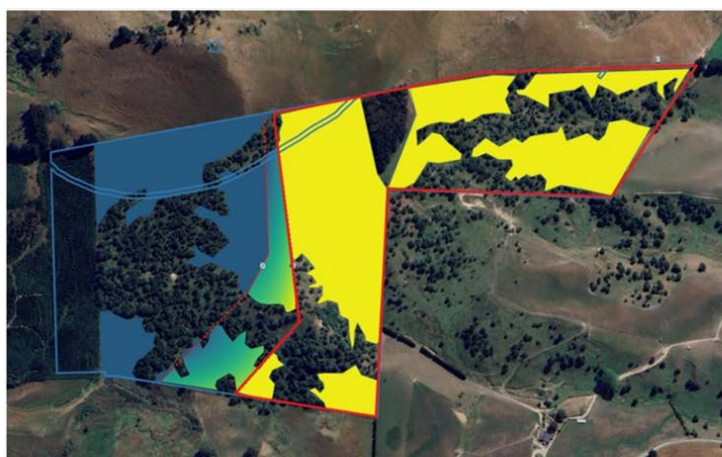


WAIHEMO COMMUNITY BOARD
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Proposed Licence to Occupy Area

All land outlined in solid red



**6.2 RECOMMENDATIONS OF THE PERFORMANCE, AUDIT AND RISK COMMITTEE
MEETING HELD ON 17 DECEMBER 2024**

Author: Ainslee Hooper, Governance and Policy Advisor

Authoriser: Lisa Baillie, Director Community Engagement and Experience

6.2.1 REVISED RISK MANAGEMENT POLICY

RESOLVED PAR 2024/076

Moved: Cr Rebecca Ryan

Seconded: Deputy Mayor Hana Halalele

That the Performance, Audit and Risk Committee recommends:

That Council adopts the revised Risk Management Policy.

CARRIED

6.2.2 REVISED PROCUREMENT POLICY

RESOLVED PAR 2024/077

Moved: Cr John McCone

Seconded: Cr Rebecca Ryan

That the Performance, Audit and Risk Committee recommends:

That Council adopts the revised Procurement Policy.

CARRIED

AGAINST: CR TIM BLACKLER

6.3 TREASURY STRATEGY, FY 2024-2025 THIRD QUARTER

RESOLVED PAR 2024/080

Moved: Cr Jim Hopkins

Seconded: Cr John McCone

That the Performance, Audit and Risk Committee recommends:

That Council:

1. Adopts a Treasury Strategy for the third quarter of the 2024-25 financial year which includes:
 - a) Monitoring available cash and projecting future cash requirements
 - b) Liaising with the Local Government funding Agency (LGFA) to ensure Council's ability to function and deliver on behalf of its communities is not impeded by lack of funds
 - c) Obtaining advice and support from Bancorp Treasury Services on key projects in addition to ensuring compliance with policy limits
 - d) Investing funds considered surplus to immediate requirements based on current forecasts to best advantage to maximise returns.

CARRIED









7 DECISION REPORTS

7.1 NOTICE OF MOTION - SPORTS & EVENTS CENTRE, FROM CR JIM HOPKINS

Author: Stephanie White, Project Officer

Authoriser: Alex Parmley, Chief Executive

Attachments:

1. 20250210 Notice of Motion, 'Sports & Events Centre', from Cr Jim Hopkins [↓](#) 
2. EXTRACT from Waitaki District Council Standing Orders - Notices of Motion Clause 27 [↓](#) 
3. EXTRACT from Waitaki District Council Standing Orders - Recovation or Alteration of Resolutions Clause 24 [↓](#) 
4. Network Waitaki Event Centre Flooring - Officer Advice and Risk Assessment [↓](#) 
5. Community Centres and Netball Club Examples [↓](#) 
6. Hamilton City Council Court Resurfacing [↓](#) 
7. QLDC Court Resurfacing [↓](#) 
8. Wanaka Recreation Centre [↓](#) 

RECOMMENDATION

That Council:

1. Formally receives the Notice of Motion on the topic of “Sports & Events Centre” which was emailed to the Chief Executive from Cr Jim Hopkins on Monday 10 February 2025 and which has been accepted by the Chief Executive for consideration at this meeting pursuant to Clauses 24.2 and 24.3, and 27.1 and 27.2 of Waitaki District Council Standing Orders.

PURPOSE

The Chief Executive has received a Notice of Motion from Cr Jim Hopkins, with the request that it be placed on the agenda for the 25 February 2025 Council Meeting.

The purpose of this report is to include that Notice of Motion in the agenda papers for this meeting as requested by the author, and to provide at the meeting the opportunity for Cr Jim Hopkins, with the Mayor and other Councillors, to speak to the Notice of Motion, for officers to be able to respond to the Notice of Motion, and for Council to consider and agree an appropriate response.

SUMMARY

On Monday 10 February 2025, Waitaki District Councillor Jim Hopkins emailed a Notice of Motion on the topic of “Sports & Event Centre” to the Chief Executive. The email was copied to the Mayor.

A copy of the Notice of Motion as received is provided at Attachment 1. The Notice of Motion seeks to revoke Resolution WDC 2024/104 made by Council at the 28 May 2024 Council meeting.

Notices of Motion are required to meet the requirements set out in Clause 27 of the Waitaki District Council Standing orders. A copy of Clause 27 is included as Attachment 2.

In addition, motions to revoke or alter previous resolutions of Council must meet the requirements of Clause 24 of the Waitaki District Council Standing Orders. A copy of Clause 24 is included as attachment 3.

Cr Hopkins' Notice of Motion, as submitted, fully meets the requirements of Clause 27.1 of Standing Orders. It was sent to the Chief Executive via email and included Cr Hopkins' scanned electronic signature as the mover. It was delivered to the Chief Executive more than five clear working days before this meeting.

Pursuant to the final paragraph in Clause 27.1, the Chief Executive, through this agenda report, is giving the Mayor and Councillors notice in writing that he has received the Notice of Motion from Cr Hopkins on the topic of "Sports & Events Centre" that was emailed to him on Monday 10 February 2025. The request to have the motion considered by Council is supported by Cr Thomson, Cr Percival and Cr Blackler.

RECOMMENDATIONS

- 1: That this report be received, and*
- 2: That Council resolves to reconsider its 2024 decision to with switch from a two synthetic surface, four sprung timber floor court configuration for the proposed Waitaki Sports and Event Centre, and*
- 3: In undertaking this reconsideration, it considers new information provided since Council's previous decision regarding actual and potential cost increases and their implications for the project and ratepayers more generally, and*
- 4: Also considers further new information rewarding the possible adverse effect on overall Sports and Events Centre usage arising from the 2024 court surface decision, and*
- 5: That, should it resolve to reconsider its 2024 decision, Council agrees does so in a timely manner so as to ensure no disruption to the building programme.*

In presenting this notice of motion, I acknowledge that councillors may feel reluctant to revisit a matter that we considered on at least two occasions last year. But when new information is presented to us and when it becomes clear that earlier decisions may have been based on incomplete or inaccurate information, then I suggest we should at least be willing to reconsider that matter, especially when it is one that affects the configuration and use of our major new project.

Before looking at this new information and information that may have been incomplete or inaccurate, it's worth recalling that on the two previous occasions in 2024 when we considered the optimum arrangement for the six courts proposed for the new Sports and Events Centre, we came to dramatically different conclusions.

The first time the matter was debated, we signalled, from memory unanimously, that our preference was to have four sprung timber courts and two synthetic surface courts, a change from one of the initial proposals which was for there to be of three of each. On that occasion, we heard from representatives of a number of codes, including netball and tennis. Other codes provided written comment. Additional information put to us included early assessments, such as the Business Plan. This identified what was considered the optimum arrangement at the Centre to cater for the greatest number of sporting codes and users as well as allowing non-sporting events, exhibitions and large functions.

Then, after Council had voted for a four sprung timber, two synthetic surface court configuration, the Project Board came to us having been actively lobbied by advocates from netball, who advised they also spoke for basketball, and who asserted that both codes had the greatest number of local participants and both had to have six sprung timber floor courts for maximum player engagement and to attract regional or national tournaments. Because one of our usual representatives

was unable to attend the Project Board meeting at which this presentation was made, I stood in as a Council representative, albeit from Christchurch by telephone link. I did vote when a recommendation on this matter was considered but the Minutes of the meeting do not record this.

At that Board meeting, members heard from the advocates for a new configuration and considered other material, which was later shared with us, then formed a view that they also shared with us. The Board's view was presented to Council by a number of its members, including one who had participated as an advocate in the presentation discussed in the previous paragraph. In reaching the conclusion the Project Board shared with us, informal discussions suggest that the Board did not seek any further advice or comment from representatives of the local code most directly affected, that being North Otago Tennis.

In hindsight, elected members may wonder if it would have been fair and/or prudent to hear again from North Otago Tennis before voting as we did in response to the Project's Board's request that we reconsider the configuration and surfacing of the Sports and Event Centre courts.

Whatever conclusion councillors may reach on that matter, I submit that the new information which has become available to some councillors although not since that second vote on the courts last year is of sufficient importance to require us to revisit that decision. It doesn't necessarily mean we change it, but it obliges us, in the interest of ratepayers generally and all of the sporting codes of the district, to be open to reconsideration, particularly if we believe it is important to manage potential cost increases as carefully as we can while ensuring we maximise the use of this important new facility.

As mentioned above, some of this new information has been shared informally and some has come from an outside party, again only shared with some of us. For that reason alone, it's important to bring this new material to the attention of everyone. But the equally important and perhaps even more important reasons to do so are that some of this new information is significantly different from what we have previously been told and some of it also raises potentially significant new cost implications that it would be irresponsible of us to ignore in the current climate.

We may not like the fact that the new government has told councils throughout the country they need to refocus but that's what's happened, as this December 2024 press release from the Local Government Minister Simeon Brown makes clear:-

"The Government has agreed to reforms that refocus local councils on delivering essential services and core infrastructure, spending responsibly, and operating under greater scrutiny, Local Government Minister Simeon Brown says.

"Homeowners face the fastest rates rise in more than twenty years. Rates are out of control and the Government is taking action for councils do the basics brilliantly, rather than pursuing expensive extras that burden ratepayers." Mr Brown says.

"Earlier this year, the Prime Minister and I set clear expectations: focus on what must be done, not on nice-to-haves. Today's announcement delivers on that plan."

The local government reform programme will:

Remove references to the 'four well-beings' from the Local Government Act 2002, restoring a purpose focused on fixing pipes, filling potholes, and delivering core local services.

- *Refocus local government on basics, guiding council decision-making and avoiding duplication of roles with central Government.*
- *Benchmark council performance. The Department of Internal Affairs (DIA) will publish a yearly report on key financial and delivery outcomes, helping ratepayers hold councils accountable.*
- *Modernise outdated rules, including removing requirements for newspaper notices, to drive efficiency and cost savings.*

I've underlined the sections of that release that *may* relate to this matter. After considering the new information, it will be for councillors to decide if the underlined sections do in fact apply.

But cost is not the only issue that warrants a revisit of our second court decision. When we voted on this matter late last year, we were told that the six sprung timber floor configuration would not compromise or restrict the use of the Centre for exhibitions and non-sporting events. Instead, we were told there would only be a \$50,000.00 cost to make the change now, whereas reconfiguring the proposed two synthetic surface courts at a later date so they could have sprung timber floors would cost circa \$177,000.00.

These figures are included in the Minutes supplied to the Project Board meeting held in Tees Street on Wednesday the 23rd of October, which I also attended as a Council representative, standing in for one of our usual appointees. Those Minutes were a record of the Board meeting held on the 24th of April and read as follows:-
"Flooring - General consensus that the cost to design a rebate under the 'synthetic' courts for later replacement with timber was too costly (c. \$177,000). Need to just decide now. \$50,000 additional cost to complete 6 timber sprung. General support for 6 timber sprung.

- Project Board request Council reconsider decision for 4 sprung timber and two synthetic courts."

The Minutes then show a vote was taken, with 3 Board members in favour of the request and one abstaining.

However, at the Board meeting where these Minutes were presented and confirmed, members were also presented with information setting out options to strengthen the Centre's floor. It turns out that the information given to councillors last year asserting that a switch to a six sprung wooden floor court configuration would not inhibit the Centre's ability to hold exhibitions, events and other non-sporting events was incorrect.

But the October Project Board meeting was advised that the change to the six sprung wooden floor court format would in fact mean additional strengthening was required. The cost of additional 'blocking' to further strengthen sprung timber floors

too ensure events could take place was given as \$69,400.00 plus GST. Add that to the earlier advised cost of \$50,000.00 and the total cost of this change, as of now, is \$119,400.00 or \$57,600.00 less than the \$177,000.00 figure we were told in 2024 it would take to retrofit synthetic courts with sprung timber floors. In the interests of accuracy, I note that GST is added to the two figures above - \$50,000.00 and \$177,000.00 then an additional \$7,500.00 and \$26,550.00 would need to be added.

That would make the alternative figure \$137,310.00 (\$79,810.00 plus \$57,500.00) compared with \$203,550.00, making a difference of \$66,240.00. But we need to note that Council would be entitled to claim all such GST costs as expenses because we are required by law to pay GST on our total Rates bill and can offset the amount payable to IRD by deducting the GST on expenses incurred as part of conducting our operations.

So, as of now, the latest calculations supplied to the Project Board but not, to this point, formally shared with us would indicate that the saving achieved by installing six sprung timber floors now rather than later - an option never fully considered by the Council - is not \$122,000.00 as originally claimed but just cover half of that, namely \$66,240.00. Should the cost of the blocking described as necessary to strengthen the floors of the Centre to enable exhibitions and non-sporting events increase - as construction expenses something do - that supposed saving would be less.

What is more important for councillors to note is that the supposed cost benefit is in fact hypothetical only. The Council has never voted to adopt a plan that would have seen two synthetic assurance courts retrofitted to become sprung wooden floors. We had voted to build a stadium with a 2 synthetic, 4 sprung wooden floor court configuration and calculated costs accordingly. So, In fact, the vote to change to a six sprung wooden floor court configuration actually means, as things currently stand, a \$119,400.00 cost increase.

In the grand scheme of things that may not be a large amount but when other potential additional costs, of which some of us were recently made aware, are taken into account and when we consider what now appears to be incorrect information presented to us last year which may have influenced councillors' votes, I would urge you that reconsideration is in everyone's interests.

By that I mean ratepayers generally, including those who indicated through earlier Annual Plan submissions, that they either did not support the building of the Centre at all or did want the amount contributed by Council to increase from \$10 million to \$15 million, which we have, of course, resolved to do, with \$5 million of our contribution to come from non-rates sources.

25% of those who submitted when the Sports and Events Centre was initially consulted upon held one or other of the views described above. In fairness, I would note that some submissions in favour of the Sports and Event Centre came from sporting or community groups and therefore could be considered to represent the views of more than one person.

But I would argue we have a duty to consider the views of that cohort in our community who are concerned about double digit rates rises and the cost of council services generally and who are therefore anxious to see us consciously attempt to manage costs to the extent possible so as to avoid adversely impacts on residents' wellbeing, just as we should consider the desirability of maximising use of the Sports and Events Centre in terms of the local codes enjoying its benefits and the total number of people using it every year.

We cannot ignore that this new facility will bring with it a considerable annual opex cost, with amounts not much less than \$1,000,000 already signalled in some reports. I would suggest this is not an unreasonable estimate. As an example, the library's annual opex bill is currently about \$1.2 million while recent figures for the Opera House indicate a rates contribution of more than \$800,000 annually.

Presuming councillors think it would be desirable to achieve the maximum amount possible from user charges rather than rates to fund the operating costs of the Sports and Events Centre then you may regard it prudent to revisit the usage information provided to us last year, particularly since more recent data has called what question what we were told.

Councillors will be aware that in January this year the Mayor advised us that North Otago Tennis had requested a meeting with so they could present a new idea they had developed after Council's vote on the court surfaces last year locked the Club and tennis players out of new Sports and Events Centre because the six sprung timber floor configuration made it impossible for them to use the facility as the Business Plan had originally indicated they would.

A number of councillors did attend a meeting with Club representatives which was held at the Club's premises. Also taking part were representatives of the Oamaru Tongan Tennis Club. The information supplied by that Club's members contradicted what we told last year about the sporting preferences of Pasifika people. Then we were told basketball and netball were the preferred sports but if what we heard earlier this year is correct there is more to consider than that.

What the Oamaru Tongan Tennis Club President told us was that, as things are now, Pasifika teenagers play netball and rugby in winter but there are no summer sports they engage with. For that reason, Tongan Tennis held an open day in January 2024 - a matter not shared with us last year - using the North Otago Tennis Club facilities. Since then Oamaru Tongan Tennis has launched a children's training programme happening every Friday. It has been difficult for the Club to find a place where this training to take place.

At our January meeting, we were told the Oamaru Tongan Tennis club has 60 members, 30 being adult players and 30 being children, The Club also has another 60 supporters who come to the training sessions and support players at local events and tournaments.

We were also told that the North Otago Tennis Club has 222 juniors registered to play, alongside 70 seniors and 35 Masters players. All told, there are 387 local people playing tennis every week, plus the 60 members and 60 supporters of Tongan Tennis making a total of 447 or 507 directly or indirectly participating.

Other information shared with us. -some of which was also advised last year - vis that other districts elsewhere in New Zealand are able to play tennis 12 months of the year but this can't be done when all the courts are grass, as is the case at Chelmer Street. The North Otago tennis season is very limited, usually only 5 months each year.

This was why the opportunity to use two synthetic surface courts at the Sports and Events Centre was so important for the Club. It would have allowed tennis players here to train and participate in a much longer season than is currently the case. An additional problem for the Club is that the Chelmer Street grass courts are wearing out. Between them, North Otago Tennis and the Oamaru Tongan Tennis annually offer thirty plus courses, competitions and camps for juniors, seniors and masters. We were told tennis players in North Otago need an all-weather surface, which is precisely what the two synthetic courts in the Sports and Events Centre would have provided.

As a result of what we were told at this meeting, I suggest there is a key issue for councillors to consider, namely that the information we were given last year about the number of people locally who play tennis was understated, possibly to a considerable extent. The figure we were given was much less than the 387 North Otago Tennis Club players, not to mention the 60 players and 60 supporters in the Oamaru Tongan Tennis Club we were told last month were regularly involved with the sport.

Based on that information, it would appear there is a greater Pasifika engagement with tennis and a significantly greater engagement overall with the code than we were led to believe last year. Another matter that councillors should, in my view, revisit is the information we were given in 2024 about court use. Members will recall that we were told that synthetic surfaces were retained for tennis, then use of this courts - possibly at peak times - would be limited to a maximum of four players. This was contrasted with the number of players involved if the courts were used for netball or basketball.

What we have been told since is that the low estimate of players that would have used the facility is categorically wrong. Those for us at the presentation on January learnt that coaching sessions with young tennis players could involve as many as 24 youngster on the court at a time. Assuming such a session took place once a week for, say 50 weeks, then annually that could mean as many as 1200 junior tennis players in the Sports and Event Centre, which is a very much greater number of local people involved than were led to believe would be the case last year.

Three are clear issues of equity here. The participants in one code have been excluded from enjoying the benefits of our new Centre in order to supposedly better meet the needs of two other codes that, we were advised, cannot or should not use synthetic surfaced courts.

But this is not the case. Attached as Appendices to this report is a press release from the Queenstown Lakes District Council in which the resurface of QEC courts with a synthetic substance identified as Rebound Ace HSA court resurface begins. The article says Rebound Ace HSA is “a state-of-the-art playing surface” which QLDC Community Venues Team Leader Deborah Husheer is sure “all netball, tennis and outdoor sports enthusiasts will be looking forward to it” replacing the concrete currently in use.

Another Appendix attached to this report is from the Hamilton City Council who announced in 2019 that their city’s “home of netball” would be upgraded and courts resurfaced using Rebound Ace rubberised court surfacing product, which I’m led to believe was the very same product that was proposed to be used in our Sports and Events Centre. Commenting on the Council’s decision, the Chair of the Hamilton City Netball Centre, David Bluett is quoted as welcoming the renovation of the courts. “It means we have a modern facility to support grassroots netball in the greater Hamilton area,” Mr Bluett says. “We are very appreciative of the support from Trust Waikato to assist us to improve this long-term community asset.” Mr Bluett is also quoted as saying the board was excited to be able to offer the netball community a safe and modern playing surface and upgraded amenities to take netball into the future.

A third Appendix gives information about the Wanaka Recreation Centre. Information supplied describes the Wanaka complex as “a hub for community sports events and programmes. The flexible indoor space provided a multi purpose, long wearing and cushioned centre providing *2 basketball courts, 2 netball courts, 3 volleyball courts, 4 badminton and 2 tennis courts* [my italics]. The product used was Rebound Ace Impact, this is the preferred therapeutically cushioned option to hard floors and timber. This surface removes the harshness of a hardcourt or timber surface and actually enhances performance. The reduction in impact on leg muscles and joints greatly improves the comfort levels of players as well as lowering fatigue. This in turn allows players to perform better, maximising their true potential.”

Finally, two further Appendices show, in one case, photographs of a range of community facilities, including the Winton Netball Club courts, all of which use rubberised synthetic surfaces of the kind we have voted to abandon in our facility and in the other the ranges of codes catered for and the range of court surfaces used at Stadium Southland in Invercargill is disclosed. Councillors may note that, on a per capita basis, either the proposed 6 or even the previously proposed 4 sprung timber floor courts means there is greater provision for netball and basketball here that in the considerably larger southern city. But also that their facility is definitely more inclusive and provides facilities for a wider range of codes that we currently intend to do.

I invite councillors to consider the 5 Appendices I've included, and particularly to note the information they contain which categorically contradicts what we told last year, namely that synthetic surfaces were unsuitable for netball and basketball and would have adverse effects for players.

The evidence from elsewhere gives clear evidence that this not the case and that the arguments put to us in 2024 were overstated and therefore misleading. It is apparent that council officers and sporting code representatives in Queenstown, Hamilton and Wanaka, as well as netballers in Winton, tennis players at Wilding Park in Christchurch and the users of a High Performance Centre in the same city along with those who enjoy the facilities at the Washdyke Community Centre would all disagree because *every one of those facilities* - indoor or outdoor - have opted for partial or full use of synthetic rubberised court surfaces at their centres.

At the very least, I would argue that we owe it to the residents and ratepayers and to those involved in all the sporting codes in Waitaki to consider whether or not this new material justifies a review of our 2024 decision. There is a further final and very important reason why I feel strongly that we should conduct this review.

Those councillors who attended the meeting at the North Otago Tennis Club in January were given details of a proposal the Club has developed since being denied use of courts at the Sports and Events Centre. Club officials acknowledge that they were very disappointed about that but have moved on since and therefore wished to share with us a new proposal, in part to assess what our support might be.

The new proposal involved redevelopment of the grass courts at Chelmer Street with three options being discussed. One of these was to resurface six of the grass courts with a rubberised surface such as Rebound Ace, while the other options were to provide cover for two or more of the courts or, alternatively, and ideally, all of them.

Those at the January meeting were told that these options did come at a cost. Its was also suggested at the meeting that North Otago Tennis bring their three options and whatever thoughts they have about Council support or possible funding to us as a submission to our Long Term Plan. For that reason, it would be unfair to go into detail about the Club's proposal and its options. North Otago Tennis is entitled to bring its proposal to us as it sees fit and to have us consider it with an open mind.

But, in the meantime, there are matters we are entitled to have regard to and should do so. These are as follows:-

- A reconsideration of the court surfaces to the used at the sports and Events Centre would not necessarily compromise the new proposal from North Otago Tennis. Having an all-weather court surface in the Centre may reduce the need to cover all of the Chelmer Street grass courts and may enable players in the district to enjoy the benefit of an year-round facility sooner than would otherwise be the case, should the new proposal, in whatever form, take longer than

expected to be put into place. Having two synthetic rubberised court surfaces in the Centre each using, as was planned, Rebound Ace, could be a cost benefit for the Council as the Centre's owner and operator as well as the Club when it advances its new proposal.

- Another cost issue councillors should consider is the possible cost implications of this new Tennis club proposal as far as Council's future budgets are concerned. As of now, we begin our LTP consultation with a proposed first year rates rise of 10.3%. We have already committed to looking for ways to reduce, not increase, this rates rise. It is fair and reasonable to assume that North Otago Tennis is looking for support from Council for its new proposal. We were told as much in January and I feel they are justified in taking this approach. Having been included in the Sports and Events Centre proposal, then locked out at the eleventh hour, the Tennis Club is hoping for more than verbal endorsement from us when it brings its idea to our table.
- So, before the LTP process has even commenced and at a time when the government is telling councils to refocus on "delivering essential services and core infrastructure" and "spending responsibly", we face the possibility of either disappointing the Tennis club for a second time or committing to a currently unknown additional amount of funding - but potentially in the hundreds of thousands of dollars, in addition to \$119,400.00 of actual additional cost identified earlier - all to provide two facilities where originally we intended only have one.
- That second facility will not only bring its own annual opex costs, to which we may also be asked to contribute, but also ensure less use of the Sports and Events Centre and therefore mean a greater need for rates funding to offset reduced user charges.

I submit that the decision we made last year relied on incomplete and inaccurate information and for that reason and also because new information has been shared with some but not all councillors, a collective reconsideration of what we decided is not only desirable but necessary. Not only did we come to a conclusion that has diminished our original vision for the Centre but it is now clear that it has exposed to the unwelcome prospect of incurring costs in addition to those we are already committed to in order to build and operate the Sports and Events Centre. I also feel it is important, indeed vital, that any reconsideration happens before construction of the Centre begins to avoid cost consequences of any possible redesign at that stage.

In conclusion, it is reasonable to assume that there will be those in the community and perhaps further afield who would argue that continuing to do what we decided to do last year, with the attendant risks identified above, is not the best way to spend responsibly and possibly reduce a 10.3% rates rise or deliver essential services and core infrastructure.

Councils nation-wide are attracting criticism for some proposed double digit rates rises. Acknowledging that some of this criticism is unwarranted it is also true that we should approach any potential cost increases with considerable caution, especially if they involve "nice to have" rather than "must have" facilities.

And I think it is fair and reasonable to share that message with **all** our sporting codes. We are entitled to say to them that residents and ratepayers do not have an endless supply of cash and that, in tight times, Council needs to do everything it can to curb cost increases. This includes ensuring we maximise the use of all our facilities, old and new. The proposed Sports and Events Centre could be and should be a facility for as many codes and as many users as possible. It is undeniably going to be a huge improvement on the facilities currently available to all our codes.

And it is worth noting that the Rebound Ace surface, or similar equivalent, is what is being used for one of the two fastest growing sports in the world, that being Pickleball. If we want a facility that offers the optimum for those playing that new sport, then synthetic courts at the Centre are not only desirable but essential. Furthermore, the same applies to another sport currently becoming hugely popular around the world, that being Paddleball. This is currently being played in Oamaru but demand exceeds the availability of courts that can be used.

Apparently, to play Paddleball, you need walls such as those used when playing Squash. Some of the facilities identified in the Appendices supplied with this report use moveable walls to enable Squash to be played as well as, perhaps, at some point in the future, Paddleball too. A Multiball Interactive Wall, costing about \$70,000 is currently one of the deferred works for the Centre. If it could be shown that this would enable a very popular new code to be included as a user of the facility, it may be worth considering its inclusion in the budget.

But let's not get too far ahead of ourselves. The key question I invite all of us to consider is whether we made the right call last year and whether the new information shared with you is sufficient to justify a rethink. I believe it is. And I believe we are entitled to signal that we are committed to reining costs in, not adding to them.

We are also entitled to say to all our sporting codes that at a time when the council and our community is facing unavoidable and really sizeable cost pressures then true sports people would accept the need for a compromise that made the best use of limited funds and delivered a great new Centre that catered for the maximum number of codes and the maximum number of users. A Centre that shares rather than excludes is what everyone in Waitaki deserves.

- (d) Misrepresentation – to alert the chair to a misrepresentation in a statement made by a member, an officer or a council employee;
- (e) Breach of standing order – to highlight a possible breach of a standing order while also specifying which standing order is subject to the breach; and
- (f) Recording of words – to request that the minutes record any words that have been the subject of an objection.

26.3 Contradictions

Expressing a difference of opinion or contradicting a statement by a previous speaker does not constitute a point of order.

26.4 Point of order during division

A member may not raise a point of order during a division, except with the permission of the Chairperson.

26.5 Chairperson's decision on points of order

The Chairperson may decide a point of order immediately after it has been raised or may choose to hear further argument about the point before deciding. The Chairperson's ruling on any point of order, and any explanation of that ruling, is not open to any discussion and is final.

27. Notices of motion

27.1 Notice of intended motion to be in writing

Notice of intended motions must be in writing signed by the mover, stating the meeting at which it is proposed that the intended motion be considered, and must be delivered to the chief executive at least 5 clear working days before such meeting. [Notice of an intended motion can be sent via email and include the scanned electronic signature of the mover,]

Once the motion is received, the chief executive must give members notice in writing of the intended motion at least 2 clear working days before the date of the meeting at which it will be considered.

27.2 Refusal of notice of motion

The Chairperson may direct the chief executive to refuse to accept any notice of motion which:

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not related to the role or functions of the local authority or meeting concerned; or

- (c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive officer may make; or
- (d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned; or
- (e) Fails to include sufficient information as to satisfy the decision-making provisions of s.77-82 LGA 2002; or
- (f) Concerns a matter where decision-making authority has been delegated to a subordinate body or a local or community board.

Reasons for refusing a notice of motion should be provided to the mover. Where the refusal is due to (f), the notice of motion may be referred to the appropriate committee or board.

27.3 Mover of notice of motion

Notices of motion may not proceed in the absence of the mover unless moved by another member authorised to do so, in writing, by the mover.

27.4 Alteration of notice of motion

Only the mover, at the time the notice of motion is moved and with the agreement of a majority of those present at the meeting, may alter a proposed notice of motion. Once moved and seconded, no amendments may be made to a notice of motion.

27.5 When notices of motion lapse

Notices of motion that are not moved when called for by the Chairperson must lapse.

27.6 Referral of notices of motion

Any notice of motion received that refers to a matter ordinarily dealt with by a committee of the local authority or a local or community board must be referred to that committee or board by the chief executive.

Where notices are referred, the proposer of the intended motion, if not a member of that committee, must have the right to move that motion and have the right of reply, as if a committee member.

27.7 Repeat notices of motion

When a motion has been considered and rejected by the local authority or a committee, no similar notice of motion which, in the opinion of the Chairperson, may be accepted within the next 12 months, unless signed by not less than one-third of all members, including vacancies.

Where a notice of motion has been adopted by the local authority, no other notice of motion which, in the opinion of the Chairperson has the same effect, may be put while the original motion stands.

24. Revocation or alteration of resolutions/Te whakakore, te whakahou rānei i ngā tatūnga

24.1 Member may move revocation of a decision/Ka āhei tētahi mema ki te mōtini ki te whakakore i tētahi whakataunga

A member may give the chief executive a notice of motion for the revocation or alteration of all or part of a previous resolution of the council, subordinate body, local or community board. The notice must set out:

- (a) The resolution or part of the resolution which the member proposes to revoke or alter;
- (b) The meeting date when the resolution was passed;
- (c) The motion, if any, which the member proposes to replace it with; and
- (d) Sufficient information to satisfy the decision-making provisions of sections 77-82 of Part 6, of the LGA 2002.

If the mover of the notice of motion is unable to provide this information, or the decision is likely to be deemed a significant decision, the notice of motion should provide that the proposal is referred to the chief executive for consideration and report.

24.2 Revocation must be made by the body responsible for the decision/Mā te rōpū nāna te whakatau e whakakore

If a resolution is made under delegated authority by a committee, subcommittee, or subordinate decision-making body, or a local or community board, only that body may revoke or amend the resolution, assuming the resolution is legally made.

This provision does not prevent the body that made the delegation from removing or amending a delegation given to a subordinate body or local board or community board.

LGA 2002, sch 7, cl 30(6).

24.3 Requirement to give notice/Te herenga ki te tuku pānui

A member must give notice to the chief executive at least 5 working days before the meeting at which it is proposed to consider the motion. The notice is to be signed by not less than one-third of the members of the local authority, including vacancies. Notice can be sent via email and include the scanned electronic signatures of members. If the notice of motion is lost, no similar notice of motion which is substantially the same in purpose and effect may be accepted within the next twelve months.

24.4 Restrictions on actions under the affected resolution/Ngā herenga mō ngā mahi i raro i te tatūnga whai pānga

Once a notice of motion to revoke or alter a previous resolution has been received, no irreversible action may be taken under the resolution in question until the proposed notice of motion has been dealt with.

NETWORK WAITAKI EVENT CENTRE FLOORING PLAN - OFFICER ADVICE AND RISK ASSESSMENT

Author: Mark Renalson, Project Management Office Lead

Authoriser: Paul Hope, Director Support Services

OFFICER ADVICE

That the Council resolution WDC 2024/104 made at the May 28, 2024, Council Meeting, to amend the original plan from four timber sprung floors and two synthetic floors to six timber sprung floors for the Network Waitaki Event Centre, be upheld.

PURPOSE

Responding to Notice of Motion by presenting key information believed to have been tabled and considered by Council in support of six timber sprung floors.

SUMMARY

The Waitaki Event Centre Board requested that Council reconsider its original decision [19 December 2023] on the proposed flooring of the Event Centre in favour of having six timber sprung courts, at a Council meeting, May 28, 2024.

Key decision-making expectations were presented and included information that the major impact of having six timber sprung courts would be that Tennis would no longer have access to an all-weather surface.

The Project Board and the Fundraising Trust offered to assist with securing funding towards a purpose-built tennis facility. This report included that underutilised tennis courts in Oamaru and Weston could be resurfaced to meet the all-weather surface preference.

The additional cost to amend the original floor plan is \$50,000.

Construction of the facility commenced in December 2024. Progress to date includes:

On-Site Activities:

- Underground services installed
- Site and foundation footings excavated
- Steel frames delivered and installation underway
- Concrete pouring of footings in progress

Off-Site Activities:

- Steel structure beams manufactured, with primer coating underway
- Timber for flooring ordered
- Concrete wall panels under construction
- Subcontractors engaged for construction and supporting activities

The project remains on track, with key components progressing as planned.

Potential Risks to change floor plan.

• Cost Implications:

- Cost of delay and amendment of works TBC
- Payment required for materials ordered (timber for flooring)

- Additional concrete required due to design changes to the floor
- Cost to provide Tennis with nets and other associated equipment

• **Reputational & User Impact:**

- Loss of engagement from proposed users, leading to reputational damage
- Reduced potential to host major sporting events
- Limited functionality of the two synthetic courts, which are suitable for indoor tennis training but not for tournaments

CONCLUSION

The Council's decision on May 28, 2024, to proceed with six timber sprung courts was informed by key considerations, including the impact on tennis access, financial implications, and broader user benefits. While the change incurs an additional cost of \$50,000, this was assessed as a manageable investment to enhance the facility's overall functionality and appeal. Alternative solutions for tennis were identified, mitigating concerns around the loss of an all-weather surface. Given the progress of construction and the risks associated with further changes, maintaining the current floor plan remains the most viable and strategic course of action.

Community Centres

When it comes to sport at the highest level nothing less than a perfect playing surface will suffice. We've partnered with the world's leading manufacturers to provide Kiwi organisations with surfaces of the highest quality. Our courts have been tested in the toughest arenas imaginable, including the US and Australian tennis opens, ensuring they not only perform on the day, but also stand the test of time.



Southland Stadium 2



High Performance Chch



Winton Netball Club



Washdyke Community Centre

11 October 2019

**Minogue Park netball courts set for resurfacing
Hamilton's home of netball is set for a major court upgrade.**



Hamilton's home of netball is set for a major court upgrade.

Minogue Park, in Forest Lake, is the home to the Hamilton City Netball Centre, where the courts will be relaid using the Rebound Ace rubberised court surfacing product.

The \$3M project is a partnership involving Hamilton City Council through its 10-Year Plan renewals programme, Hamilton City Netball Centre and Trust Waikato, and will also increase the number of useable courts at the site from 18 to 21.

In season, Hamilton City Netball Centre hosts 270 games per week played by more than 5000 participants – reflecting how important the courts are to the netball community. Other work included in the project will be the creation of a storage area for equipment, plus the refurbishment of toilets and changing rooms.

Maria Barrie, the Council's Parks and Recreation Manager, says it's a highly anticipated project and the result of two years of planning and discussions between the Council's staff and Hamilton City Netball Centre representatives.

**“For projects of this kind, working with our stakeholders is vital,”
Ms Barrie says.**

“The Council has a key role to play in providing sports facilities for our community and being able to liaise directly with sporting bodies allows us to meet their needs as their codes grow.”

Trust Waikato, which sponsors the Hamilton City Netball Centre, is contributing financially to the project.

“Trust Waikato is pleased to support the resurfacing of the netball courts,” says CE Dennis Turton.

“They are a significant resource for thousands of people who use them every year and will also help to enable the Sport Waikato strategy of encouraging women and girls to get active.”

David Bluett, Chair of the Hamilton City Netball Centre welcomed the renovation of the courts.

“It means we have a modern facility to support grassroots netball in the greater Hamilton area,” Mr Bluett says. “We are very appreciative of the support from Trust Waikato to assist us to improve this long-term community asset.”

Mr Bluett says the board was excited to be able to offer the netball community a safe and modern playing surface and upgraded amenities to take netball into the future – particularly with an expected surge in popularity at junior level following the Silver Ferns 2019 Netball World Cup victory.

The netball community will be consulted on the two colour options available for the Rebound Ace surfaces – blue courts with green surrounds, or green courts with blue surrounds.

Work starts on 21 October, with the installation of new drainage, and the courts will be ready for use in March.

Feedback

Has this page been helpful?

Yes No

Friday 07 February 2025

Netball and tennis players rejoice as QEC outdoor court resurface begins



The Queenstown Lakes District Council (QLDC) is set to begin resurfacing six outdoor courts at Queenstown Events Centre using a high-performance material designed to enhance player safety and performance.

The project will require the temporary closure of the courts from 10 February to 27 March. The courts will reopen to the public on 3 April, offering a state-of-the-art playing surface for the community.

QLDC Community Venues Team Leader, Deborah Husheer, said it's a much-needed upgrade to ensure the facilities meet the demands of our growing community.

"We're excited for our outdoor courts to be resurfaced and I'm sure all netball, tennis and outdoor sport enthusiasts will be looking forward to it too. **The surface will be Rebound Ace HSA – a dedicated sport surface that is a huge upgrade from the current concrete.**"

"This upgrade ensures our facilities keep up with the demands of community sport and we want to thank everyone for their patience while the work is being done."

Rebound Ace HSA has been chosen as it provides excellent shock absorption, reducing the risk of injury and improving playability. This upgrade reflects QLDC's commitment to providing top-tier facilities for residents and visitors.

For updates on the project, please follow QLDC Sport & Recreation on [Facebook](#) or [Instagram](#).
ENDSIKUA MUTU.

Media contact:
communications@qldc.govt.nz
or call 03 441 1802.

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Wanaka Recreation Centre

Mid 2016 Multisport Surfaces was involved in the floor surfacing of the new \$13.9 million Wanaka Recreation Centre. The complex is a hub for community sports events and programmes. The flexible indoor space provided a multi purpose, long wearing and cushioned centre providing 2 basketball courts, 2 netball courts, 3 volleyball courts, 4 badminton and 2 tennis courts.

The product used was Rebound Ace Impact, this is the preferred therapeutically cushioned option to hard floors and timber. This surface removes the harshness of a hardcourt or timber surface and actually enhances performance. The reduction in impact on leg muscles and joints greatly improves the comfort levels of players as well as lowering fatigue. This in turn allows players to perform better, maximising their true potential. Rebound Ace Impact is a resilient, multi-layered product consisting of an elastic rubber cushioned base, self levelling polyurethane wear layer as well as a polyurethane top coat with a non reflective matt finish. Review our photos below outlining the multi layered flooring system.



Finished Recreation Centre Main



Nearly ready to start the job



Concrete floor



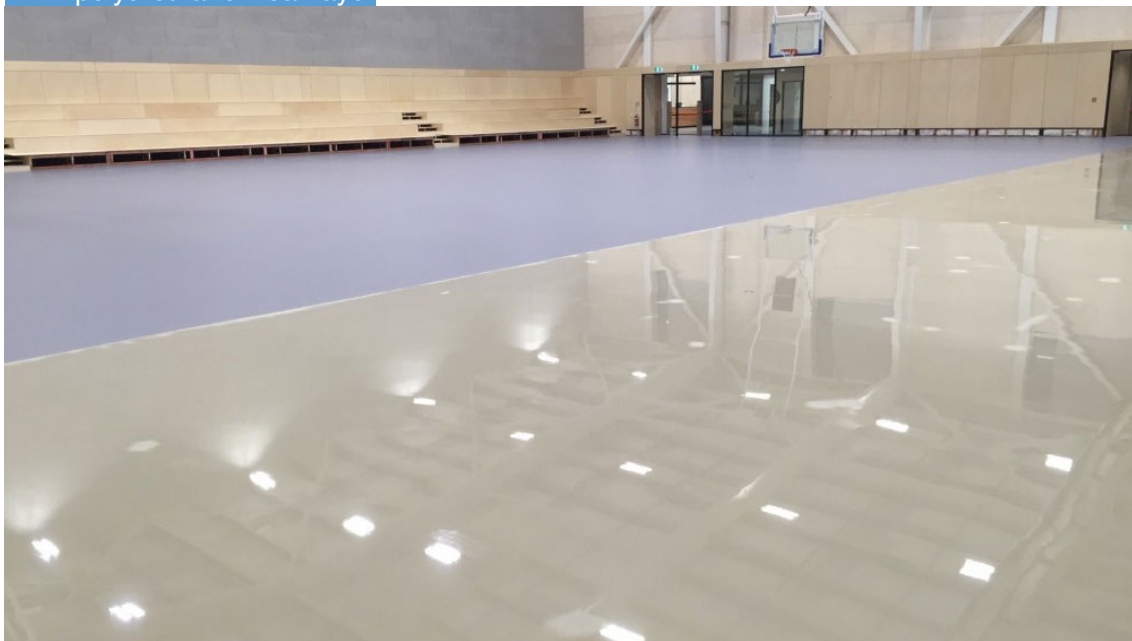
Poly Sealer



4mm elastic cushioned rubber



2mm polyurethane wear layer



Colour coat



Commencement of lines



7.2 RATIFICATION OF SUBMISSION ON RESOURCE MANAGEMENT (CONSENTING AND OTHER SYSTEM CHANGES) AMENDMENT BILL

Author: David Campbell, Heritage and Planning Manager

Authoriser: Roger Cook, Director Natural and Built Environment

Attachments: 1. Waitaki District Council submission on RM Consenting and Other System Changes Amendment Bill [↓](#) 

RECOMMENDATION

That Council formally ratifies Waitaki District Council's submission on the Resource Management (Consenting and Other System Changes) Amendment Bill, as submitted to the Environment Select Committee on 10 February 2025.

DECISION OBJECTIVE

To retrospectively ratify Waitaki District Council's (WDC's) submission on the Resource Management (Consenting and Other System Changes) Amendment Bill, which was submitted to the Environment Select Committee on 10 February 2025.

SUMMARY

The Resource Management (Consenting and Other System Changes) Amendment Bill would amend existing provisions in the Resource Management Act 1991 (RMA) relating to infrastructure and energy, housing growth, farming and the primary sector, natural hazards and emergencies, and system improvements. The bill would:

- specify default maximum time frames for consent processing and establish default consent durations for renewable energy and infrastructure consents to improve process and outcome certainty for system users.
- make it optional for councils to implement the medium density residential standards (MDRS) and provide plan-making processes that are more flexible and support housing growth.
- clarify the relationship between the RMA and the Fisheries Act 1996 to balance marine protection with fishing rights.
- provide more tools to deal with natural hazards and emergency events to improve decision-making and efficiency.
- increase penalties for noncompliance, remove insurance against penalties, enable cost recovery for councils, and enable the consideration of an applicant's compliance history in consent decisions.

Details of the Bill can be found here:

<https://legislation.govt.nz/bill/government/2024/0105/latest/LMS1014951.html>

Key submission points/Areas supported

In general, the Bill improves many administrative aspects of the RMA and elevates critical topics, such as natural hazards and compliance. As such, WDC's submission is generally supportive of these improvements as they will seek to deliver better outcomes for the environment and enhanced

planning mechanisms for key areas. A list of the clauses that WDC supports is contained in the submission attached to this report.

Areas not supported/to be amended

Whilst most changes proposed by the Bill are positive, some aspects may be problematic and either should be removed or reworded. These are as follows:

- Clause 4 - Section 2 – long-lived infrastructure definition to include water supply, waste and stormwater infrastructure.
- Clause 29 – Section 88BA is expanded to include the ability for the consent authority to extend the time period beyond that specified.
- Clauses 31 and 33 – Section 92A(3) and Section 92B(2) retain “must”.
- Clause 34 – Section 100 retain current s100 provisions. If this option is not preferred the new s100(1) could be reworded as follows: A consent authority may ~~must~~ not hold a hearing on an application for a resource consent if it determines that it has sufficient information to decide an application and the applicant and submitters agree that a hearing is not required.”
- Clause 35 – Section 103BA is removed.
- Clause 37 – Sections 106A(2)(b) and (c) to be reworded to replace “material damage” with “consequences” and include within the consequences “on people, property, critical infrastructure and the environment”. Section 106A(2)(d) to be either realigned with sections (b) and (c) above or reworded “whether the proposed use of the land would result in adverse effects on the safety of permanent occupiers of the land.”

DECISION-MAKING EXPECTATIONS

Governance Decision-Making:	Formally ratify Waitaki District Council's submission on the Resource Management (Consenting and Other System Changes) Amendment Bill
Operational Decision-Making:	No further action is required by Council officers
Communications	Media Releases – contributed to by officers and Elected Members Media/public enquiries regarding governance decision-making topics above can be addressed by governance Media/public enquiries regarding operational decision-making topics above can be addressed by officers

SUMMARY OF DECISION-MAKING CRITERIA

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	Key	Environmental Considerations	No
Legal	No	Cultural Considerations	No
Significance	No	Social Considerations	No
Financial Criteria	No	Economic Considerations	No
Community Views	No	Community Board Views	No

Consultation	No	Publicity and Communication	No
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BACKGROUND

The Bill proposes targeted amendments that align with the longer-term replacement of the RMA. The objective of the Bill is to deliver on National Party commitments and coalition agreements for renewable energy and infrastructure, housing, and the primary sector. The policy proposals also aim to improve natural hazards and emergency recovery regulations, as well as improvements to simplify the planning system. The Bill amends a range of existing RMA provisions across 5 themes:

1. *Infrastructure and energy*

The Bill amends the RMA to specify default maximum time frames for consent processing and establish default consent durations for renewable energy and infrastructure consents to improve process and outcome certainty for system users.

2. *Housing growth*

The Bill amends the RMA to make it optional for councils to implement the MDRS and provides plan-making processes to deliver for housing. The aim is to increase flexibility and support housing growth. The Bill introduces new powers for the Minister to ensure compliance with national direction. The Bill also simplifies the listing and delisting of heritage buildings and structures.

3. *Farming and the primary sector*

The Bill clarifies the interface between the RMA and the Fisheries Act 1996, to balance marine protection with fishing rights. It amends certification and auditing of farm plans, ensures timely consent processing for wood processing facilities, and enables national direction to facilitate aquaculture improvements more easily. The objective is to enhance investment certainty and support growth.

4. *Natural hazards and emergencies*

The Bill provides an increased suite of tools to deal with natural hazards and emergency events, aiming for better decision making and efficiency.

5. *System improvements*

The Bill amends the RMA to enhance compliance and enforcement, reduce regulatory uncertainty, address system gaps, and clarify policy intent to support a well-functioning resource management system.

Once enacted, Waitaki District Council must give effect to the RMA through its own District Plan and decisions on resource consents. Given the timing of the Bill, it will not impact on the recently approved Proposed District Plan for notification.

SUMMARY OF OPTIONS CONSIDERED

Option 1 – Formally ratify Council’s submission on the Resource Management (Consenting and Other System Changes) Amendment Bill. **(Recommended)**

Option 2 – Do not formally ratify Council’s submission on the Resource Management (Consenting and Other System Changes) Amendment Bill.

ASSESSMENT OF PREFERRED OPTION

Option 1 is the preferred option.

A draft submission was pre-circulated to the Governance Team for review and comment. No changes were requested.

The submission was sent to the Environment Select Committee on 10 February 2025 to meet the consultation timeframes. Therefore, Option 2 is not a viable option.

CONCLUSION

Council's input into the Resource Management (Consenting and Other System Changes) Amendment Bill is important. It must give effect to any changes to the RMA resulting from this through the Waitaki District Plan.

Council is asked to formally ratify the Waitaki District Council submission on the Resource Management (Consenting and Other System Changes) Amendment Bill.

ADDITIONAL DECISION-MAKING CONSIDERATIONS

Waitaki District Council Strategic Framework

Outcomes

Community Outcomes

Prosperous District

- Attractive to new opportunities
- Supporting local businesses
- Fostering a diverse and resilient economy

Strong Communities

- Enabling safe, healthy communities
- Connected, inclusive communities
- Promoting a greater voice for Waitaki
- Celebrating our community identity

Quality Services

- Robust core infrastructure and services
- Community facilities and services we are proud of

Valued Environment

- Protecting our diverse landscapes and water bodies
- Meeting environmental and climate change challenges

Policy and Plan Considerations

Waitaki District Council must give effect to national resource management direction (once it takes effect) through its Proposed and/or Operative District Plans and decisions on resource consents.

Community Views

Nil – the community had the opportunity to submit on the Bill.

Financial Considerations

Nil

Legal Considerations

Nil

Environmental Considerations

The submission does not affect environmental considerations.

Publicity and Community Considerations

Nil – the Bill has been publicised through standard Government channels.

10 February 2025

Committee Secretariat – Environment
Parliament Buildings
WELLINGTON
en.legislation@parliament.govt.nz

To the Environment Select Committee

**Waitaki District Council submission in the matter of the Resource Management
(Consenting and Other System Changes) Amendment Bill**

Waitaki District Council (WDC) welcomes the opportunity to submit on the Resource Management (Consenting and Other System Changes) Amendment Bill.

Background

The Waitaki district has a population of ~24,300 (2023) and covers a large land area (7,152 km²) reaching inland from the Waitaki River mouth, up the Waitaki River Valley, through Ōhau to the top of the Ahuriri River Valley, extending south to Ōamaru, and down the east coast beyond Palmerston to Flag Swamp.

The Waitaki district is one of only a few territorial authorities working with two regional Councils - Environment Canterbury and Otago Regional Council.

The Waitaki district's population is increasing in size and diversity. Māori and Pasifika populations are growing particularly rapidly in the region, and Waitaki is home to one of New Zealand's largest populations of Pacific peoples per capita, and one of the fastest growing Pasifika populations in the country.

The rural sector provides significant employment and GDP in the Waitaki district. With a large based rural economy, WDC faces a number of challenges in balancing the economic and environmental aspirations of the district (eg. intensified dairy farming, carbon farming for sequestration purposes, and high valued natural environment values in some parts of the district).

The district contains some strategic economic infrastructure including Meridian's Waitaki hydro scheme, and the OceanaGold operations - New Zealand's largest active gold producing mine.

Summary

WDC is largely supportive of the submission from Taituarā on this matter.

WDC is generally supportive of the improvements proposed in the Bill, particularly where they relate to addressing further information responsibilities of the applicant, elevating enforcement and compliance matters and cost recovery thereof. The inclusion of natural hazards is supported, particularly the ability to decline a land use consent for particular hazard reasons and provisions to support emergency responses and recovery. The

streamlining of processes for listing and delisting heritage items and designations are welcomed. Clearer timeframes for various actions are supported as these have been lacking, as well as the extended lapse dates for territorial authority designations that better align with long term plan timeframes.

WDC is somewhat concerned about the changes to the hearing provisions and some more minor matters relating to certain consent timeframes, the scope of long-lived infrastructure and consideration of applications when further information is not provided.

A significant issue for Council currently is how the amendments contained within this Bill interface with implementation of the current RMA, while also looking toward the proposed changes to national direction and the impending phase three reform (RMA replacement). Council considers that urgent focus should be given to working with councils on implementation in the context of all of this change.

SUPPORT FOR PROPOSED SECTIONS OF BILL

Comment:

- WDC is supportive of the opportunity to improve the consenting and other processes as outlined in the Bill including:
 - Clause 4 - Section 2 – long-lived infrastructure definition insofar as it includes structures for transport (clause (d)).
 - Clause 10 – Section 36 amendments, which allow for recovering a greater range of compliance costs.
 - Clause 18 – Section 77G(1) to allow for a MDRS to “may” be incorporated into a residential zone.
 - Clause 20 – Section 80C for the ability to use a streamlined process to list and delist heritage items (as defined by clause (5)).
 - Clause 22 – Section 80E that adds further related provisions that may be included in a district plan when implementing the MDRS or NPS-UD.
 - Clause 25 – Section 86B includes natural hazard provisions to also have immediate legal effect.
 - Clause 28 – Section 88 (2AA) and (2AB) are useful additions to clarify the completeness of an application.
 - Clause 30 – Section 92 (2B) additions better clarify the nature of a further information request.
 - Clause 32 – Section 92AA provides a mechanism to better deal with the applicant’s failure to respond to requests for information, including the 3-month maximum response timeframe (s 92AA(1)(b)).
 - Clauses 31 and 33 – Section 92A(3) and Section 92B(2) seeks to replace “must” with “may”, which provides discretion to consider an application despite unresponsive requests for information. This is supported on the basis that it operates alongside new s92AA.
 - Clause 36 – Section 104 that adds compliance history considerations for an application, including the ability to decline an application on certain grounds.
 - Clause 37 – Section 106A now provides grounds for refusing a land use consent and largely mirrors the provisions for s106. Note some concern for s106A(2)(c) and (d) as outlined below.
 - Clause 38 – Section 107G now formalises the often-used draft consent condition process, including the ability to suspend the processing of the application (s107G(2)(a)). There may be some clarification needed on what

constitutes “within a reasonable time” set out in s107G(3) as this could vary significantly.

- Clause 39 – Section 108 adds the ability to include conditions to deal with risk associated with previous non-compliance history of the applicant.
- Clause 45 – Section 128 adds a further circumstance for contravention of a consent condition when consent conditions can be reviewed.
- Clause 46 – Section 149N adds natural hazards to also align with s86B so that natural hazards provisions also have legal effect.
- Clause 49 – Section 168 clarifies the notice of requirement assessment matters.
- Clause 50 – Section 168A clarifies the notice of requirement (for a territorial authority) assessment matters and aligns with the changes proposed in Clause 49.
- Clause 51 – Section 171 clarifies the consideration matters by a territorial authority for a requirement and aligns with the changes proposed in Clause 49.
- Clause 53 – Section 184A extends the lapsing of designations of territorial authority in its own district from 5 to 10 years and this better aligns with a council long term plan horizon.
- Clause 59 – Section 314A allows application to be made to the Environment Court to revoke or suspend a resource consent when there have been on-going or repeated non-compliance issues.
- Clause 60 – Section 322 clarifies the scope of an abatement notice.
- Clause 61 – Section 327 extends the length of an excessive noise direction from 72 hours to 8 days.
- Clause 62 – Section 330 improves emergency works provisions for giving notice when an occupier cannot be found.
- Clause 63 – Section 330A extends the timeframe to seek resource consent for emergency works from 20 to 30 working days.
- Clause 64 – Section 331AA allows for emergency response and recovery regulations to be made.
- Clause 65 – Section 339 amended to increase financial and reduce imprisonment penalties for non-compliance, which also has the effect of removing the ability to elect a jury trial for RMA prosecutions.
- Clause 66 – Section 432A prohibits certain contracts of insurance against fines.
- Clause 67 – Section 352 amends the service of documents provisions to be more consistent with other Acts.
- Clause 69 – Section 360 adds a provision to allow for an activity to be prescribed as long-lived infrastructure.

1. Note support for listed sections above.

CONCERNS FOR PROPOSED SECTIONS OF BILL

Comments:

- WDC has concerns with the consenting and other processes as outlined in the Bill including:
 - Clause 4 - Section 2 – long-lived infrastructure definition should be extended to include water supply, waste and stormwater infrastructure.
 - Clause 29 – Section 88BA creates a time limit for consenting specified energy activity or wood processing activity of 1 year and this may be too short in

certain circumstances and if there is no ability to “stop the clock”, noting the ability to extend this by up to a further 1 year.

- Clause 34 – Section 100 replaces the provisions that relate to when a hearing is not required. The new provisions go too far and are unclear in stating that a hearing must not be held based solely on the level of information available to decide the application. This takes away the ability for both the applicant and submitters to have their say and explain their respective positions, as well as make any changes/concessions at the hearing to address any issues. It will also likely increase appeals to decisions where no ability to be heard has been provided.
- Clause 35 – Section 103BA includes a requirement to provide report or other evidence if a hearing is not held and this almost seems redundant given there is no hearing and therefore no ability to respond to any of the material provided. There is no clear purpose, other than for transparency, for these provisions and they will add further administrative burden and create confusion and angst amongst the parties involved without a hearing.
- Clause 37 – Sections 106A(2)(b) and (c) only appears to apply ‘material damage’ of land in respect of which consent is sought, whereas a broader consideration should be applied. Section 106A(2)(d) is quite broad in terms of adverse effects on the health and safety of people and needs to be tightened up or better aligned with the previous sections.

Recommendation:

2. That the following changes are made:

- Clause 4 - Section 2 – long-lived infrastructure definition to include water supply, waste and stormwater infrastructure.
- Clause 29 – Section 88BA is expanded to include the ability for the consent authority to extend the time period beyond that specified.
- Clauses 31 and 33 – Section 92A(3) and Section 92B(2) retain “must”.
- Clause 34 – Section 100 retain current s100 provisions. If this option is not preferred the new s100(1) could be reworded as follows: A consent authority may ~~must~~ not hold a hearing on an application for a resource consent if it determines that it has sufficient information to decide an application and the applicant and submitters agree that a hearing is not required.”
- Clause 35 – Section 103BA is removed.
- Clause 37 – Sections 106A(2)(b) and (c) to be reworded to replace “material damage” with “consequences” and include within the consequences “on people, property, critical infrastructure and the environment”. Section 106A(2)(d) to be either realigned with sections (b) and (c) above or reworded “whether the proposed use of the land would result in adverse effects on the safety of permanent occupiers of the land.”

Conclusion

Thank you for the opportunity to submit on the Resource Management (Consenting and Other System Changes) Amendment Bill.

WDC does not wish to appear before the Environment Select Committee to speak to its submission.

Yours sincerely

Mayor Gary Kircher
Mayor for Waitaki

Person for Contact: David Campbell, Heritage and Planning Manager, Waitaki District Council

DRAFT

7.3 ACCEPTANCE OF THE SOLID WASTE SERVICES BUSINESS CASE

Author: Lucianne White, Waste Minimisation Officer

Recommender: Steve Clarke, Solid Waste Manager

Authoriser: Roger Cook, Director Natural and Built Environment

Attachments:

Attachments: 1. **Waitaki District Council Solid Waste Services Business Case FINAL**
 

PURPOSE

To formally receive the Waitaki District Solid Waste Services Business Case and seek Council approval to proceed to engaging with the community on their appetite for a Council-controlled service and preferred service configuration.

EXECUTIVE SUMMARY

The Waitaki District Solid Waste Service Business Case has been prepared to look at what a better waste service for the Waitaki community would look like. The preparation of the business case was driven by adoption of a new national waste strategy, Te rautaki para, and proposed legislation to require Councils to implement kerbside services by 2027, by the previous government. While the current government has recently announced they will not be progressing with these proposals, the business case demonstrates that a council-controlled comprehensive kerbside service has the potential to reduce waste to landfill, and emissions from waste, by 28%.

The business case has also highlighted that current waste service system sees a high volume of divertible waste going to landfill, high emissions from organic waste in landfill, an inconsistent and inefficient subsidization and provision of services across the waste sector. A range of options were analyzed for their potential to maximize waste diversion, have a consistent, convenient, and efficient level of service and leverage the existing benefits of the current system. The business case recommendation is to progress engaging with the community on a comprehensive council-controlled kerbside service to enable any future decisions on implementing a service to be informed by community feedback.

OFFICER RECOMMENDATION

That Council:

1. Receives the Waitaki District Solid Waste Services Business Case and approves Officers to prepare for community engagement on a Council-controlled kerbside collection service (recommended)

CONTEXT, ANALYSIS AND ADVICE

Background and Current Situation

This business case has been prepared by Morrison Low and officers to consider options for a better waste service system for the Waitaki community that will improve diversion of material from landfill. The development of the business case was driven by adoption of a new national waste strategy, Te rautaki para (TRP), in March 2023, along with proposed future legislation for compulsory council-controlled urban kerbside collection services.

The previous government proposed a January 2027 date for implementation of council-controlled kerbside services for those Councils without one (only seven), however the current government deferred a decision on progressing the proposed legislation until they had completed a review. In December 2024 they announced they would not be progressing with any of the proposals.

Co-funding of 50% from the Ministry for the Environment (MfE) was made available to do the necessary research on implementation of services for Councils' not already providing them under the previous government, with this funding remaining available after the change of government. The remaining 50% has been funded by the waste levy rebate Council receives from MfE.

Priority and Strategic Context

The vision in TRP is that we will be a low emission, low waste society built on a circular economy by 2050. Council's Waste Minimisation and Management Plan (WMMP) 2024 – 30 has an aligned vision of "Waste Free Waitaki: where our resources are valued, our environment protected, and our people thrive". Our WMMP also aligns directly with our strategic framework, particularly our four community outcomes of "valued environment", "quality services", "prosperous district" and "strong communities". Our WMMP has actions to consider urban kerbside services, as well as rural services along with considering improved logistics and infrastructure for waste diversion. Under the Waste Minimisation Act 2008, we also have a statutory responsibility to promote effective and efficient waste management and minimization. Under the Health Act 1956 we need to ensure our waste management systems protect public health.

Available data has shown that an unnecessarily high level of divertible waste is being sent to landfill from our community. That our rural transfer stations have a low level of cost recovery, that there is inconsistency and inefficiencies in the way we subsidize or provide waste services and that there is significant room for improvement. Because of this strategic context and the current waste diversion situation this business case has taken a wider lens than just looking at kerbside services it looks at what a better waste service for our community could look like.

The business case has identified that a comprehensive kerbside service delivered by Council and the continuation of rural transfer stations, has the potential to achieve an improvement of 28% of both diversion of waste to landfill, emissions from waste and will potentially be more cost effective than the current system for the majority of our community. The recommended service provision configuration would meet the community outcomes by enabling robust core infrastructure, services and community facilities we are proud of. It would also enable new opportunities, could support local businesses by activating broader outcomes through the procurement process and foster a diverse and resilient economy. Comprehensive services would enable safe and healthy communities and protect public health by ensuring waste is managed and minimized as much as possible. By enabling a better waste service system for our community, we will also be protecting our diverse landscapes and water bodies for future generations.

The overall recommendation in the business case is to proceed to engaging with the community on the recommended service solution to enable the Governance Team to take into account community feedback on any future decisions on the implementation of a council-controlled kerbside service.

Analysis and Discussion

The business case took into consideration the strategic direction of TRP, Council's own strategic framework, community outcomes, the WMMP vision and identified key current challenges of:

- A high volume of waste going to landfill that could be diverted (including organics and recyclables)
- High emissions from low organics and recycling diversion and multiple service providers servicing areas
- A high cost of current waste services with duplication between services provided by multiple parties
- Inconsistent subsidisation and services provided by Council in different parts of the district

The business case adopted the strategic objectives below to deliver on the above combined strategic directions and address the identified challenges:

- Maximise waste diversion
- Have a convenient waste service
- Have an efficient waste system that delivers a consistent level of service

- Leverage the benefit of existing waste infrastructure and champions

Further to these strategic objectives, the business case also identified the following critical success factors:

- Strategic fit and business needs
- Potential value for money
- Supplier capacity and capability
- Potential affordability
- Potential achievability

The business case considered the current waste system, its realized benefits, and its strengths. It identified components of a new system that could deliver a more efficient waste system with higher diversion while retaining those strengths and benefits. Additionally, it determined who would be best placed to deliver those components.

While the potential mandate for Councils to provide a kerbside service has been removed, the business case analysis has shown that a comprehensive service provided by the Council has the potential to achieve a 28% reduction in waste to landfill and reduce emissions from waste by up to 28%. It also estimates that a council-controlled service would be more cost-effective for 70% of the population.

The business case also identified that up to 70% of residential waste has potential to be diverted from landfill, and that using a bylaw only to require the private sector to provide residential kerbside services would not likely realize that potential.

It also demonstrates that there are options to capitalize on both the benefits realized with the current system and local economic development opportunities by utilizing broader outcomes in any future procurement process.

Consultation and Option Development

Officers have consulted with the Governance Team, key external stakeholders and internal stakeholders in the development of this business case.

Financial Considerations

The short-term financial consideration is the cost to engage with the community on potential future kerbside services. The longer-term financial considerations are the costs of implementing a service, the costs to ratepayers and potential infrastructures costs, although infrastructure costs are not necessarily costs to Council. The business case details indicative costs in all of these areas for consideration, as well as potential ways to stagger costs across multiple years.

Additional Considerations

The business case options analysis considered a range of scenarios for rubbish, recycling and organic waste solutions including maintaining the status quo and using a bylaw to require the private sector to provide a range of services. Maintaining the status quo was taken forwards for the purposes of comparison but using a bylaw was not due to that option not meeting some of the critical success factors.

Risks

The recommended option of proceeding to consult with the community carries the following risks:

- Not enough feedback captured to inform future decisions on a council-controlled kerbside service
- Strong support for a council-controlled service would increase projected rates, if a decision to proceed was taken

- A rates-funded service would likely be more expensive for a proportion of our community than the status quo

There are also risks associated with the other options presented:

Option 1 - That Council receives and notes the business case:

By only receiving and noting the business case there is a risk that no further action will be taken to improve the current waste system we have, and the high levels of divertible waste that we currently send to landfill will not be addressed.

By maintaining the status quo there is also no guarantee that households will have access to adequate kerbside services, with only one private sector company currently offering a recycling kerbside service to more townships than Oamaru, Weston and Kakanui.

There is also the risk that the current funding available to support Councils to implement services may not be available later should the business case just be received and noted and no further steps taken.

Option 3 - Explore other options to improve diversion from landfill:

While there is absolute merit in exploring other options that would support a better waste service system for Waitaki that would increase diversion and minimisation, activating this option alone may result in higher costs for waste services for our community.

Using a bylaw alone to regulate the provision of waste and recycling services may result in higher private sector costs for these services, less certainty and standardization for the community, increased confusion, and reduced appeal for community use. Enforcing a strong bylaw could potentially require as many resources from the Council without the control over cost, coverage, etc., that a council-controlled service would allow.

Utilizing the waste levy to fund and support more community-led waste solutions to achieve higher diversion from landfill also carries the risk that the amount of waste levy we receive may be subject to change in future years.

Council has the potential to collectively negotiate better waste service pricing on behalf of the community and there is a risk that focusing only on private sector and community-led waste services and solutions may not result in a more accessible, affordable and efficient waste system.

As above, there is a risk that funding available for progressing with kerbside service implementation may not be available later if steps aren't taken in this direction now.

Significance and Engagement

As the proposal to implement a council-controlled kerbside service later would be a significant service-level alteration by Council, it would trigger the Special Consultative Procedure for engaging with the community.

Summary of Options Considered

Option 1 – That Council receives and notes the business case

Option 2 – That Council receives the business case and approves Officers to prepare for community engagement on a Council-controlled kerbside collection service (recommended)

Option 3 – Explore other options to improve diversion from landfill including how the waste levy is utilized in regard to:

- The contestable waste fund
- Discretionary waste fund
- Opportunities for collaboration with community groups
- Economic development in the waste minimisation and diversion solution space
- Ensuring alignment with the 2024 Waste Minimisation and Management Plan.

Assessment of Preferred Option

While there is no longer the original driver of future legislation requiring the Council to deliver a kerbside service, the recommendation in the business case remains valid. It would enable the Council to consider community views on any future decision to implement a service. Additionally, the recommended service solution in the business case would help achieve the Council's community outcomes, align with the actions in the WMMP, and meet our legal requirement to protect public health by promoting and achieving waste minimisation and management.

Next Steps

If the recommended option is adopted, a Community Engagement and Communications plan will be drafted, and planning will commence to enable engagement during the preferred timeframe.



Waitaki

DISTRICT COUNCIL

TE KAUNIHERA Ā ROHE O WAITAKI

Waitaki District Council

Solid Waste Services Business Case

November 2024



Document status

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Executive Summary

Morrison Low were engaged by Waitaki District Council (WDC) to prepare a business case that considers options for solid waste service delivery within the district. WDC is seeking to investigate what services will improve diversion of waste from landfill and lower emissions, in line with both WDC's and national strategic directions. This business case considers the cost impact of different options on a range of households, including consequential implications for the current waste system in Waitaki.

Current challenges

This business case has identified a number of challenges and opportunities within the current waste system. Key challenges include:

- a high volume of waste going to landfill that could be diverted (including organics and recyclables)
- high emissions from low organics and recycling diversion and multiple service providers servicing areas
- a high cost of current waste services with duplication between services provided by multiple parties
- inconsistent subsidisation and services provided by Council in different parts of the district.

A further challenge is a lack of data available due to kerbside services currently being delivered by the private sector and no regulatory tools requiring data sharing.

Process for assessing options for better services and facilities

The longlist assessment of options covers a full range of potential options including maintaining the status quo, Council introducing a kerbside collection service to a range of urban and rural settlements and using a bylaw to better control current private collection providers. Investment objectives and critical success factors were developed based on the challenges identified, Council's strategic direction and the national waste strategic direction. Each option was assessed against these investment objectives and critical success factors with the highest ranked options taken forward to a shortlist for more detailed assessment. This included detailed assessment of landfill diversion potential, emissions reduction impact and cost impact on household types - from this robust assessment process a recommended future solution was identified.

Recommended future services and facilities

The recommended solution is to provide a comprehensive kerbside collection service (including refuse, recycling, glass and organics collections) to all households in urban and rural settlements throughout the district and continue to operate the existing nine drop-off facilities to provide a service for rural households outside of collection areas.

Environmental impacts

The recommended solution is estimated to reduce waste to landfill by more than **1,300 tonnes per annum (28%)** and reduce emissions from waste by up to **28%** through the increased diversion of recyclable materials and organics from landfill. There are also potential carbon reduction efficiencies with this solution, with fewer vehicle movements compared with the current delivery model.

Financial impacts

The current range in cost for waste services in Waitaki is estimated to be **\$345-\$1,300+ per household per annum**. A typical single person or low waste generating household pays an estimated \$345 per annum, a



small family pay around \$900 per annum, and it is estimated a large family pay more than \$1,300+ per annum. The estimated cost for the recommended solution is **\$544 per household per annum**. The recommended solution is more cost-effective than the status quo for most (70%) of households, providing a higher level of service, however low-waste-generating households (30%) will pay more to receive this higher level of service, but they may find it more convenient with a larger range of waste streams collected from their kerbside.

Social impacts

With more diversion, there are potential social benefits and broader outcomes to be realised through local economic development, and also potential to capitalise on the existing social benefits the status quo waste system currently delivers. The procurement process for a Council-delivered kerbside service could include desired broader outcomes.

Service Delivery Assessment

The detailed assessment also took into consideration which organisation has the capability and capacity to deliver the services. The recommended solution is for Council to outsource waste services to the specialist private sector through a procurement process. There is flexibility around the configuration of the recommended solution and the timeframe for their introduction.

Recommended next steps

It is recommended that WDC accept the business case and undertakes further community consultation on the recommended solution to inform a Council decision on the preferred solution to take through to procurement at a later date.



1 Introduction

This business case for solid waste services and facilities is intended to inform the potential scope and delivery of future services. This business case is based on a modified NZ Treasury Better Business Case (BBC) model (Figure 1). This approach ensures the full range of options are considered as part of a review process in a systematic and robust way.

1.1 Business case approach

The BBC approach focuses on developing realistic options that take into account Council's strategic direction for waste, consistent with the national direction (the strategic case), whilst also considering cost (the economic and financial cases), commercial realities (commercial case), and ease of implementation (management case). It is an ideal process to support the review of Waitaki's solid waste services. In order to achieve higher diversion and lower emissions, Council will need to consider a range of implications for households, current service providers and Council's own infrastructure and current service delivery. A BBC approach provides a systematic way to consider these.



Figure 1 Better Business Case process (adapted from New Zealand Treasury)

1.2 Section 17A review

This business case also includes aspects of a Section 17A service delivery review as outlined in the Local Government Act 2002. Section 17A requires local authorities to review the cost-effectiveness of current service delivery arrangements to meet the needs of communities within its district or region. This includes good-quality local infrastructure, local public services, and the performance of regulatory functions.

A Section 17A review must be undertaken when one or more of the following takes place:

1. Consideration of any significant change to relevant service levels;
2. within two years before the expiry of any contract or other binding agreement relating to the delivery of that infrastructure, service, or regulatory function; or
3. at such other times as the local authority considers desirable, but not later than six years following the last review.



In this case, a Section 17A review is required because Council is undertaking a review of its solid waste services (point 1).

1.3 Review methodology

The following steps have been completed in undertaking this business case:

- Review of existing services and facilities (by Council, by the Waitaki Resource Recovery Trust, and the private waste sector), costs and service delivery challenges, national and local drivers.
- Workshop with Council staff to discuss and agree strategic objectives and investment logic mapping for the options assessment.
- Analysis of options for kerbside collection services, facilities for drop-off and processing, and disposal.
- Workshop with elected members to discuss the business case approach.
- Review of shortlisted options with Council staff prior to developing detailed cost, waste diversion and emission reduction impacts for each option, from which a recommended solution was identified.
- Review of service delivery options for the recommended services and facilities solution (aligned with Section 17A).
- Review of funding mechanisms, commercial implications, implementation timeframes and resourcing, communications with stakeholders and mitigation of risks.
- Documentation of the review findings in this business case.



2 Strategic Case

2.1 Current state

The following sections outline how solid waste services are currently provided, how the volumes are managed, and the services are funded.

2.1.1 Current collection services

Solid waste collection services available in the district are summarised in the table below. The level of service provided by the private sector varies across the district. A more detailed description of collection services and associated financial inputs used later in this business case are provided in Appendix A.

Table 1 Summary of current collection services

Service type	Description
Council provided collection services	<ul style="list-style-type: none">• Council do not currently provide kerbside collection services.
Council supported collection services	<ul style="list-style-type: none">• Council provides a subsidy to Waste Management (WM) New Zealand for a refuse collection service to households in Ohau.
Private and community collection services	<ul style="list-style-type: none">• WM New Zealand: residential refuse, and commercial refuse and recycling.• WasteCo: residential refuse and recycling bins, greenwaste services, and commercial refuse and recycling.• Awamoa Bins and Skips: residential refuse and recycling bins, primarily in and around Oamaru and Weston, loose or bagged garden waste.• Oamaru Crewcut: residential garden waste in bags or bins.• Waihemo Wastebusters: recycling collection service using a pay-as-you-throw (PAYT) blue bag collected at the kerbside weekly (only in Palmerston, Shag Point, Goodwood and Dunback).• WRRT: limited collection options on request (only in Oamaru).

2.1.2 Current facilities

There are a range of facilities that support solid waste services across the district currently. A summary of the current facilities is provided in the table below and illustrated in the figure over the page. Like the collection services, the level of service varies across the district. There is no consistency in the level of Council involvement in these arrangements and the type of agreements in place. A more detailed description of facilities, waste accepted and some of the financial inputs used later in this business case are provided in Appendix A.



Table 2 Summary of current facilities

Service type	Description
Waitaki Resource Recovery Park (RRP)	<ul style="list-style-type: none"> Location: Oamaru. Operated by the Waitaki Resource Recovery Trust (WRRT - a social enterprise) on Council land, with grant support from Council, subsidised rent of Council premises and other funding sources. The Waitaki RRP receives and processes much of the diverted materials in the district and serves as a small materials recovery facility (MRF). The site also hosts the Get Sorted reuse shop and the MenzShed, which processes a small amount of construction and demolition waste.
Waihemo Waste busters and Reuse Shop	<ul style="list-style-type: none"> Location: Palmerston. Reuse shop operated by the Waihemo Wastebusters on Council land, with grant support from Council and other funding sources.
Hampden Tip Top Reuse shop	<ul style="list-style-type: none"> Location: Hampden. The Hampden reuse shop is operated by the Hampden Community Energy Society Inc.
Waitaki District Council Transfer stations	<ul style="list-style-type: none"> Locations: Kurow, Omarama, Otematata, Hampden (all on Council land). The four transfer stations are operated under contract with WasteCo. WasteCo provide haulage from all four transfer stations to the WRRT RRP for processing of recycling. Waste is consolidated at WasteCo's private transfer station and taken out of district for disposal.
Waitaki District Council Rural Recycling Drop-off Hubs	<ul style="list-style-type: none"> Locations: Papakio, Enfield, Herbert (all on Council land). Operation and maintenance under contract with WasteCo, including haulage to the WRRT RRP for processing.
Private Transfer Stations	<ul style="list-style-type: none"> Location: Oamaru. WM New Zealand's transfer station in Oamaru. Council has a memorandum of understanding (MOU) with WM New Zealand that they will provide a public transfer station in Oamaru and their private collections of recycling and glass will be processed by the Waitaki Resource Recovery Trust (WRRT). Waste is taken out of the district for disposal. WasteCo operate a private transfer station in Oamaru, but it is not open to the public.

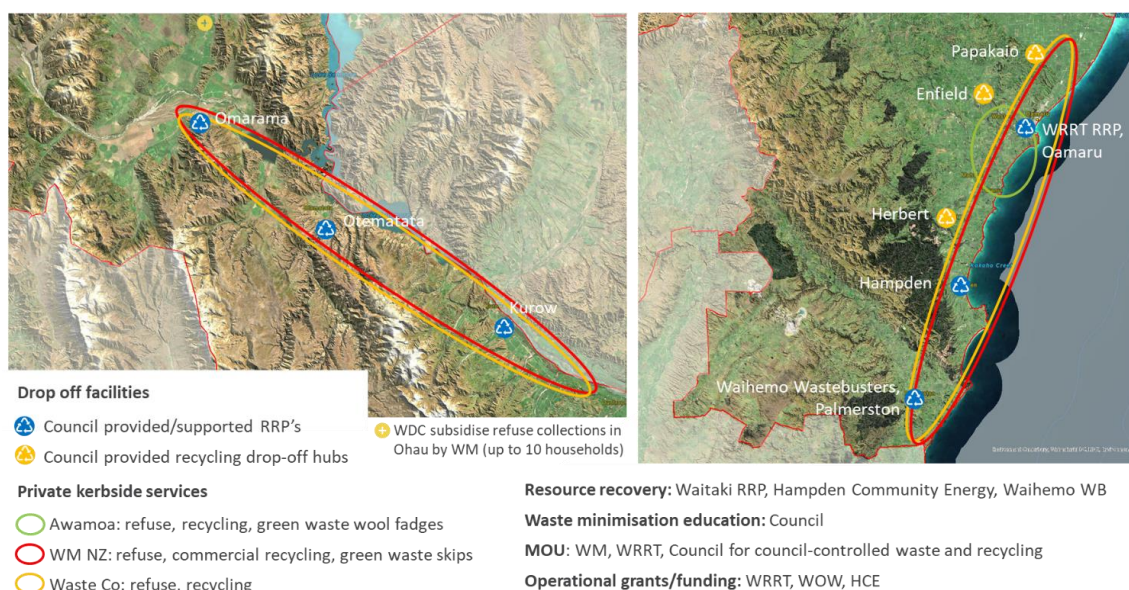


Figure 2 Overview of Council provided and supported waste facilities in Waitaki

2.1.3 Other solid waste services

There is a range of other solid waste services provided by Council across the district, summarised below.

Table 3 Summary of other solid waste services

Service type	Description
Public litter bins	<ul style="list-style-type: none"> Public place litter bins are provided in recreation reserves and CBD footpaths.
Education, behaviour change and community engagement and support	<ul style="list-style-type: none"> Waste Free Waitaki branding is used to spearhead a range of education and behaviour change initiatives including food waste, slow fashion, right to repair etc campaigns and workshops. WDC facilitate the EnviroSchools programme to 15 schools and ECEs. WDC have an annual contestable fund, and a discretionary fund, to support community-led waste solutions and initiatives.
Enforcement and solid waste bylaw	<ul style="list-style-type: none"> Council will implement a Solid Waste Bylaw by the end of 2025. The Bylaw will support the delivery of services, outline waste reporting requirements, minimum standards for the handling of waste and managing resident behaviour (illegal dumping and hazardous waste management). This could be expanded to require all private waste collectors to provide recycling and organic collections if a Council provided collection service is not implemented.
Other waste streams e.g. farm waste, hazardous waste	<ul style="list-style-type: none"> Hazardous waste is left to the private sector, but farm waste schemes are supported by negotiation with discretionary funding.



Service type	Description
Regional collaboration and support for national schemes	<ul style="list-style-type: none"> Regularly participates in industry conferences through WasteWINZ, the Territorial Authority Forum, Southland Otago Waste Network (SOWN). Advocates and submits on national consultations, Otago and Canterbury regional council plans and policies. Use of regional (out-of-district) facilities for processing and disposal of material Use of neighbouring council facilities for servicing of rural townships (e.g. Ohau residents using Mackenzie District Council's Twizel resource recovery park).

2.1.4 Current district waste volumes

The table below provides a summary of estimated solid waste streams by volume and provides a comparison between estimated annual household volumes and national averages.

Table 4 Summary of current district solid waste volumes

2023/24	Volume (tonnes)	Household volume (kg per household per year)	National household averages (kg per household per year)
Refuse	9,249	-	-
<i>Residential refuse</i>	<i>4,872</i> ^{Note 1}	<i>418</i>	<i>446</i>
Recyclables ^{Note 2}	893	77	140
Glass	469	40	95
Subtotal	10,611	535	681
Greenwaste ^{Note 3}	892	77	520
Other ^{Note 4}	722	-	-
Total	12,425	-	-

Notes:

1: Estimated for private residential collections, refuse dropped off at Council's facilities or WM New Zealand's RTS in Oamaru.

2: Standardised kerbside materials: paper, cardboard, plastics (1, 2 and 5), and tin or aluminium cans.

3: Greenwaste received at WRRT (167 tonnes) and WM New Zealand's Oamaru Transfer Station (725 tonnes) from all sources (i.e. residential and commercial).

4: Includes the WRRT reuse shop and other materials processed by WRRT including E-waste, used oil and other materials.

While household refuse volumes are near the national average, kerbside recycling volumes are well below national averages. Based on the information available to Council, for which there are some data gaps:

- Household refuse volumes are estimated at 418 kg per household, 6% below the national average.
- Household recyclable volumes are estimated at 77 kg per household, 55% less than the national average.
- Household glass volumes are estimated at 40 kg per household, 42% less than the national average.

These lower recyclable and glass volumes are reflected in the audit of waste to landfill, based on Solid Waste Analysis Protocol (SWAP) at the Oamaru RTS (see figure below, from Council's WMMP 2024-30). There is potential to increase diversion, which will be detailed in section 2.1.6 below.

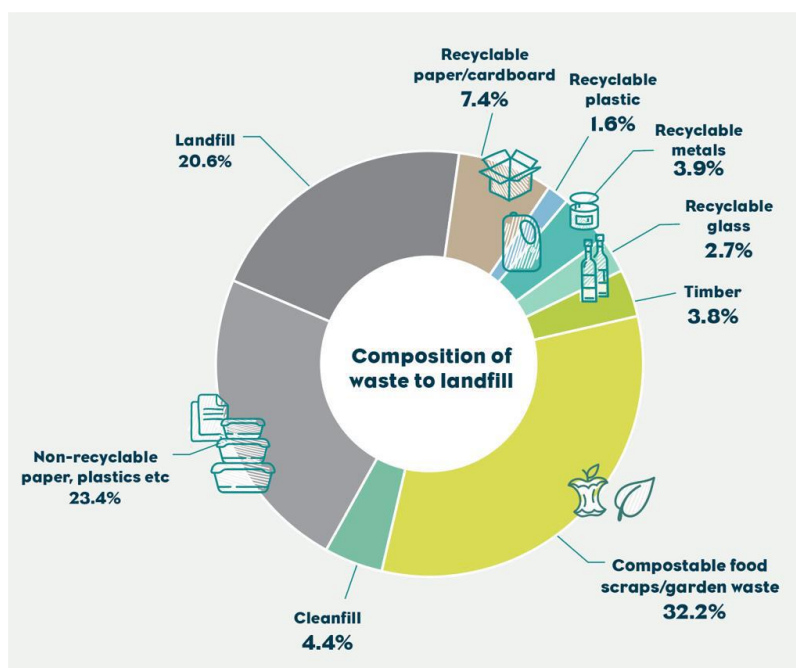


Figure 3 Indicative waste to landfill composition in Waitaki
Based on Solid Waste Analysis Protocol (SWAP) at Oamaru RTS, 2022 (Waitaki District Council, 2024-2030 WMMP).

Diverted material volumes processed at WRRT's RRP in Oamaru in 2023/24 are shown in the table below.

Table 5 Diverted material processed at the WRRP RRP

Type	Volume (tonnes)
Recycling	1,843
Paper	5%
Cardboard	34%
Plastic	10%
Glass	30%
Greenwaste	9%
Scrap metal	4%
E-waste	2%
Other	5%
WRRT Reuse Shop	606
Total	2,449

The current arrangements for solid waste handling, haulage and transportation are summarised as follows:

- WM New Zealand disposes around 7,250 tonnes of refuse and estimate around half to be from residential sources and half from commercial sources.
- WasteCo currently operate four Council transfer stations and provide haulage of refuse for disposal to their transfer station and diverted materials to WRRT's RRP.



- WasteCo disposes of around 2,000 tonnes of refuse from the district, mostly from private collections with around 150 tonnes of that from Council's transfer stations.
- Council- provided or supported facilities only receive around 400 tonnes of refuse drop-off per year (250 tonnes to WRRT and 150 tonnes to the transfer stations).
- Refuse volumes not available from Awamoa Bins at the time of writing but are included in WM tonnes as that is where it is consolidated before final disposal.

2.1.5 Solid waste volume and cost by household type

The estimated current volume of waste per household in Waitaki, and cost of waste services per household are outlined in the tables below. Table 6 provides low, medium and high waste generating household numbers, based on number of people in each household, and the percentage split of these household types in Waitaki. Table 7 profiles what waste costs potentially look like for these households. These modelled waste volumes and costs align with the expected waste volumes in Table 4 above and known private sector costs and Council subsidisation costs.

Table 6 Refuse waste volumes by household type

People per household	Households	% of households ^{Note 1}	Refuse volume ^{Note 2} (tonnes per week)	Refuse volume (tonnes per year)
1	3,446	30%	10	538
2-3	6,066	52%	55	2,839
4+	2,131	18%	29	1,496
Total	11,643	100%	94	4,872

Notes:

1: StatsNZ based on the 2018 Census data

2: Calculated based on household size distribution and estimated residential refuse volume in Table 4 above

Table 7 Profiled solid waste cost by household type

Single person/low waste household (30% total households): <ul style="list-style-type: none"> • Take a small amount of waste to WRRT fortnightly: • Take to small amount of recycling to WRRT fortnightly: • Compost at home, take a small amount of green waste to WRRT three times a year: • Pay a UAGC that supports the waste and recycling services across the district: 	Approx. annual cost \$133 \$104 \$30 \$78 \$345
Small family/moderate waste household (52% total households): <ul style="list-style-type: none"> • Put out a private 140L refuse bin fortnightly: • Put out a private 240L recycling bin fortnightly: • Take their glass to WRRT once a month: • Compost at home, take two loads greenwaste to Oamaru Transfer Station a year: • Pay a UAGC that supports the waste and recycling services across the district: 	Approx. annual cost \$386 \$234 \$48 \$150 \$78 \$896
Large family/high waste household (18% total households): <ul style="list-style-type: none"> • Put out a private 240L refuse bin weekly: • Don't recycle or compost • Take four loads of green waste to Oamaru Transfer Station a year • Pay a UAGC that supports the waste and recycling services across the district: 	Approx. annual cost \$991 \$0 \$300 \$78 \$1,369



2.1.6 Diversion potential

Based on periodic SWAP (solid waste assessment protocol) audits, Council have an understanding of the material composition of kerbside refuse within the district.

The most recent SWAP audit (April 2022) shows that up to 70% of residential refuse could be diverted from landfill. Based on the estimated volume of residential refuse of 4,872 tonnes per annum (Table 4), there is potential to divert up to 3,400 tonnes from landfill. The distribution of this diversion potential is illustrated below for recycling, glass and organics.

There is further potential to divert materials from non-residential refuse (i.e. schools, businesses etc.) if a kerbside collection is setup to service these customers, or facilities are adapted to increase diversion. There is an estimated 1,000 to 1,600 tonnes of diversion potential from non-residential refuse. Therefore, the district has the potential to divert up to 5,000 tonnes of refuse that currently goes to landfill through a more accessible, efficient and consistent solid waste service.

As disposal to landfill costs increase (landfill levy increases, ETS increases, commercial gate rate increases etc.) there will be cost impacts for households and Council, that a more efficient service and higher realised diversion could mitigate.

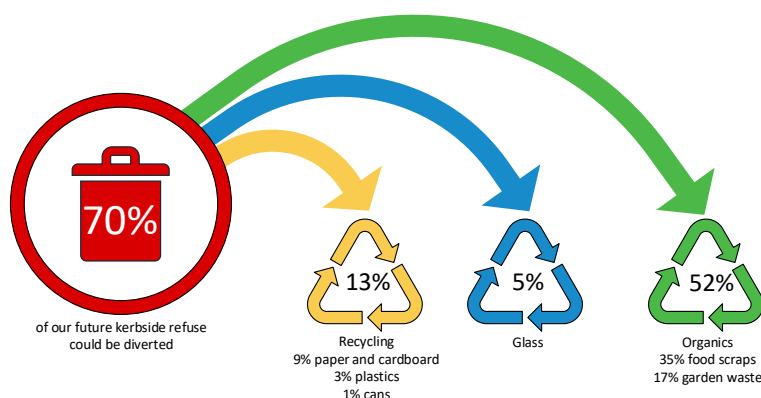


Figure 4 Residential refuse diversion potential based on SWAP audits of solid waste in Waitaki

2.1.7 Current solid waste funding

Current solid waste services and facilities in Waitaki are delivered through collaboration with community organisations and the private sector. Council provides grants and subsidies for some activities, has 'memorandum of understanding' and agreements in place for other services, alongside services provided by private operators.

WRRT receive direct (grants) and indirect (site maintenance and rent relief) funding from Council. WasteCo have a services contract with Council. WM New Zealand has a memorandum of understanding (MOU) to provide a transfer station in Oamaru accessible to the public and also receive a subsidy from Council to make a private refuse collection service available to households in Ohau.

Solid waste funding by Council for the 2023/24 financial year is summarised in the table below and further expanded in Appendix A. Solid waste funding is collected from ratepayers as part of Council's uniform annual general charge (UAGC), spread across all district households. The remainder of the solid waste system is funded through user charges collected by the non-Council entities (WRRT, WasteCo, WM New Zealand, Awamoa, etc.) directly from customers. Waihemo Wastebusters also receives an operational grant that is funded from Waste Levy Council receives.



Table 8 Solid waste funding by Council

Operating costs	Description	2023/24
Waitaki Resource Recovery Park (RRP) funding	Grants	\$340,000
	Site maintenance	\$10,000
	Rent relief	\$40,000
Transfer stations and recycling drop-off hubs ^{Note 1}	WasteCo ^{Note 2}	\$435,500
	WRRT ^{Note 3}	\$82,971
Total Council funding		\$908,471
District households		11,643
Outsourced cost per household		\$78

Notes:

1: RRP's and drop-off hubs supported or provided by Council, refer to Figure 2.

2: Includes operations and maintenance of four transfer stations (Kurow, Otematata and Omarama, Hampden) and three recycling drop-off hubs (Herbert, Enfield and Papakaio), haulage of recyclables to WRRT RRP. Collection and consolidation of waste from the four transfer stations to WasteCo's transfer station and disposal of the waste out of district

3: Includes the collection and processing of glass from the three recycling hubs and Waihemo Wastebusters in Palmerston, costs associated with sending the glass to a processing plant in Christchurch.

2.2 Strategic context

2.2.1 National direction

The New Zealand Waste Strategy, Te rautaki para (TRP) released in March 2023 sets the following waste reduction targets, which councils are required to align with when developing their own strategic waste direction:

- Reduction in waste generated: 10% by 2030
- Reduction in disposal to landfill: 30% by 2030
- Reduction in biogenic methane emissions: 30% by 2030.

TRP also defines the role for local government in the solid waste sector as follows:

- Work with other councils on new, or expanded, facilities and services
- Contribute to national network for circular use resources
- Support local community groups and NGOs waste initiatives
- Link with national behaviour change programmes
- To support and expand reach of your local activity
- Consider waste infrastructure and services in planning and consenting
- Identify and manage vulnerable landfills and contaminated sites.

Alongside the release of TRP, the Government proposed mandatory kerbside services for urban households:

- Council-controlled recycling kerbside services by January 2027.
- Council-controlled organics (food scraps only (FO) or food and greenwaste (FOGO) kerbside services by January 2027 (Waitaki is within 150kms of an existing processing facility, so service is required by 2027, rather than 2030).

The Government also proposed minimum kerbside diversion targets:



- 30% by July 2026 – this does not apply to Waitaki currently as proposed services are only required by January 2027.
- 40% by July 2028 – current diversion rates are difficult to define with a lack of data, however it can be reasonably assumed to be lower than 30%.
- 50% by July 2030 – configuration of a kerbside service, i.e. the bin types and collection frequency, along with behaviour change education and regulatory/compliance tools can achieve high kerbside diversion rates.

These proposed kerbside policies are yet to be mandated by the current Government elected in November 2023. They are currently under review, with cost-of-living considerations being signalled as a contributing factor in any changes that may be made. However, councils still need to align with TRP and its targets regardless of what final shape the policies and mandates take.

2.2.2 Council's waste strategic direction

Council's strategic direction on waste is outlined in its Waste Minimisation and Management Plan 2024-30 (WMMP 2024-30), which was informed by the Otago Region Waste Assessment (2023) and Council's strategic framework. The WMMP 2024-30 has a vision of: Waste Free Waitaki: where our resources are valued, our environment protected, and our people thrive. The vision is backed up by five goals and eight objectives, with twenty-four targets set to ensure the objectives are met. The eight objectives are:

1. Effective education and communication create a community that is knowledgeable about a low-waste, low-emissions future
2. There are collaborative opportunities for the community to be engaged in managing their waste
3. Waste and resource recovery services and facilities are accessible, reliable, and sustainable
4. Waste is managed and minimised in a way that protects public health
5. Waste is minimised and managed in a way that protects the environment
6. Iwi, industry, businesses, residents and council working to keep resources in circulation.
7. Opportunities for innovative waste solutions are explored
8. Central government, councils, private waste sector, businesses, mana whenua and community work together on resource recovery and waste solutions.

This business case seeks to help meet two of the targets as shown in Table 9 below.

Table 9 Summary of Waitaki's WMMP objectives and targets applicable to this business case

Objectives	Targets	Comments
1. Effective education and communication create a community that is knowledgeable about a low-waste, low-emissions future.	T2. Waste to landfill baseline is established in year 1, then decreases by 5% year on year.	Baseline: 2024/25 Reduction by 5% per year means 30% reduction by July 2030 (achieves TRP target).
3. Waste and resource recovery services and facilities are accessible, reliable, and sustainable.	T6. 95% residents in urban populations have access to recycling and waste kerbside services by January 2027.	Proposed requirements under the TRP for kerbside collections to urban households, defined as towns with more than 1,000 residents. Based on this, only Oamaru would require kerbside collections.



2.3 Challenges and opportunities: the case for change

There are a number of challenges faced by Council and the community with the current waste services system. However, there are opportunities to be realised by addressing these challenges that will also meet the objectives of the WMMP 2024 – 30 and the targets of TRP, the national strategic direction.

Table 10 below outlines the key challenges with the current system that services the Waitaki community and the potential opportunities to deliver a better system. Figure 5 demonstrates how the opportunities will deliver on the TRP targets and the WMMP 2024 – 30 objectives.

The challenges were discussed and refined through discussion with Council waste staff and shared with elected members. These inform the potential future waste service options and the investment logic mapping process.

Table 10 Summary of Waitaki's key waste challenges and opportunities

Challenges	Opportunities
<ul style="list-style-type: none"> Current waste-system operating in silos/lack of efficiency in service provision Inconsistent subsidisation of services by Council 	<ul style="list-style-type: none"> Consistent, efficient and cost-effective service system Reduce carbon emissions with efficient collections Provide/facilitate more resource recovery options Share infrastructure with neighbouring councils
<ul style="list-style-type: none"> Variable level of service across the district No hazardous waste service Rely on home composting for diversion of food waste 	<ul style="list-style-type: none"> Higher diversion of recoverable material Ability to meet targets and community outcomes Consistent and efficient waste service system
<ul style="list-style-type: none"> Lack of influence / control over waste services (no private waste sector data) 	<ul style="list-style-type: none"> Bylaw to better influence private sector (e.g. require reporting on waste volume data, require private sector to provide recycling, glass and organic collections alongside a private refuse collection service)
<ul style="list-style-type: none"> High cost of waste services, private sector 	<ul style="list-style-type: none"> Council contracted services will enable negotiated rates that will benefit receivers of the service and mitigate impacts of increased disposal to landfill costs
<ul style="list-style-type: none"> Small ratepayer base / geographic spread / size of district 	<ul style="list-style-type: none"> Strong local support for community facilities that can be harnessed to divert more
<ul style="list-style-type: none"> Low engagement with sectors of the community on diversion benefits, small population of WRRT users likely to be high diverters 	<ul style="list-style-type: none"> Greater council involvement gives the community more options e.g. investment in community initiatives More opportunity for targeted education and engagement with greater Council involvement

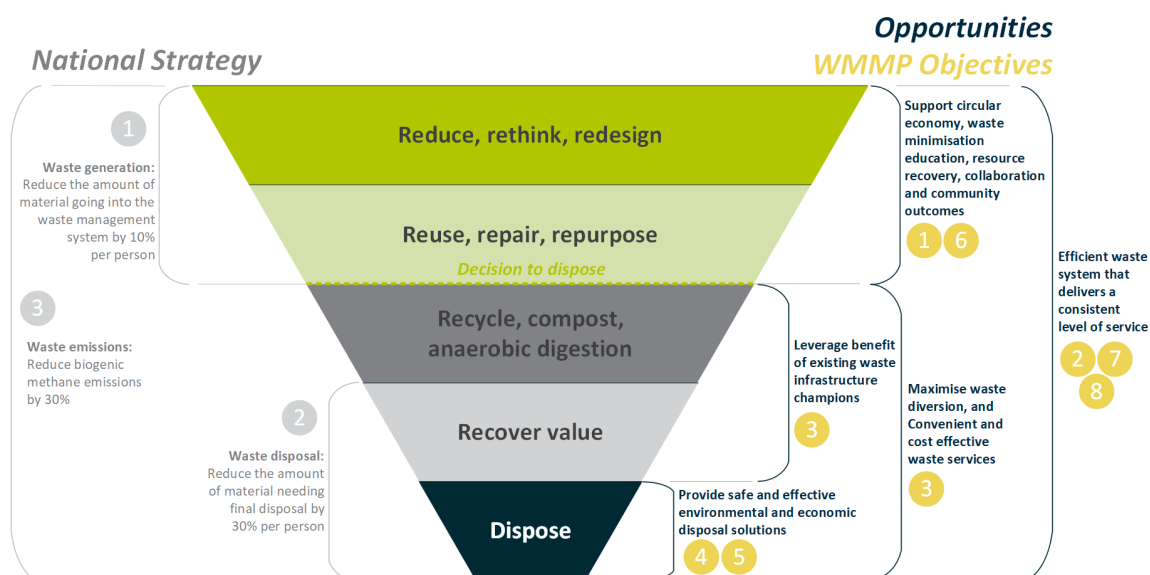


Figure 5 Waste hierarchy, TRP targets, Council's opportunities and WMMP objectives



3 Economic Case: the options analysis

The options analysis takes place in two phases; longlist assessment to identify a shortlist, then assessment of that shortlist to identify a recommended solution. In the longlist, options are assessed against strategic objectives and critical success factors. In the shortlist, the waste diversion, carbon emission reduction and cost of the options is compared.

3.1 Longlist assessment criteria

3.1.1 Strategic objectives

The key challenges and opportunities identified through the Strategic Case have been used in an Investment Logic Mapping (ILM) process to identify the objectives Council is seeking to achieve through its review of solid waste services. The ILM was developed and agreed through workshops with Council's solid waste staff and the objectives shared with elected members. The ILM is presented in Appendix B.

The strategic objectives are:

- Maximise waste diversion
- Have a convenient waste service
- Have an efficient waste system that delivers a consistent level of service
- Leverage the benefit of existing waste infrastructure and champions

Options for solid waste services and facilities are assessed against these objectives on a "Yes, No, Partial" basis. Options that do not meet the strategic objectives are not considered further in the assessment. However, for comparison purposes, the status quo is continued even if it does not meet all the objectives.

3.1.2 Critical success factors

In addition to the strategic objectives, options are evaluated against a list of critical success factors that are common to all business cases that use Treasury's BBC approach and represent attributes essential to successful delivery of service changes. The critical success factors are:

- Strategic fit and business needs - alignment with LTP and other council and regional strategic plans
- Potential value for money - right solution, right time and at the right price
- Supplier capacity and capability - sustainable arrangement if services are out-sourced (external)
- Potential affordability - are there any funding constraints
- Potential achievability - ability and skills to deliver the intended programme (internal).

Again, the options are assessed on a "Yes, No, Partial" basis. The options that meet the most critical success factors and strategic objectives are shortlisted for further assessment.

3.2 Longlist options

In developing the list of service options, consideration has been given to the scope of services, service solution, service delivery, implementation timeframes and funding. Further details on these five aspects are provided in the table below which summarises these factors and details how they relate to both the collection services and the solid waste facilities across the district.



There are a range of kerbside collection options for each of the material streams that have been considered in this assessment. Details of these options are provided in Appendix G.

Table 11 Factors considered in options analysis

Description	Collection services	Solid waste facilities
What (Scope or extent)	<ul style="list-style-type: none"> Urban households only (i.e. Oamaru and possibly Palmerston, the 'Low CE scenario'), or Urban and rural townships (i.e. all defined rural settlements, the 'High CE scenario'), and Whether businesses are included in future service, or residential collections only. 	<ul style="list-style-type: none"> Based on the scope of collection services, does Council retain or increase or decrease levels of service (e.g. materials accepted, operating hours, locations).
How (Service solution)	<ul style="list-style-type: none"> Collection services to assess options for refuse, mixed recycling, glass, and organics. The 'Low CE scenario' only assessed recycling and food organics (FO). The 'High CE scenario' included refuse, mixed recycling, and food and garden organics (FOGO) with a kitchen caddy for targeting increased FO diversion. 	<ul style="list-style-type: none"> Whether materials require consolidation locally or transported to end points directly. Whether disposal/processing can be achieved locally or if out-of-district options provide greater benefit. How existing facilities, knowledge and value are retained, enhanced, or developed. Whether purpose-built facilities are required.
Who (Service delivery)	Council-led, inhouse or outsourced (shared services, CCO, private or community partnerships). Private sector alone with bylaw control (see Section 5.2.4 for commentary on the limitations of this model).	
When (Implementation)	<ul style="list-style-type: none"> Do now: based on current signalled timelines from MfE, Do later: spread rating impacts over a longer period, Staged: develop timeframes that suit Council's needs. <i>Noting that procurement of new services typically takes 12 months from initiation to appointing a contractor, plus a further 12-18 months (currently) for mobilisation.</i> 	
Funding	PAYT vs rates-funded vs private subscription vs MfE funding vs grants. <i>Consistency of charges and funding, MfE support dependent on timing.</i>	

3.3 Assessment of longlist options

The longlist of kerbside collection service options considered for refuse, recycling, glass and organics, is provided in the table in Appendix C. The facilities available alongside the kerbside service changes are also considered in the table in Appendix C. The options are assessed against the strategic objectives, as well as critical success factors. The most viable options have been taken forward into the shortlist assessment, where they have been combined into overall service offerings. The status quo, although not viable without modification, has also been taken forward for comparison.



3.4 Assumptions and considerations

The assessment of options is based on the following assumptions and considerations:

- Kerbside collections are required for urban households only. Preference would be to provide collections to smaller rural towns where viable.
- Kerbside collections could be delivered through private services, Council services, or a combination of Council and private services. Where Council services are provided, there is a preference to fund these services through rates.
- Households outside collection areas can use one of the nine facilities (six RRP's or three recycling drop-off subs) provided or supported by Council, or WM New Zealand's private RTS in Oamaru.
- Households outside collection areas need to be within 25km of one of these facilities.
- If Council opts out of rubbish collection, then households would contract a private collection service.
- If Council opt out of refuse collections, they will still be required to ensure recycling collection is provided, if Government endorse proposed mandatory kerbside services. Council could use a bylaw requiring private collectors to offer recycling and organics collections alongside refuse collections.
- Some councils (e.g. Dunedin, Tauranga) offer Garden Organic (GO) and Food Organic (FO) as separate collections. This is less common than FO or FOGO, therefore it has not been included.
- Most councils that provide FOGO offer 80L bins with the option to upsize to a 240L bin.
- Solutions for collection points to enable collections along high-speed, difficult access and private roads, and for collections from multi-unit developments (MUDs, e.g. retirement villages) would be managed on a case-by-case basis as part of implementation. Kerbside collections are limited on high-speed (100 km/hr) roads between collection areas for health and safety reasons.
- Refuse collected via Council collections could be delivered to several facilities, including Redruth Landfill (in Timaru), AB Lime Landfill (near Winton), Green Island Landfill (including its future replacement, Smooth Hill Landfill) near Dunedin, or Kate Valley Landfill (near Christchurch).
- Mixed recycling collected via Council collections could be delivered to a local Material Recovery Facility (MRF) for processing (i.e. WRRT's MRF in Oamaru), or a regional facility (such as the Redruth MRF in Timaru).
- Colour-sorted glass collected via Council collections could be delivered to local glass bunkers and transported to end markets (i.e. the status quo at WRRT's MRF) or delivered to a regional facility for consolidation and or processing (such as the Redruth MRF which is ultimately processed at a facility in Christchurch).
- Organic material collected at kerbside could be taken to a regional composting facility (such as the Redruth Organics Processing Facility in Timaru), or a local solution could be developed.
- The decision on disposal and processing facilities would ultimately be determined through procurement of the Council's kerbside collection services.
- The cost model is based on the following:
 - Refuse collections without organics diversion cannot be accepted at Redruth Landfill. Therefore, the alternative disposal facility is AB Lime landfill via the WMNZ Transfer Station in Oamaru.
 - Refuse collections with organics diversion at Redruth Landfill is likely to be more cost effective.
 - Mixed recyclables and organics processed at Redruth facilities.
 - Kerbside sorted (three crates for recyclables and glass) processed at WRRT.



3.5 Shortlisted options

This section summarises the shortlisted option(s) based on the results of the long list assessment. The long list assessment is provided in Appendix C.

3.5.1 Scope or extent of service

The scope or extent of services, for both collections and facilities, was assessed to determine the most cost-effective solution. The assessment also reflects standard practice across New Zealand local authorities for waste service delivery.

Collection scope

Most councils in New Zealand only provide kerbside collection services to urban households, with some extending the offering to businesses that can utilise the standard service. This enables the private waste sector to provide tailored solutions for commercial customers that are likely to have differing waste collection requirements. This approach is recommended where council focus on providing services for residents only, not commercial entities. This is recommended for WDC.

Different collection scopes were modelled to determine the most cost-effective solution including:

- Urban households in Oamaru only (Low CE scenario)
- Urban households in Oamaru, Palmerston and rural settlements on-route
- Urban households including all rural townships (i.e. all defined rural settlements, the 'High CE scenario')

The modelling provided in Appendix F shows that the most cost-effective option is to provide collection services to all urban households including all rural townships. This option is carried forward and analysed further to provide a service configuration recommendation below.

Facilities

There are nine existing facilities (WRRT, Waihemo Wastebusters, four Council transfer stations and three Council recycling drop-off hubs) that support the collection of recyclables and at some locations limited volumes of refuse and reusables. If Council provides collection services to all urban households, the volume of material captured through these facilities is likely to decrease. Council has strategic targets around the distance residents travel to access waste facilities to ensure rural households are provided with adequate services. The target is:

95% of rural residents have either kerbside recycling and waste services or equivalent recycling and waste drop-off facilities within 25km of their properties by January 2027.

For this reason, the preferred solution is to continue to operate the same number of facilities. However, the approach to how material is managed at these facilities will potentially change to accommodate the lower volumes if a full kerbside collection service is implemented.

The WMMP 2024 – 30 includes an action to review service provision of Council-provided transfer stations and rural recycling drop-off hubs once the future of kerbside services are determined.

Options include changing the frequency of servicing at Council transfer stations and hubs and providing standard frontload bins which are more cost effective to collect and empty.



3.5.2 Service configuration

The configuration options shortlisted from the longlist assessment are:

- Refuse collection:
 - 140L bin weekly (without or prior to organics collection)
 - 140L bin fortnightly (with organics collection)
- Recycling collection:
 - 3x 45L crates weekly (1x glass, 1x paper and card, 1x tin, aluminium and plastics)
 - 240L mixed recycling bin + 45L glass crate fortnightly
 - 240L mixed recycling bin fortnightly + 80L glass bin 4-weekly
- Organics collection:
 - 23L FO weekly
 - 80L FOGO weekly
- Transfer stations and drop-off facilities:
 - Continue to operate the existing nine facilities throughout the district

These are then combined into overall system solutions, which are illustrated in the figure below. Note the assessment on who delivers the service (private sector or Council) is considered in section 5.

Two options have been modelled for the overall system solution:

- **Option A:** Refuse collected weekly prior to or without organics collections, recycling and glass collections one of the three options listed above.
- **Option B:** Refuse collected fortnightly alongside organics collected weekly, recycling and glass collections one of the three options listed above.

The recycling service does not change between option A and B. There is little to no difference in cost between the three different recycling collection configurations. A decision on which recycling solution to implement is best tested through a procurement process. Some suppliers will not undertake manual collections (i.e. the three-crate option). However, the three-crate option allows for kerbside sorting which is the best option for WRRT to process as no additional capital investment would be required to process the collected recyclables.

The organics option that is most cost effective for the household is a FOGO solution. While the FO solution is cheaper from a Council rates perspective, it is unlikely to be preferred by residents that also need to manage both garden organics alongside their food organics. The two options are graphically summarised below.



Table 12 Illustration of the two options

Option A			Option B		
					
140L refuse bin, collected weekly	240L mixed recycling bin and glass 80L bin, collected fortnightly		140L refuse bin, collected fortnightly	240L mixed recycling bin and glass 80L bin, collected fortnightly	240L FOGO bin, collected weekly

Figure 6 Service configuration options based on the shortlisted options

3.6 Further assessment of shortlisted options

Options A and B have been further assessed in terms of waste volume and diversion, emissions, and cost. Detailed summary tables are provided at the back of this report for:

- Appendix D: Kerbside volume and diversion
- Appendix E: Emissions assessment
- Appendix F: Council cost assessment.

3.6.1 Kerbside volume and diversion for shortlisted options

The table below presents the expected annual volume of material to be collected for option A and B, and the potential diversion each could achieve. The expected diversion rate for option A is 35% which is below the signalled 50% target from central government. The expected diversion rate for option B is above 50% when refuse collections are fortnightly and a FO or FOGO collection is introduced. If organics collections are introduced and refuse collections were retained on a weekly basis, the expected effects include a lower uptake of the organics diversion service thus increasing the refuse volumes, likely resulting in a diversion rate below 50%. The current system is included as a comparison and has a diversion rate of only 16% (excluding materials diverted by reuse shops, if included the current system diverts around 20% from landfill).



Table 13 Expected annual kerbside volumes and kerbside diversion rates

Option	Status Quo (Tonnes per annum)	Option A (Tonnes per annum)	Option B (Tonnes per annum)
Refuse: Council collection	Nil	2,700	1,800
Refuse: Private residential or drop-off	4,900	1,800	1,700
Refuse: Commercial	4,400	4,400 Note 1	4,400 Note 1
Recycling and Glass: Council collection	Nil	1,400	1,400
Recycling and Glass: Private or drop-off	1,400	550	550
Organics: Council collection	Nil	Nil	2,200 Note 2
Organics: Green waste private or drop-off	900	300	300
Diversion rate Note 3	16%	35%	67% Note 4

Notes:

1: A kerbside collection to residential households is not expected to impact on private commercial collections.

2: FO service collection 600 tonnes versus FOGO service 2,200 tonnes

3: Diversion rate calculation: diverted tonnes (recycling + glass + organics) / total tonnes (refuse + diverted tonnes).

4: Ministry for the Environment is likely to apply a correction factor to FOGO collections, this factor is currently unknown but diversion rates are expected to remain above the signalled target of 50%.

3.6.2 Material flow changes in the solid waste system

The following diagrams show the overall solid waste system change in expected volumes with the introduction of kerbside collection services (option B). The expected impacts include:

- Overall decrease in waste disposal to landfill with increased recyclables, glass and organics processed
- Improved residential diversion through collection methodology (configuration and frequency)
- Improved efficiency of vehicles and travel distances, reducing the overall cost and emissions

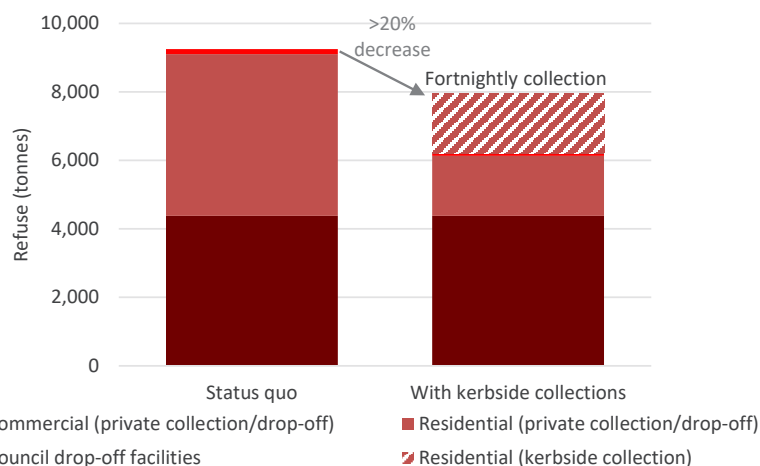


Figure 7 Refuse volume scenario (assumes 140L bin collected fortnightly)

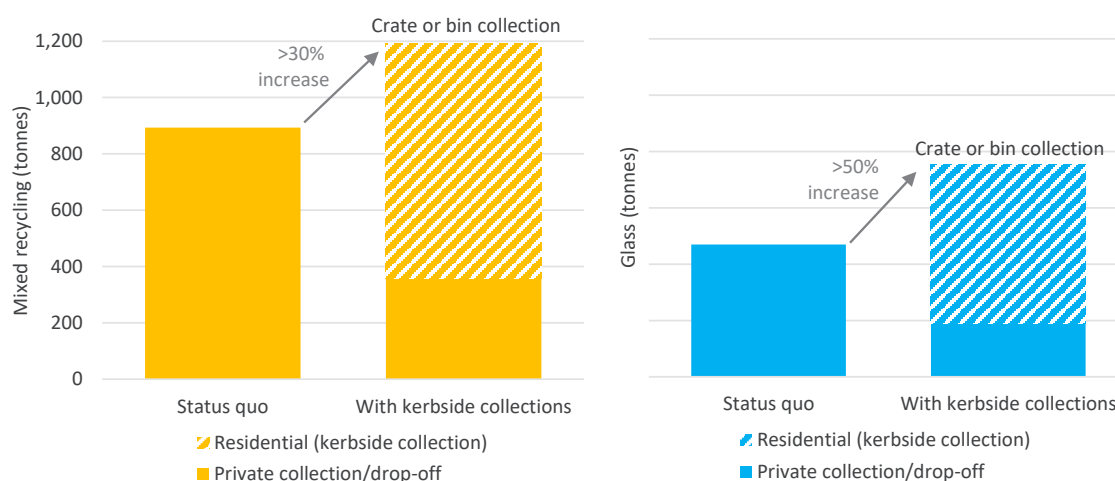


Figure 8 Mixed recycling and glass volume scenario (assumes crate or bin kerbside collections)

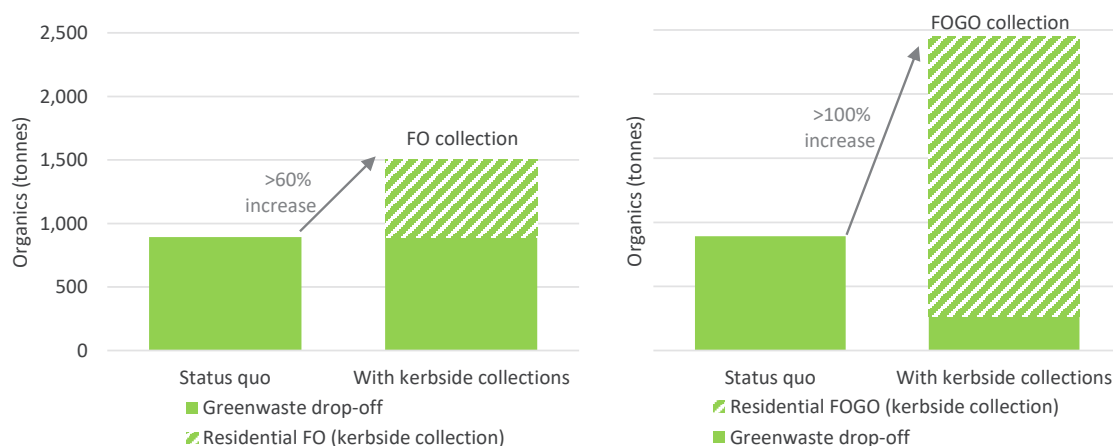


Figure 9 Organics volume scenarios (assumes the introduction of fortnightly kerbside refuse collection)



3.6.3 Emission profiles for shortlisted options

This section sets out the likely reduction in emissions for Option A and B compared with the current waste system. Emissions from the kerbside collections include those from the vehicles performing the service, the processing facilities, and the disposal facilities, of which greenhouse gas emissions from landfills have the most significant impact. A details summary of the emissions for the shortlisted options is provided in Appendix E.

Transport emissions

Emissions from transportation of waste within the district for the status quo would be complicated to measure since most of the transportation emissions are either from private contractors or from residential households transporting their refuse or divertible materials from home to a transfer station. If Council provides kerbside collections, there will be a reduction in residential transport as material will be collected from the home and a reduction in collection vehicle movements due to a reduction in the number of collection vehicles driving the streets, resulting in a reduction in net transport emissions. Transport emissions from Council kerbside services are in the order of 100 tonnes CO₂-eq per annum.

Disposal and processing emissions

For this report, emission reductions are expected through the reduced volume of organic material disposed to landfill, including cardboard, green waste and food waste. To provide an estimate of these emissions, we have used the emissions factor for general refuse as opposed to the material-specific factors for different organic wastes. This method will slightly overestimate the emissions reduction for Option A, but slightly underestimate the emissions for Option B. The tables below summarise expected reduction in disposal and processing emissions for Options A and B.

The emissions model below assumes refuse disposal at a Class 1 landfill using the Default Emission Factor (DEF). If refuse is disposed of at a landfill with a Unique Emission Factor (UEF), then the total quantum of emissions would reduce but the expected percentage reduction would remain the same (i.e. 9% for Option A and 28% for Option B). This reduction in emissions is based on the overall reduction in refuse sent to landfill if a kerbside collection service is introduced. Option B (fortnightly refuse collection) has a lower volume of refuse sent to landfill and therefore has a higher reduction in emissions.

There will be additional emissions from the composting of kerbside collected organics in Option B, in the order of 200 tCO₂-eq, but these are more than offset by the reduction in emissions from disposing this material to landfill.

Table 14 Expected annual disposal emissions

Residential refuse volume Note 1	Status quo 4,900 tonnes	Option A 4,500 tonnes	Option B 3,500 tonnes
Landfill emissions Note 2	4,984 tCO ₂ -eq/yr	4,514 tCO ₂ -eq/yr	3,606 tCO ₂ -eq/yr
Expected reduction (%)		9%	28%

Notes:

1: Residential refuse volumes include those from all households.

2: Emission model based on landfill with maximum Unique Emission Factor (UEF) as the default, 1.023 t CO₂-eq / tonne waste.

The emissions reduction from Option A is 9%, while the reduction with Option B is 28% through the diversion of organics which has a significant reduction in waste disposal to landfill. Diverting organics from kerbside refuse (Option B) will likely achieve the TRP target of 30% reduction in biogenic methane generated at landfill from waste by 30%. Without the diversion of organics from kerbside refuse (Option A), this target is unlikely to be achieved.



3.6.4 Cost to Council

The overall cost to Council, assuming an outsourced collections contract, are provided in Appendix F. The assumption in this table is that refuse is disposed to AB Lime for Option A and to Redruth Landfill for Option B (as Redruth Landfill only accepts refuse without organics), recycling and glass processing is by WRRT for kerbside sorted crates and to Redruth MRF for kerbside mixed recyclable bin and glass option, and the organics processing facility at Redruth in Timaru receives the organics collected in Waitaki. However, there are other disposal and processing options which can be assessed during the procurement stage.

The table below presents the expected cost to Council for Option A and B. As stated in the assumptions in section 3.4, the cost model is based on known processing costs from existing facilities where no capital investment is required.

Table 15 Cost to Council

Kerbside collection	Status Quo	Option A	Option B	
Refuse	\$0	\$1.6 – \$2.1 million	\$1.1 – \$1.3 million	
Recycling and Glass	\$0	\$1.1 – \$1.2 million	\$1.1 – \$1.2 million	
Organics	\$0	\$0	FO: \$0.6 million	FOGO: \$1.0 million
Drop-off facilities	\$0.9 million	\$0.6 million	\$0.6 million	
Total cost to Council	\$0.9 million	\$3.3 – \$3.9 million	\$3.4 – \$3.7 million	\$3.8 – \$4.1 million

Notes:

This table provides the cost estimate for Council to provide kerbside collections and drop-off services. We cannot present the status quo kerbside collection costs as this sits with multiple private sector providers and not costs to Council.

3.6.5 Cost to households

The table below presents the expected household costs for Option A and B. As stated in the assumptions in section 3.4, the cost model is based on known processing costs from existing facilities where no capital investment is required. The lowest overall household cost expected is for a fortnightly refuse collection, recycling either weekly (i.e. three-crates) or fortnightly (i.e. 240L recycling bin and an 80L glass bin), and weekly FOGO organics collection.



Table 16 Kerbside collection cost to households

Annual household cost	Status quo ^{Note 1}	Option A	Option B	
Refuse	\$133 (single person) \$386 (small family) \$991 (large family)	\$260	\$170	
Recycling and Glass	\$104 (single person) \$282 (small family) In refuse (large family)	\$175	\$175	
Organics – Kerbside Collection	N/A	N/A	FO: \$90	FOGO: \$150
Organics – Private Garden Organics (GO)	\$30 (single person) \$150 (small family) \$300 (large family)	\$30 \$150 \$300	\$30 \$150 \$300	Replaced by FOGO collection
UAGC ^{Note 2}	\$78	\$49	\$49	
Total (Single person)	\$345	\$514	\$514	\$544
Total (Small family)	\$896	\$634	\$634	\$544
Total (Large family)	\$1,369	\$784	\$784	\$544

Notes:

1: Estimated costs by household types (refer to Table 7).

2: Universal Annual General Charge, here the out-sourced cost per household (refer to Table 8 for the status quo, the UAGC for Options A and B are developed below, refer to Table 19).

The reduction in refuse volumes when organics collections are introduced, together with the change from weekly to fortnightly collections, has a significant impact on overall household costs, reducing refuse collection costs from \$260 to \$170 per household. These offset increased costs for organics collection, meaning there is little overall cost impact expected with Option B (FO) over Option A. Weekly food and garden organics (FOGO) collection increases the overall household cost by around \$60 per annum compared to FO only but this also removes the cost of private garden organics collection that most households would incur. Therefore, a weekly FOGO service is more cost effective from the perspective of more than two-thirds of households. For households outside the urban collection area the status quo costs would continue to apply. Rural households would be serviced by the nine facilities provided or supported by Council.

3.7 Summary and recommended option

The shortlist assessment of the options considers the likelihood in achieving targets for reduction in waste to landfill, kerbside diversion, and emission reductions together with the expected costs to households. A summary of the outcomes for each option is provided below, followed by our recommended option.

- **Option A:** introducing refuse and recycling collections prior to organics collections is expected to cost \$514-\$784 per household per year. This option does not achieve any of the Government's TRP targets and proposed mandatory service requirements. This option is therefore not recommended.
- **Option B:** involves the highest change for the community and has a similar overall household cost compared to Option A if food organics are collected. This option is expected to meet the targets for reduced waste disposal to landfill, proposed mandating of kerbside organics collection, reduction in biogenic methane, and proposed mandatory kerbside diversion targets.

Overall, Option B is recommended. The specific configurations could be consulted with the community.



4 Financial Case: overall affordability and funding

The table below provides an assessment of the likely change in Council cost and cost to ratepayers associated with the currently Council-funded services. i.e. the anticipated change in cost to service drop-off facilities and support WRRT operations. The future cost assumes the cost to process recyclables is covered under the kerbside collection cost and the cost associated with the nine existing facilities including processing and disposal of materials would decrease due to the decrease in volume captured at these facilities.

Table 17 Solid waste facility funding by Council

Operating costs	Description	2023/24	Future ^{Note 4}
Kerbside collection service costs	Service cost	N/A	\$2.7 - \$3.5 million
	Rates revenue	N/A	(\$2.7 - \$3.5 million)
WRRT funding	Grants	\$340,000	\$250,000
	Site maintenance	\$10,000	\$10,000
	Rent relief	\$40,000	\$40,000
Transfer stations and recycling drop-off hubs ^{Note 1}	WasteCo ^{Note 2}	\$435,500	\$230,000
	WRRT ^{Note 3}	\$82,971	\$40,000
Total outsourced cost to Council		\$908,471	\$570,000
District households		11,643	11,643
Outsourced cost per household		\$78	\$49

Notes:

1: Transfer stations and drop-off hubs supported or provided by Council, refer to Figure 2.

2: Includes operations and maintenance of four transfer stations (Kurow, Otematata and Omarama, Hampden) and three drop-off hubs (Herbert, Enfield and Papakaio), haulage of recyclables to WRRT RRP and haulage and disposal of refuse received at the transfer stations.

3: Cost to process recyclable material received from transfer stations and recycling hubs.

4: Future operating costs are unknown for WRRT funding. There will be a reduction in material collected at transfer stations and recycling drop-off hubs so there is expected to be a reduction in cost to collect and process this material. The cost to process kerbside recycling is included within the kerbside collection cost, however, it is expected that Council may continue to support WRRT to divert other material not collected via the kerbside collection service such as construction material and soft plastic.

This business case does not provide a detailed estimate of the capital investment required for WRRT to process increased volumes of mixed recyclables or kerbside collected organics. It is anticipated that WRRT could process **sorted kerbside recyclables**, i.e. a crate system, with minimum or no additional investment. Section 5.2.1 provides further comments on investment costs for WRRT to process mixed recyclables and organics.

The decision on whether to process mixed recyclables and organics locally would need to be compared against the cost to process at an existing facility and consider any broader outcomes that might be achieved from the investment and risks.



5 Commercial Case

5.1 Service delivery options

The service delivery arrangements that are currently in place are set out in the table below:

Table 18 Current service delivery arrangements

Service delivery	Current arrangements
Council provided	Waste minimisation education and regulation
Council contracted	WasteCo operation and haulage from rural transfer stations and recycling drop-off sites
CCO/CCTO	Whitestone Contracting (closed landfills only)
Partnership private sector	MOU between WDC, WMNZ, WRRT to provide a transfer station and recycling facility
Partnership community groups	WRRT, HCET, WOW - reuse shops, recycling drop-off and processing
Regional collaboration	Joint waste minimisation planning, education and advocacy Use of neighbouring council transfer stations and resource recovery parks by residents in rural townships close to district borders (e.g. Ohau residents and businesses using Mackenzie District Council's Twizel RRP). Use of out-of-district, regional facilities for refuse disposal (transport to AB Lime, Redruth or Kate Valley landfills) and the use of Christchurch, Dunedin and Timaru processing facilities for organics and recyclables.
Private sector	Kerbside collections by Awamoa Bins, WMNZ, WasteCo, WOW

Table 19 sets out the preferred service delivery option based on capability and capacity to deliver the services reliably. The full assessment of all service delivery options is provided in Appendix C. The most cost-effective service delivery option that utilises existing investment in waste facilities is an outsourced single comprehensive waste service contract that covers:

- Kerbside collections
- Facilities operation
- Working with community groups around resource recovery and reuse
- Utilising existing regional processing and disposal facilities
- Supporting community education programmes

Best practice procurement includes an assessment of broader outcomes that can be achieved through the procurement process such as working with local community groups, local employment, improved training and supporting education programmes.

While Council could consider only providing recycling and organics services with private sector providing all refuse services, there are some key disadvantages of this option which are as follows:

- Higher cost to households
- Higher contamination of recycling and organics
- Lower diversion from landfill and so higher emissions
- Inability to meet waste reduction targets.



Table 19 Future service delivery arrangement

Preferred future arrangements	
Partnership community groups	Continue WRRT, HCET, WOW - reuse shops, resource recovery, recycling drop-off and processing
Council kerbside collections	Outsourced (private sector most experienced)
Facilities operation	Outsourced (private sector or community group or combination) Collaboration with neighbouring councils on rural township servicing (e.g. Ohau residents and businesses using Mackenzie District Council's Twizel resource recovery park or a joint venture/MOU with Mackenzie to service Ohau Village when servicing Twizel households.
Waste disposal	Regional facilities (align collection solution), continue MOU with WMNZ if aligned with solution
Organics processing	Mixed model – existing regional facilities and local processing of small volumes (align collections and processing solution)
Recyclables processing	Mixed model – existing regional facilities and local processing of small volumes (align collections and processing solution)

5.2 Maximising local economic development and partnership opportunities

While a single comprehensive waste service contract is the most cost effective, there are opportunities to consider local economic development and also partnership opportunities to meet our business case strategic objectives of:

- maximising waste diversion,
- having a convenient waste service,
- having an efficient waste service that delivers a consistent level of service and
- leveraging the benefit of existing waste infrastructure and champions.

These could be explored through the best practice of assessing broader outcomes through the procurement process. For example, a social broader outcome of “supporting the viability of and work of social enterprises” could be included, as well as an environmental broader outcome of “opportunities to reduce carbon emission and/or mitigate effects of climate change”, similarly economic broader outcomes of “support for unemployed and/or young people such as skills development and training and work experience” or “opportunities for entrepreneurship and innovation” or “opportunities for small and medium businesses to win work and grow” could be included. There are other procurement mechanisms that have been adopted by Councils where service areas have been ring-fenced for local social enterprises/businesses to service and excluded from the procurement process.

5.2.1 Investment in WRRT for increased recycling processing capacity

Recyclables processing facilities, MRFs, are expensive to build and operate. There are many private waste companies and councils across New Zealand grappling with the high cost to upgrade existing facilities or build new facilities. There are several projects underway looking at the redevelopment of MRFs processing approximately 5,000 tonnes per annum where the owners are looking at investment costs of \$30-50 million. This can include the cost of land improvements, site servicing, new buildings and the sorting equipment required to process recyclables.



The development of a smaller MRF, using a second-hand manual sort line within a leased building, recently cost in the order of \$1 million. This facility was processing less than 1,000 tonnes per annum.

A MRF for Waitaki could be processing 1,500-2,000 tonnes per annum. Therefore, the capital investment cost if WRRT were to process mixed recyclables could be expected to be between these values, however it would depend on site-specific investment requirements.

Potential variables include:

- Whether WRRT stay at the current site and if the existing buildings can be used or not. If additional land needs to be purchased and new covered space constructed for the sorting and processing equipment this will significantly increase the cost.
- Ground conditions associated with building works and site constraints.
- Consenting requirements.
- Allowing for safe traffic movements and separation of equipment/ plant, people and public.
- Specification for the sorting and processing equipment, and whether new or second-hand equipment is used. In recent years construction and equipment costs have increased significantly.
- Operating costs. The current manual separation process has a lower operational cost (power, etc) which would increase to support the additional processing equipment.

There are options around how the capital investment is funded such as council investment or a private sector partnership agreement (similar to Timaru DC) or MfE funding towards the project which would need to be explored further depending on the preferred option.

Note, the cost of developing an organics processing facility can be considerably less, approximately half, but nonetheless still expensive and dependent on the technology used (open air composting being cheaper than other solutions in vessel or anaerobic digestion).

5.2.2 Collaboration with neighbouring councils and the use of regional facilities

There is benefit in neighbouring councils collaborating on servicing townships near the border of their districts to achieve emissions efficiencies and more efficient and accessible services. At times there may be a need to agree a share of funding between the neighbouring councils to reflect the shared use. For example, WDC currently subsidise a service to Ohau to ensure they have access to it. There is a potential to negotiate a MOU or joint venture with Mackenzie to service Waitaki areas that they are closer to. There is a precedent for this with our neighbouring Councils in the Canterbury region. Timaru, Waimate, and Mackenzie share the use of the Redruth resource recovery park, owned by Timaru District Council, for processing organics and recyclables and for landfill disposal and operate under a MOU agreement. There is likely to be appetite for considering a similar service agreement with Waitaki.

This has also allowed them to realise economies and efficiencies of scale. Regional collaboration is an important aspect when considering how solid waste services are delivered particularly for spreading high capital investment costs associated with processing facilities.

Most Councils use regional facilities for the processing and disposal of waste which is what is recommended within this business case.



5.2.3 Economic development opportunities through increased resource recovery and other waste stream processing

The most effective way to support local economic development is for the materials to be re-used within the district. Continuing to support the network of resource recovery and reuse shops in the Waitaki District is part of the recommended solution in this business case. Keeping items and materials in local circulation prior to recycling or further processing is the preferred option. However, for items that can no longer be reused, recycling is the next option. As stated above it is more cost effective for recyclables processing to be via regional facilities to spread the high capital and operating costs, however as addressed above, there are options for supporting a mixed model of regional and local processing through considering broader outcomes as part of the procurement case.

If a more efficient waste service is achieved for standard kerbside materials, it could be argued that there will be more capacity within the district's resource recovery network to increase diversion of other non-standard waste streams that are currently landfilled. These facilities could be improved to provide more resource recovery through consolidation, bulking and diversion – either directly to commodity markets or through connection to a regional resource recovery network. A more connected and efficient circular economy network around the country would make it more attractive for processing infrastructure investment, particularly in the South Island.

5.2.4 Limitation of recycling and organic collection only bylaw-only for meeting TRP targets and Council's WMMP objectives

The option of using a bylaw to drive waste minimisation and achievement of diversion targets was considered as part of this business case. Bylaw control of private services would involve a requirement in Council's solid waste bylaw that private collectors provide a recycling and organics collection service alongside their refuse collection service, to ensure access to these services for the community. However, a bylaw couldn't specify cost control so there would be a risk that private companies would price their recycling services higher than waste services and make recycling less appealing than putting everything into a landfill bin.

In the situation where the Government mandated the delivery of these services, this would then need to be enforced by Council to ensure that all private service providers were also providing these diversion services. This enforcement would need to include compliance monitoring that is sufficiently robust to give confidence to regulators (MfE or EPA) that all residents were being given access to the diversion services. Council would also have to have an enforcement regime in place for not delivering the diversion services. Kapiti Coast District Council is the only council in New Zealand that uses a bylaw for this purpose.

There is a high cost associated with the enforcement, compliance monitoring and administration of a bylaw with no guarantee that waste minimisation outcomes will be achieved. Most NZ Council have found it more cost effective to deliver the services to guarantee access to services and an increase in the right behaviour leading to achievement of waste minimisation targets.

Council solid waste bylaws are more commonly used to support service delivery and behaviour change in addition to providing comprehensive services that deliver the diversion.

5.3 Procurement approach

Experience from across New Zealand has shown that procurement of solid waste service contracts generally requires 18 months to two years to complete, including:



- Procurement planning and development of Request For Proposal (RFP) documentation: 3-4 months.
- RFP period: 2-3 months.
- Evaluation and award: 2-3 months.
- Mobilisation: 9-12 months.

Mobilisation periods increased to 18 months due to supply chain challenges and labour shortages following the Covid-19 pandemic, but recent supplier market feedback (May 2024) has indicated that for smaller contracts such as this, 9-12 months is realistic again.

Council may choose to implement changes to its waste services in stages (see Section 6.1). It is possible through the procurement to introduce a contract model that has different service components commencing on different dates within a contract term and it is also possible to have some services as provisional within a contract (e.g. introduced later subject to Council approval). This gives Council flexibility however this can also add cost to the service. For example, vehicles required for later start services would be amortised over a shorter contract period.

Further details on the procurement process would be outlined in a future procurement plan, which would include:

- Addressing detailed scope requirements, including unknowns and when to address these.
- Term of contract(s)
 - 8-10 years to align vehicle depreciation. A contract term of a 10 years, with no extensions, is becoming more common.
 - Contracts involving investment in new facilities (e.g. MRF or compost operation) are longer to maximise return on investment, 15-20 years. Not required if existing processing facilities are utilised.
- Bundling of services elements into one or multiple contracts
- Supplier market engagement – would expect strong interest, with 3 to 5 submissions to an RFP process
- Procurement process (single or multi staged)
- Evaluation approach, criteria and weightings (incorporate broader outcomes)
- Procurement resources, timeline and budgets
- Procurement-related risks and mitigation

Based on these constraints, Council could have a collection service rolled out within two years of having a preferred solution approved by Council.



6 Management Case

6.1 Programme

The commercial case shows few barriers to implementation, rather the focus is on the management case which looks at when these changes should occur, what resources are available to manage them, and what the rate payers are willing to pay over a period of time.

This needs to balance procurement timeframes, dependencies between service components, whether or not the Government mandates services and on what dates, and the affordability of services for residents. If these timeframes are extended, then there is also a risk to not achieving the diversion and emission reduction targets until later.

There are many ways Council could implement its services. As opposed to presenting all options here, we have provided two options as an indication of what might be possible:

- Option 1: implement all changes at once, as soon as possible
 - Council kerbside collection services for refuse, recycling and organics would be introduced in one step, with changes to rural transfer stations, drop off points and WRRT made concurrently.
- Option 2: staggered implementation, potentially in the following order:
 - Consult with community and adopt preferred kerbside recycling methodology
 - Introduce kerbside recycling
 - Assess impacts of kerbside changes on rural transfer stations and WRRT and consider enhancements at these sites to collect more organic material
 - Consult with community and adopt preferred RTS and drop-off changes
 - Implement agreed changes through modifications to contract arrangements
 - Assess benefits and risks of council versus private refuse collection when Council organics is introduced
 - Consult with community and adopt preferred organics and refuse collection methodology
 - Introduce kerbside organics collection and, if approved, Council kerbside refuse collection.

Option 1 is a simpler, more cost-effective and efficient way to introduce the kerbside service changes, however it increases the cost to the community in one step, which may be a level of change the community finds difficult to accept. Option 2 on the other hand allows the community to gradually change how they receive solid waste services, which may be easier to understand, but overall costs the community more.

The following table provides an indicative timeline for implementing either Option 1 or Option 2.



Table 20 Indicative timeline for implementation

Description	Timeline Option 1	Timeline Option 2
Consultation on the recommended option with elected members	Late 2024	
Consultation on the recommended option with the community	Early 2025	
Procurement planning and RFP documentation for the chosen collection service	July to August 2025	
RFP period	August to October 2025	
Proposal evaluation and award	November to December 2025	
Approval of funding for new services through 2026/27 Annual Plan (Option 1 all services, Option 2 recycling only)	Early 2026	
Mobilisation period for new contracts, 12 months	Early 2026 to July 2027	
Commence new collection service for refuse, recycling, glass, and organics	July 2027	-
Commence new collection service for recycling	-	July 2027
Approval of funding for RTS, organics and refuse services through 2027 Long Term Plan	-	Early 2027
Implement changes to RTS, drop-off and WRRT	-	July 2029
Commence new collection service for organics and refuse	-	July 2030

6.2 Stakeholder engagement and communication strategy

Due to the significance of any change to the way solid waste services are provided within Waitaki District, consultation would be required on the changes in services and the associated impact on Council's funding.

A detailed consultation and engagement strategy would need to be prepared to determine the best way to engage with stakeholders. It is likely that a specific consultation process would be required which may be separate to the annual plan or long-term plan processes.

6.3 Organisational change management

The introduction of kerbside collection services would require additional Council resource both during the procurement and implementation phase and on-going to support increased customer service requirements and increased contract management. The extent of additional resources has not been quantified in this assessment. However, an allowance has been made within the costs for additional Council management of the services.

6.4 Risk management and mitigation

The table below outlines key risks that would need to be managed if solid waste services changed. A more detailed risk assessment would be developed as part of the new services roll-out project.



Table 21 Risks and mitigation for implementation the recommended option

#	Risk	Mitigation
1	Change management for the community	Change for the community is managed through a staged implementation plan allowing for the community to receive adequate information over a period of five years
2	Change management for Council resources	Change for Council's current and future resources will also benefit from a staged implementation plan allowing for work packages to be spread out over a five-year period and for communications and roll-out of new services to be focused
3	Impact on rates	The recommended option will increase rates over the proposed five-year period together with an increase in levels of service, these increases can be spread over time and communicating the reduction in user charges will be an important factor
4	Achieving targets and signalled mandatory services	There is uncertainty with Central Government's position for targets and the signalled services required by all territorial authorities, the staged implementation approach allows time to see where these decisions go
5	Health and safety risks	There is an increasing focus on health and safety risks for refuse bag and crate collections, particularly along high-speed roads, with a preference to move to bin collections from a safety and staffing perspective
6	Contamination management	The configuration of the collection methodology is interdependent. The service solution and timing of implementation can have a significant impact on contamination in recycling, glass and organics receptacles. Managing and disposing of contamination can have material financial implications



Appendix A Waitaki District waste facilities and accepted materials

Description	Waitaki Resource Recovery Trust	Waihemo Wastebusters	Waitaki District Council			Private
Facility Name	Waitaki RRP	Waihemo Recycling Centre Reuse Shop	Hampden RRP	Resource Recovery Parks	Recycling Drop-Off Hubs	Refuse Transfer Stations
Service Delivery	Operated by WRRT. Grant funding: Council, others	Operated by Waihemo Wastebusters. Grant funding: Council, others	Operation contracted to Hampden Community Energy Society Inc.	Operation and haulage contracted to WasteCo, recycling to WRRT	Haulage contracted to WasteCo, recycling to WRRT	WM New Zealand (public and commercial) WasteCo (commercial only)
Locations	Oamaru	Palmerston	Hampden	Kurow, Omarama, Otematata	Papakaio, Enfield, Herbert	Oamaru (both)
Operations	7 days/week	Limited hrs 3 days/week	Limited hrs 3 days/week		Unstaffed	6 days/week
Refuse (fee)	\$170/m ³	-	-	\$150/m ³	-	WM: \$37.53 up to 100kg, 0.38/kg thereafter
Recycling	\$4 fee: Paper, cardboard, plastics (1,2 and 5), glass, steel and aluminium cans	\$3 blue bags (PAYT), paper, cardboard, glass, cans and scrap metal	No fee: Paper, cardboard, plastics (1,2 and 5), glass, steel and aluminium cans			-
Garden Organics	Grass: \$170/m ³ Greenwaste: \$25/m ³	-	\$70/m ³ fee		-	WM: \$22.65 up to 100kg, \$0.23/kg thereafter
Food Organics	-	-	-	-	-	-
Reuse Shop	Yes, Get Sorted	Yes	Yes, Top Tip	No shop but reuse items are accepted at no fee	-	-
C&D Waste	Fee	-	Yes - Fee		-	-
Hazardous Waste	Household quantities: cooking/motor oil, batteries, cell phones, printer cartridges, light tubes and bulbs	Limited to household batteries and printer cartridges	-	-	-	No hazardous waste accepted, special waste on request
Other Waste	Foam and liquid paper board (Tetra Pak)	Soft plastics, liquid paper board (Tetra Pak), fee for polystyrene and some E-waste	-	-	-	Tyres not currently accepted



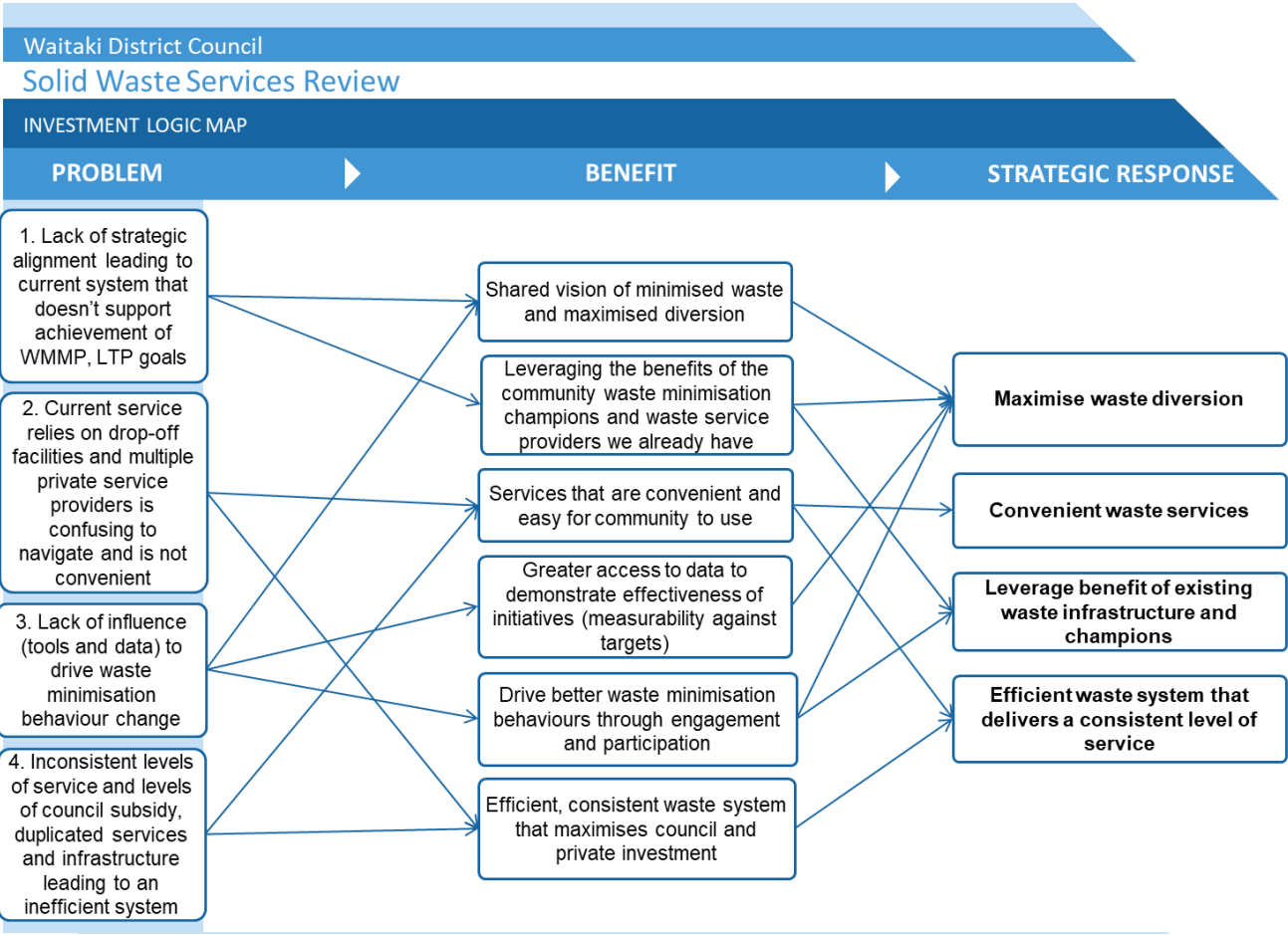
Price conversion table:

Facility	Material	Volume based fee	Conversion1	Weight based fee
Waitaki RRP	Refuse	\$170/m ³	200kg/m ³	\$0.85/kg
	Garden organics – grass	\$170/m ³	150kg/m ³	\$0.85/kg
	Garden organics – other	\$25/m ³	150kg/m ³	\$0.17/kg
Hampden, Kurow, Omarama and Otematata RRP's	Refuse	\$150/m ³	200kg/m ³	\$0.75/kg
Hampden, Kurow, Omarama and Otematata RRP's	Garden organics	\$70/m ³	150kg/m ³	\$0.47/kg

¹ Ministry for the Environment (2024) Conversion factors, available from: <https://environment.govt.nz/assets/publications/Waste/Measuring-waste-tonnages-fact-sheet.pdf>



Appendix B Investment logic mapping





Appendix C Longlist assessment

Longlist assessment – Service solution

Longlist options: Service solutions	Rubbish Collection					Recycling and Glass Collection							Organics Collection				Impact on Council facilities
	3A	3B	3C	3D	3E	4A	4B	4C	4D1	4D2	4E	4F	5A	5B	5C	5D	
Description of collection options:	Status quo: no Council service, private collections and drop-off facilities.	Council PAYT bags/bins	140L bin, weekly collection (rates funded).	140L bin, fortnightly collection (rates funded, with organics collection).	Bin size choice 80/140/240L, fortnightly collection (rates funded, charge varies with bin size).	Status quo: no Council service, private collections and drop-off facilities	Single mixed recycling and glass crate, weekly collection (cardboard bundled next to crate).	Three crates: 1- 2x45L mixed recycling crates, 45L glass crate, weekly collection.	240L mixed recycling bin and 45L glass crate, fortnightly collection.	240L mixed recycling bin and 80L glass bin, fortnightly collection.	240L commingled recycling fortnightly collection.	Opt out: no Council service, bylaw requires private collectors to offer recycling	Status quo: no Council service, private green waste collections, and green waste drop-off facilities.	23L bin food organics (FO) only, weekly collection. Private green waste collection or green waste drop-off	Combined food organics and green organics (FOGO) 80L- 240L bin, weekly collection.	Opt out: no Council service, require private collectors to include organics via bylaw.	
Service scope (extent of collections)																	
1A. Status quo: No households	Yes	N/A	N/A	N/A	N/A	Yes	N/A	N/A	N/A	N/A	N/A	Yes	Yes	N/A	N/A	Yes	No change
1B. Minimum requirements (Oamaru only): 6,069 households	N/A	Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	Yes	Yes	N/A	N/A	Yes	Yes	N/A	Impact on WRRT only
1C. Oamaru, settlements South to Palmerston: 7,050 households	N/A	Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	Yes	Yes	N/A	N/A	Partial	Partial	N/A	Low vol. RTS, no change up valley
1D. Oamaru, all settlements to Palmerston & Omarama (rural settlements): 7,450 households	N/A	Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	Yes	Yes	N/A	N/A	Partial	Partial	N/A	Reduced volume to all RTS
1E. All of district: 11,643 households	N/A	No	No	No	No	N/A	No	No	No	No	No	N/A	N/A	No	No	N/A	Commercial volume to RTS only
2A. Businesses included (Yes/No?)	N/A	No	No	No	No	N/A	No	No	No	No	No	N/A	N/A	No	No	N/A	No volume to any RTS
Strategic Investment Objectives:																	
Maximise waste diversion	Partial	Partial	Partial	Yes	Partial	No	No	Yes	Yes	Yes	Partial	Partial	No	Partial	Yes	Partial	Not assessed
Convenient waste service	Partial	Partial	Yes	Partial	Yes	No	No	Yes	Yes	Yes	Yes	Partial	No	Partial	Yes	Partial	
Efficient waste system that delivers a consistent level of service	Partial	No	Yes	Yes	Partial	No	No	Yes	Yes	Yes	Yes	Partial	No	Yes	Yes	Partial	
Leverage benefit of existing (local) waste infrastructure and champions	Yes	No	Partial	Partial	Partial	Partial	Partial	Yes	Partial	Partial	No	Yes	Partial	Partial	Partial	No	
Critical Success Factors: As these CSFs are crucial (not just desirable) any options that score a 'no' are automatically discounted from further analysis:																	
Strategic fit and business needs - Alignment with LTP and other council and regional strategic plans	Partial	No further assessment	Partial	Yes	Partial	No	No further assessment	Yes	Partial	Partial	No further assessment	Partial	No	Partial	Partial	Partial	
Potential value for money - right solution, right time at the right price	Partial		Partial	Yes	Partial	No		Yes	Yes	Yes		No	No	Yes	Yes	No	
Supplier capacity and capability - is it a sustainable arrangement (external)	Yes		Yes	Yes	Yes	Yes		Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	
Potential affordability - are there no funding constraints	No		Partial	Yes	Partial	Yes		Yes	Yes	Yes		No	Yes	Yes	Partial	No	
Potential achievability - ability and skills to deliver (internal)	Yes		Yes	Yes	Yes	Yes		Partial	Yes	Yes		Partial	Yes	Partial	Yes	Partial	
Overall Assessment:																	
Overall Assessment:	Partial	Discard	Partial	Preferred	Discard	Discard	Discard	Preferred	Partial	Partial	Discard	Discard	Discard	Partial	Partial	Discard	
Taken forward to collections shortlist	Yes	No	Yes	Yes	No	No	No	Yes	Yes	Yes	No	No	No	Yes	Yes	No	
Comments:	Having multiple organisations collecting rubbish is not efficient and can be confusing for users. Not consistent service or cost across the district.	It will be difficult for Council to compete with established private sector providers with a PAYT refuse service. PAYT can impact achievement of diversion targets. Purchasing Bags or Bin tags is not convenient. Bag service presents H&S risks and some contractors won't. tender for bag collections.	One bin size is simple and cost-effective to implement but for a small proportion of the community one bin size would need meet their needs (assumes no organics collection).	As with 3C, move from weekly to fortnightly collections when organics collections are introduced supports greater diversion.	Bin size choice may suit households with varying refuse waste volumes, but it increases cost and requires additional Council administration .	Having multiple organisations providing recycling services is not efficient and can be confusing for users. Not consistent service or cost across the district. Relies on households taking recyclables to drop-off locations which may not be convenient	Not sufficient volume to maximise diversion of recyclables	Multiple crates provide additional volume and diversion. H&S risks with crates manual collection, increased street litter, improves processing options by having colour sorted glass and low contamination . Could be processed by WRRT	Additional volume increases diversion however higher contamination in mixed bin, bin is faster to collect, manual collection of glass crate with higher return of colour sorted glass.	Additional volume increases diversion in mixed bin, no manual collection with glass bin so better H&S and faster collection	Not able to be processed at the WRRT or Timaru MRFs. Commingled mixed recycling and glass requires a MRF capable of accepting glass with the nearest option in Christchurch. Higher contamination than glass out options	Recycling collections is a service the community expects. Bylaw could be difficult to enforce with private collectors	This option does not meet national or Council strategic objectives. No food collection option	FO collections align with high density urban areas and require additional resources such as a runner to collect, adding cost and H&S risks. Households would rely on private sector for GO service	FOGO collections tend to attract more GO than FO. In a small wheelie bin provide levels of service with comparable costs to FO collections. Preferred if need to dispose GO as well as FO.	This option does not align with Council's strategic direction. No local processing facility for food organics. Likely to be difficult to enforce with private collectors	Council needs to provide drop-off facilities for residents and businesses that don't have access to kerbside services. These facilities will be impacted to differing degrees depending on the extent of the kerbside service implemented



Longlist assessment – Service delivery

Longlist options: Service delivery	One district wide outsourced contract for full waste services	Two+ district wide outsourced contracts for waste services	Separate category based outsourced contracts	No council services	Council alone, in- house resources	Shared service with a neighbouring council	Regional shared services	CCO or CCTO for waste services by Council alone	Regional CCO or CCTO for waste services	Council in partnership with private sector e.g. joint venture	Council in partnership with community sector e.g. a trust
Strategic Investment Objectives:											
Maximise waste diversion	Yes	Yes	Yes	Partial	Yes	Yes	Yes	Yes	Yes	Partial	Partial
Convenient waste service	Yes	Yes	Yes	Partial	Yes	Yes	Yes	Yes	Yes	Partial	Partial
Efficient waste system that delivers a consistent level of service	Yes	Partial	Partial	Partial	Partial	Partial	Partial	Partial	Partial	Partial	Partial
Leverage benefit of existing (local) waste infrastructure and champions	Yes	Yes	Yes	Yes	Partial	Yes	Yes	Partial	Partial	Yes	Yes
Critical Success Factors:											
Strategic fit and business needs - Alignment with LTP and other council and regional strategic plans	Yes	Partial	Partial	Partial	Partial	Partial	Partial	Partial	Partial	Partial	Partial
Potential value for money - right solution, right time at the right price	Yes	Partial	Partial	No	No	No	No	No	No	No	Partial
Supplier capacity and capability - is it a sustainable arrangement (external)	Yes	Partial	Partial	Yes	No	Partial	Partial	No	No	Partial	Partial
Potential affordability - are there no funding constraints	Yes	No	No	No	Partial	Partial	Partial	No	No	Partial	Partial
Potential achievability - ability and skills to deliver (internal)	Yes	Yes	Yes	Yes	No	No	No	No	No	No	Partial
Overall Assessment:											
Overall Assessment:	Preferred	Discard	Discard	Discard	Discard	Discard	Discard	Discard	Discard	Discard	Partial
Taken forward to collections shortlist	Yes	No	No	No	No	No	No	No	No	No	Yes
Comments:	Most cost-effective solution, utilising available waste industry expertise and processing facilities.	Not cost-effective, would require multiple outsourced service contracts.	Not cost-effective, would require multiple outsourced service contracts.	Council current provides drop-off facilities that private sector unlikely to offer	Council doesn't have the technical expertise or in-house resources to provide comprehensive waste services	Neighbouring councils have existing outsourced contracts in place with potentially different levels of service	Unlikely to be achievable with different levels of service across the region	Expensive to set up and operate a separate CCO unlikely to create additional benefits	Unlikely to be achievable	Unlikely to be achievable for all waste services	Possible as Council currently works with a number of community groups to provide recycling services



Appendix D Kerbside volume and diversion

Kerbside collection shortlist	Rubbish Collection			Recycling and Glass Collection				Organics Collection		
Service solutions	3A <small>Note 1</small>	3C	3D	4A <small>Note 2</small>	4C	4D1	4D2	5A	5B	5C
Description of collection	Status quo: no Council service, private collections and drop-off facilities.	140L bin, weekly collection (rates funded).	140L bin, fortnightly collection (rates funded, with organics collection).	Status quo: no Council service, private collections and drop-off facilities	Three crates: 1-2x45L mixed recycling crates, 45L glass crate, weekly collection.	240L mixed recycling bin and 45L glass crate, fortnightly collection.	240L mixed recycling bin and 80L glass bin, fortnightly collection.	Status quo: no Council service, private green waste collections, and green waste drop-off facilities.	23L bin food organics (FO) only, weekly collection. Private green waste collection or green waste drop-off.	Combined food organics and green organics (FOGO) 80L-240L bin, weekly collection.
Annual volume (tonnes)										
1A. Status quo: No households	4,872			Recycling: 893 Glass: 469				892		
1B. Minimum requirements (Oamaru only): 6,069 households		2,165	1,442		Recycling: 680 Glass: 461				497	1,775
1C. Oamaru, settlements South to Palmerston: 7,050 households		2,515	1,675		Recycling: 790 Glass: 536				577	2,062
1D. Oamaru, all settlements to Palmerston & Omarama (rural settlements): 7,450 households		2,658	1,770		Recycling: 834 Glass: 566				610	2,179

Notes:

1: Refer to Table 4 for detail on the residential refuse volume.

2: Mixed recycling and glass received at WRRT includes residential and commercial sources. There is no data available to determine each source individually.



Appendix E Emissions assessment

Kerbside collection shortlist	Rubbish Collection			Recycling and Glass Collection				Organics Collection		
Service solutions	3A	3C	3D	4A	4C	4D1	4D2	5A	5B	5C
Description of collection	Status quo: no Council service, private collections and drop-off facilities.	140L bin, weekly collection (rates funded).	140L bin, fortnightly collection (rates funded, with organics collection).	Status quo: no Council service, private collections and drop-off facilities	Three crates: 1-2x45L mixed recycling crates, 45L glass crate, weekly collection.	240L mixed recycling bin and 45L glass crate, fortnightly collection.	240L mixed recycling bin and 80L glass bin, fortnightly collection.	Status quo: no Council service, private green waste collections, and green waste drop-off facilities.	23L bin food organics (FO) only, weekly collection. Private green waste collection or green waste drop-off	Combined food organics and green organics (FOGO) 80L-240L bin, weekly collection.
Emissions from kerbside collections (t CO2-eq)										
1A. Status quo: No households	N/A for WDC			N/A for WDC				N/A for WDC		
1B. Minimum requirements (Oamaru only): 6,069 households		21	21		42				21	
1C. Oamaru, settlements South to Palmerston: 7,050 households		46	23		46				22	
1D. Oamaru, all settlements to Palmerston & Omarama (rural settlements): 7,450 households		54	27		54				24	
Emissions reduction from diversion of organics to landfill disposal and processing (% t CO2-eq)										
Assessed in Section 3.6.3 of this report.										



Appendix F Council cost assessment

Kerbside collection cost – all urban households, Oamaru, all rural settlements to Palmerston and Omarama

Kerbside collection shortlist	Rubbish Collection			Recycling and Glass Collection				Organics Collection		
Service solutions	3A	3C	3D	4A	4C	4D1	4D2	5A	5B	5C
Description of collection	Status quo: no Council service, private collections and drop-off facilities.	140L bin, weekly collection (rates funded, without organics collection).	140L bin, fortnightly collection (rates funded, with organics collection).	Status quo: no Council service, private collections and drop-off facilities	Three crates: 1-2x45L mixed recycling crates, 45L glass crate, weekly collection.	240L mixed recycling bin and 45L glass crate, fortnightly collection.	240L mixed recycling bin and 80L glass bin, fortnightly collection.	Status quo: no Council service, private green waste collections, and green waste drop-off facilities.	23L bin food organics (FO) only, weekly collection. Private green waste collection or green waste drop-off	Combined food organics and green organics (FOGO) 80L-240L bin, weekly collection.
Scope of collections: 1D. Oamaru, all settlements to Palmerston & Omarama (rural settlements): 7,450 households										
Annual cost to Council										
Labour		\$181,675	\$105,625		\$333,775	\$363,350	\$363,350		\$181,675	\$181,675
Plant depreciation		\$55,176	\$32,604		\$61,047	\$39,501	\$39,501		\$16,160	\$30,524
Plant operating costs		\$186,360	\$102,710		\$197,515	\$156,577	\$156,577		\$36,427	\$63,719
Fuel		\$71,968	\$28,080		\$56,160	\$56,160	\$56,160		\$28,080	\$28,080
Bin depreciation		\$40,975	\$40,975		\$36,878	\$61,463	\$81,950		\$57,365	\$98,340
Bin Repair/replacement		\$10,058	\$10,058		\$6,705	\$13,410	\$13,410		\$36,505	\$36,505
Overheads		\$32,773	\$19,203		\$41,525	\$41,428	\$42,657		\$21,373	\$26,331
Margin		\$27,311	\$16,003		\$34,604	\$34,523	\$35,547		\$17,811	\$21,942
Collection cost sub-total		\$606,294	\$355,257		\$768,208	\$766,411	\$789,152		\$395,395	\$487,115
Disposal/processing facility		AB Lime Landfill	Redruth Landfill		WRRT MRF	Redruth MRF	Redruth MRF		Redruth facility	Redruth facility
Disposal/processing cost		\$997,528	\$697,073		\$305,748	\$271,585	\$302,726		\$115,197	\$411,419
Revenue share		\$-	\$-		-\$19,817	\$0	\$0		\$-	\$-
Council administration		\$24,252	\$14,210		\$42,166	\$41,520	\$43,675		\$20,424	\$35,941
Total service cost		\$1,628,074	\$1,066,541		\$1,096,304	\$1,079,517	\$1,135,554		\$531,016	\$934,475



Kerbside collection costs – different scope

Kerbside collection shortlist	Rubbish Collection			Recycling and Glass Collection				Organics Collection		
Service solutions	3A	3C	3D	4A	4C	4D1	4D2	5A	5B	5C
Description of collection	Status quo: no Council service, private collections and drop-off facilities.	140L bin, weekly collection (rates funded, without organics collection).	140L bin, fortnightly collection (rates funded, with organics collection).	Status quo: no Council service, private collections and drop-off facilities	Three crates: 1-2x45L mixed recycling crates, 45L glass crate, weekly collection.	240L mixed recycling bin and 45L glass crate, fortnightly collection.	240L mixed recycling bin and 80L glass bin, fortnightly collection.	Status quo: no Council service, private green waste collections, and green waste drop-off facilities.	23L bin food organics (FO) only, weekly collection. Private green waste collection or green waste drop-off	Combined food organics and green organics (FOGO) 80L-240L bin, weekly collection.
Total service cost										
1B. Minimum requirements (Oamaru only): 6,069 households		\$1,165,462	\$914,406		\$984,004	\$995,345	\$1,044,883		\$488,150	\$825,734
1C. Oamaru, settlements South to Palmerston: 7,050 households		\$1,540,598	\$1,019,699		\$1,065,132	\$1,043,558	\$1,060,485		\$518,405	\$902,784
1D. Oamaru, all settlements to Palmerston & Omarama (rural settlements): 7,450 households		\$1,628,074	\$1,066,541		\$1,096,304	\$1,079,517	\$1,135,554		\$531,016	\$934,475



Appendix G Kerbside collection options

Refuse collection options:

- Status quo: no Council service, private collections are available, with refuse drop-off available across the district.
- A kerbside refuse bin, typically 120L or 140L, with weekly or fortnightly collections to be considered.
- A choice of kerbside refuse bin volumes based on the households needs: eg. 80L, 120L, up to 240L.
- A Pay-As-You-Throw (PAYT) option for a kerbside refuse bin (using bin tags or RFID), or a refuse bag (using a Council bag or sticker).



Mixed recycling and glass collection options:

- Status quo: no Council services, drop-off locations, WRRT process mixed recycling and glass, with private kerbside collections also available.
- A kerbside mixed recycling bin (typically 240L) collected fortnightly, together with a 45L glass crate for glass collected weekly or fortnightly.
- A kerbside mixed recycling bin (typically 240L) with commingled glass collected fortnightly.
- Multiple crates (typically two to three 45L crates) for all recyclables collected weekly.
- No council service: this option uses bylaw controls to require private collections to include mixed recycling and glass.



Organics collection options:

- Status quo: no Council service, drop-off garden organics (GO) or private kerbside collection available.
- Food organics (FO) in a 23L bin with or without a kitchen caddy collected weekly. Garden organics (GO) provided by private collection or drop-off.
- Food organics and garden organics (FOGO) in a bin (80L up to 240L) collected weekly.

Note, based on experience across New Zealand, the kerbside collection solution that creates the highest diversion is:

- Rates funded refuse collection in 140L bin (or smaller) collected fortnightly, timed with the introduction of a weekly organics collection (23L FO or 80L FOGO), and
- Rates funded recycling collection with a large volume available, typically a combination of a mixed recycling bin (240L) and a glass crate (45L) or glass bin (80L), collected fortnightly.

7.4 RECEIPT OF 2023 - 2024 ALCOHOL REGULATORY AND LICENSING AUTHORITY (ARLA) REPORT

Author: Andrew Bardsley, Regulatory Manager
Recommender: Andrew Bardsley, Regulatory & Compliance Manager
Authoriser: Roger Cook, Director Natural and Built Environment
Attachments:
Attachments: 1. WDC Annual ARLA Report 2023 - 2024  

PURPOSE

That Council formally receives the 2023/2024 Alcohol Regulatory and Licensing Authority (ARLA) annual report for the Waitaki district (included as Attachment 1).

EXECUTIVE SUMMARY

This annual report fulfils the statutory requirements of Section 199 of the Sale and Supply of Alcohol Act 2012. It provides a comprehensive overview of alcohol licensing activities in the Waitaki District for the reporting period, ensuring transparency, accountability, and compliance with legislative obligations.

The steady state of alcohol licensing activity and increased community engagement signal a positive trend in public involvement and regulatory compliance. Continued focus on stakeholder collaboration and public participation will further strengthen the Council's ability to address alcohol-related issues effectively.

OFFICER RECOMMENDATION

That Council:

1. Formally receives the 2023/2024 Alcohol Regulatory and Licensing Annual Report, and
2. Acknowledges that resolving point 1 above will also enable the Annual Report to be publicly notified on Council's website pursuant to legislative requirements

CONTEXT, ANALYSIS AND ADVICE

Background and Current Situation

The Alcohol Regulatory and Licensing Authority (ARLA) is required to provide an annual report to the Minister of Justice each year detailing alcohol licensing activities for each district. To achieve this, the Waitaki District Licensing Committee (DLC) is required to provide an annual report to ARLA detailing records of all licensing application decisions.

Section 65(1) of the Sale and Supply of Alcohol Act 2012 requires the Waitaki District Council to provide a detailed list of names, addresses, and types of licensed premises currently operating in our district and a breakdown showing revenue from licensing fees.

Council as the Licensing authority is required to publicly notify the ARLA Annual report, to meet the requirements of section 199(4)(5) Sale and Supply of Alcohol Act 2012. The report is a public record and is required to be made available on an Internet site maintained by or on behalf of the territorial authority for a period of no less than 5 years.

Commentary on current alcohol-related trends and issues is also provided by the Chair of the DLC on pages 2 – 3 of the report.

Priority and Strategic Context

Reporting on alcohol-related licensing activity is important as it provides trend analysis, helping Council officers identify patterns and trends in alcohol related licencing, allowing for more informed decision-making. By understanding these trends, the Council can allocate resources more effectively to areas that need the most attention.

Regular reporting ensures that the community is kept informed about alcohol licensing matters, fostering trust and accountability. It provides an opportunity for the community to engage with the Council on these issues, ensuring that their concerns and suggestions are considered.

Analysis and Discussion

Alcohol licensing activity has remained steady for this reporting period, with only a slight downward trend in the number of managers certificates issued, compared to the 2022 – 2023 reporting year.

Officers responsible for alcohol licensing activity within the Waitaki District have maintained close stakeholder engagement with Police and the delegated Medical Officer of Health in relation to the reporting and monitoring of premises licensed under the sale and Supply of Alcohol Act 2012.

The Chair of the DLC has reported on the increased community engagement in relation to alcohol licensing related applications and the ability for the community to actively engage in the process. This has specifically been seen in two instances where objections to applications were made from within the district and from further afield. The Chair has attributed this to the positive changes made by Parliament in 2023 to the Sale and Supply of Alcohol Act and the inclusion of the Public Participation Bill.

Consultation and Option Development

Officers responsible for Alcohol Licencing and administration in the Waitaki District have provided the information contained within the report. Consultation and feedback on the annual report requirements were also sought from the DLC. The chair of the DLC has responded with specific responses to relevant questions.

Additional Considerations

Each District Licensing Committee (DLC) is required, under s199 of the Sale and Supply of Alcohol Act 2012, to provide an annual report to the Alcohol Regulatory and Licensing Authority (ARLA) detailing its proceedings and operations over the previous year by 30 September.

Risks

It is a legislative requirement under s199 of the Sale and Supply of Alcohol Act 2012 to report on proceedings and operations over the previous year. Option 1 ensures the legislative requirement is met. There are no further risks identified.

Summary of Options Considered

Option 1 – The 2023/2024 annual ARLA report is formally received by Council (**Recommended**).

Option 2 – The 2023/2024 annual ARLA report is not formally received by Council.

Assessment of Preferred Option

Option 1 is the recommended option. It will enable the report to be publicly notified and made available to the public on Council's website, which is a requirement of section 199(5) of the Sale and Supply of Alcohol Act 2012. This will promote transparency and accountability of Council to its community.

Next Steps

The Regulatory & Compliance Manager will have the report published on the WDC website.



Phone 03 433 0300
Web www.waitaki.govt.nz
Office 20 Thames Street
Private bag 50058
Oamaru 9444

Waitaki District Council

ARLA Annual Report 2023 - 2024

Questions:

1. Please provide the name of your District Licensing Committee, and a generic email address to which general correspondence will be certain of a response.
Waitaki District Council Licensing Committee – regulatory@waitaki.govt.nz
Committee Members:
Jim Hopkins (Chair), Barry McDonald (Commissioner), Guy Percival (Deputy Chair) and Kelli Williams.
2. Please provide the name, email, and contact phone number of your Committee's Secretary.
Roger Cook – rcook@waitaki.govt.nz – (03) 4330300.
3. Please name each of your licensing inspectors and provide their email and contact phone number.
Carolyn Van Zyl – cvanzyl@waitaki.govt.nz – (03) 4330300
4. The following questions relate to the number of licences and managers' certificates your Committee issued and refused in the 2023-2024 financial year.

Note: the 2023-2024 financial year runs from 1 July 2023 to 30 June 2024.

Licences 2023-2024

4A: In the 2023-2024 year, how many total Applications did your committee grant for New 'on licences'?
New – 12

4B: In the 2023-2024 year, how many total Applications did your committee refuse for New 'on licences'?
New Refused – 0

4C: In the 2023-2024 year, how many total Applications did your committee grant for New 'off'?
New Off License – 6

4D: In the 2023-2024 year, how many total Applications did your committee refuse for New 'off licences'?
New Off Licence Refused – 0

4E: In the 2023-2024 year, how many total Applications did your committee grant for New 'club licences'?
New Club Licence – 0

4F: In the 2023-2024 year, how many total Applications did your committee refuse for New 'club licences'?

New Club Licence Refused – 0

Managers' certificates 2023-2024

5A: In the 2023-2024 year, how many managers' certificates did your Committee issue?

162

5B: In the 2023-2024 year, how many applications for managers' certificates did your Committee refuse?

0

Renewals 2023-2024

6a: In the 2023-2024 year, how many licence renewals did your Committee issue?

28

6b: In the 2023-2024 year, how many licence renewals did your Committee refuse?

0

6c: In the 2023-2024 year, how many managers' certificate renewals did your committee issue?

84

6d: In the 2023-2024 year, how many managers' certificate renewals did your committee refuse?

0

Total Number of Licences (new and existing) at 30 June 2024

7a: As at 30 June 2024 what is the total number of On-Licences (new and existing) in your licensing district?

59

7b: As at 30 June 2024 what is the total number of Off-Licences (new and existing) in your licensing district?

38

7c: As at 30 June 2024 what is the total number of Club-Licences (new and existing) in your licensing district?

29

8. Please comment on any changes or trends in the Committee's workload in 2023-2024.

'With the legislative changes made in parliament in 2023, it did seem that there would be an increase in our work load and the number of Hearings likely to be convened but that has not eventuated yet. There were two applications for On Licences that did attract a very larger number of objections, many from outside the District, and Hearings were scheduled, with attendance signalled by lawyers from elsewhere in the country, but in both cases the applications were withdrawn, and the Hearings did not proceed. As an alternative to a decision reached at a Hearing, this may be seen as an alternative way of achieving the objectives of the 2023 parliamentary legislation'. (Cr J Hopkins, DLC Chair)

9. Please comment on any new initiatives the Committee has developed/adopted in 2023-2024.

'No, there haven't really been any new initiatives adopted by the Committee. The method dealing with Decisions on the Papers has changed slightly, with more use of electronic forms rather than printed documents but that's about it.' (Cr J Hopkins, DLC Chair)

10. Has your Committee developed a Local Alcohol Policy? **NO**
11. Please comment on the ways in which you believe the Sale and Supply of Alcohol Act 2012 is, or is not, achieving its object. Note: the object of the Sale and Supply of Alcohol Act 2012 is that:
- a) *the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and*
 - b) *the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.*

'Generally, at least in this District, I believe the Act is meeting its objective. We have few reports of issues or problems arising with those holding licences or the conduct of patrons on licensed premises. Private use of alcohol could be more problematic but again it is not something regularly brought to our attention by the reporting agencies. The changes made by parliament in 2023 do appear to have encouraged a greater number of objections to some applications, with the result, as described above, that two such applications were withdrawn in the face of considerable opposition.' (Cr J Hopkins, DLC Chair)

12. What changes or trends in licensing have you seen since the Act came into force?
- 'I feel the changes and trends discussed in my answers to Q8 and Q11 also stand as an answer to this question.'* (Cr J Hopkins, DLC Chair)

13. What changes to practices and procedures under the Act would you find beneficial?
- 'I feel the changes made in the 2023 legislation relating to the conduct of Hearings has made them more user friendly and less intimidating. In most other respects, I feel the Act is working well. One minor amendment I would suggest would be to require ALL applicants seeking licences to declare any Criminal Convictions. There have been instances in the last 12 months when Societies or groups applying for Club or Special licences in their collective name do not need to respond to this question included in our form - unlike every other applicant seeking licences or Manager's Certificates. It is relatively small matter but consistency across the board would be helpful, in my view.'* (Cr J Hopkins, DLC Chair)

Signed:



Roger Cook
Secretary DLC
Waitaki District Council

Annual Return (Fees) to Alcohol Regulatory and Licensing Authority

Territorial Authority: Waitaki District Council

Annual Return for the Year Ending 30 June 2024

On-licence, Off-licence and Club Licence Applications Received						
Application Type	Number Received in Fee Category – Very Low	Number Received in Fee Category – Low	Number Received in Fee Category – Medium	Number Received in Fee Category – High	Number Received in Fee Category – Very High	Total
On-licence new	1	6	5			12
On-licence variation						0
On-licence renewal		5	12			17
Off-licence new		2	3	1		6
Off-licence variation						0
Off-licence renewal			8	1		9
Club licence new						0
Club licence variation						0
Club licence renewal	2					2
Total number	3	13	28	2		46
Total fees payable to ARLA (GST incl)	\$51.75	\$448.50	\$1,449.00	\$172.50		\$2,121.75
Total fees paid to ARLA (GST incl)	\$51.75	\$448.50	\$1,449.00	\$172.50		\$2,121.75
Annual Fees for Existing Licences Received	\$34.50	\$172.50	\$1,035.00	\$86.25		\$1,328.25
Licence Type	Number Received in Fee Category – Very Low	Number Received in Fee Category – Low	Number Received in Fee Category – Medium	Number Received in Fee Category – High	Number Received in Fee Category – Very High	Total
On-licence	3	17	36			56
Off-licence		6	26	7		39
Club licence	26	1	2			29
Total number	29	24	64	7		
Total fees payable to ARLA (GST incl)	\$500.25	\$828.00	\$3,312.00	\$603.75		\$5,244.00
Total fees paid to ARLA (GST incl)	\$500.25	\$828.00	\$3,312.00	\$603.75		\$5,244.00

Managers' Certificate Applications Received			
Application Type			Number Received
Managers' certificate new			78
Managers' certificate renewal			84
Total number			162
Total fees payable to ARLA (GST incl)			\$4,657.50
Total fees paid to ARLA (GST incl)			\$4,657.50
Special Licence Applications Received			
	Number Received in Category – Class 1	Number Received in Category – Class 2	Number Received in Category – Class 3
Special licence	1	24	34
Temporary Authority Applications Received			
			Number Received
Temporary authority	7		7
Permanent Club Charter Payments Received			
			Number Received
Permanent club charter payments	0		0
Total paid to ARLA			\$12,023.25

Name of Premises	Licensee	Address	Licence_type
Ardleigh Golf Club	Ardleigh Golf Club Inc	41 Sutherland Road Meadowbank 9483	Club
Awamoa Bowling Club	Awamoa Bowling Club Inc	36 Towey Street Oamaru 9401	Club
Bangkok Recipe	Lostation Ltd	218 Thames Street Oamaru 9400	On
Boots & Jandals Hotel Omarama	B & J Dyson Ltd	1 Chain Hills Highway Omarama	Off
Boots & Jandals Hotel Omarama	B & J Dyson Ltd	1 Chain Hills Highway Omarama	On
Bruce's Barber	Samara Leigh Fraser	77-81 Thames Highway Oamaru 9400	On
Brydone Hotel	Oamaru Licensing Trust	Wear Street Oamaru 9410	On
Casa Nova House	Pocoloco Ltd	1 Alt Street, Oamaru 9400	Off
Casa Nova House	Pocoloco Ltd	1 Alt Street, Oamaru 9400	On
Coast Cafe and Restaurant	Coast 2017 Ltd	913-915 Beach Road Kakanui	On
Woolworths	General Distributors Ltd	108-116 Thames Street Oamaru 9400	Off
Courtyard Restaurant	Courtyard Restaurant	346 Thames Highway Oamaru	On
Craftwork Brewery	Craftwork Brewery Ltd	10 Harbour Street Oamaru 9400	On
Craftwork Brewery	Craftwork Brewery Ltd	10 Harbour Street Oamaru 9400	Off
Criterion Hotel	Oamaru Whitestone Civic Trust	3 Tyne Street, South Hill Oamaru	On
Criterion Hotel	Criterion Hotel 2020 Ltd	3 Tyne Street, South Hill Oamaru 9400	On
Criterion Hotel	The Criterion Hotel 2020 Ltd	3 Tyne Street, South Hill Oamaru 9400	Off
Cucina	Cucina Oamaru Ltd	1 Tees Street, South Hill, Oamaru 9400	On
Del Mar Restaurant	Del Mar Ltd	Waterfront Road, South Hill, Oamaru 9400	On
Distinction Heritage Gateway Hotel	Distinction Mackenzie Country Ltd	12 Omarama Ave Omarama 9412	On
Dunback Bowling Club (Incorporated)	Dunback Bowling Club	Domain Road, Dunback 9483	Club
Dunback Inn	Dunback Inn Ltd	1200 Palmerston-Dunback Road	Off
Dunback Inn	Dunback Inn Ltd	1200 Palmerston-Dunback Road	On
Dunroon Hotel	Dunroon Hotel & Cyclestays Ltd	3 Campbell Street, Dunroon	On
Dunroon Hotel	Dunroon Hotel & Cyclestays Ltd	3 Campbell Street, Dunroon	Off
Excelsior Rugby & Associated Sports Club Inc.	Excelsior Rugby & Associated Sports Club	Taward Street, Oamaru North, Oamaru	Club
Fat Sally's Pub & Restaurant	Hospitality on Thames Ltd	84 Thames Street, Oamaru	On
Feliz and Sage	Feliz Homewares Ltd	16-18 Bledisloe Street Kurow 9435	On
Foothill Groves	Helen Deborah Dent	112 Otiake Road Otiake 9494	Off
Four Square Weston	K P Went Ltd	29 Twizel-Omarama Road Omarama 9412	Off
Frasers Supermarket	Sardar and Sons Ltd	421 Thames Highway Oamaru North Oamaru	Off
Galleon Complex	Morris Investments Ltd	500 Thames Highway, Oamaru North Oamaru	On
Hampden Night 'n Day	K & C Watty 2022 Ltd	21 Main Street, Weston 9401	Off
Boulders Bar and Bistro	Blanchies Tavern Ltd	29 London Street, Hampden 9410	Off
Boulders Bar and Bistro	Blanchies Tavern Ltd	29 London Street, Hampden 9410	On
High Country Salmon	High Country Salmon Ltd	2602 Twizel-Omarama Road Omarama 7999	On
Hot Tubs Omarama	Hot Tubs Omarama	29 Twizel-Omarama Road Omarama 9412	On
Loan & Merc Functions	Sally Ann Donnelly	14 Harbour Street South Hill Oamaru 9400	On
India Garden	Ramesh & Roshan Ltd	263a Thames Highway Oamaru 9400	On
Indian and Nepalese Kitchen	Jay Sambho Holdings Ltd	360a Thames Highway Oamaru 9400	On
Kakanui Bottle Store	Tracey Esther Metternich	1 High Street, Kakanui 9495	Off
Kurow Bowling Club Inc.	Kurow Bowling Club	59 Gordon Street, Kurow 9435	Club
Kurow Four Square	Kurow Supermarket Ltd	49 Bledisloe Street Kurow 9435	Off
Kurow Golf Club Inc	Kurow Golf Club Inc	5 Manse Street, Kurow 9435	Club
Kurow Hotel	The House of Liquor Ltd	53 Bledisloe Street, Kurow 9435	On
Kurow Hotel	The House of Liquor Ltd	53 Bledisloe Street, Kurow 9435	Off
Kurow Rugby Football Club	Kurow Rugby Club	Manse Road Kurow 9435	Club
Lake Ohau Lodge	Ohau Snow Holdings Ltd	2295 Lake Ohau Road Lake Ohau 9412	On
Liquorland Oamaru	Oamaru Licensing Trust	261 Thames Street oamaru 9400	Off
Lower Waitaki Golf Club (Inc)	Lower Waitaki Golf Club Inc	26 Hilderthorpe Road Hilderthorpe Oamaru 9493	Club
Maheno Rugby Football Club Inc	Maheno Rugby Club	54 Kakanui Valley Road Incholme Oamaru 9492	Club
Meadowbank Bowling Club	Meadowbank Bowling Club Inc	Conway Street, Oamaru North Oamaru 9400	Club
Moeraki Boulders Cafe & Bar	Moeraki Boulders Ltd	7-2 Moeraki Boulders Road Hampden 9482	On
Moeraki Tavern (2021) Limited	Moeraki Tavern (2021) Ltd	144 Haven Street Moeraki 9482	On
Moeraki Tavern (2021) Limited	Moeraki Tavern (2021) Ltd	144 Haven Street Moeraki 9482	Off
New World Waitaki	South As Groceries Ltd	70-72 Wansbeck Street Oamaru 9400	Off
North Otago Golf Club	North Otago Golf Club	122 Beach Road Kakanui Oamaru 9495	Club
North Otago New Zealand Deerstarkers Association	NZ Deerstarkers Assn Inc NO Branch	67 Wansbeck Street Oamaru 9400	Club
North Otago Yacht & Power Boat Club	N O Yacht & Power Boat Club	Waterfront Road, South Hill, Oamaru 9400	Club
Northstar Restaurant and Bar	Oamaru Licensing Trust	495A Thames Highway Oamaru North Oamaru 9400	On
Northstar Restaurant and Bar	Oamaru Licensing Trust	495A Thames Highway Oamaru North Oamaru 9400	Off
Nourish	The Nourish Project Ltd	Airedale Road Airedale-Weston 9492	On
Oamaru Athletic Marist Rugby Football Club Incorpor	Athletic Rugby Football Club	Taward Street, Oamaru 9400	Club
Oamaru Bridge Club	Oamaru Bridge Club Inc	1 Steward Street Oamaru 9400	Club
Oamaru Cinema	The Rivera Cinema Limited	241 Thames Street Oamaru 9400	On
Oamaru Club	Oamaru Club Inc	32 Severn Street Oamaru 9400	Off
Oamaru Club	Oamaru Club Inc	32 Severn Street Oamaru 9400	Club
Oamaru New World	J D and J A Smith Ltd	70-72 Wansbeck Street Oamaru 9400	Off
Oamaru Phoenix Bowling Club	Phoenix Bowling Club	2 Meek Street Oamaru 9400	Club
Oamaru Squash & Badminton Club	Oamaru Squash & Badminton Club	12-14 Tyne Street South Hill Oamaru 9400	Club
Oasis Bar & Cafe	Oasis Bar and Cafe Ltd	4 Chain Hills Highway Omarama 9412	On
Omarama Four Square	NOLB Ltd	10 Chain Hills Highway Omarama 9412	Off
Omarama Golf Club	Omarama Golf Club Inc	Omarama-Lindis Pass Road Omarama 9412	Club
On The Spot Otematata	Delectables 2003 Ltd Oamaru	1 West Road Otematata 9412	Off
Opera House Cafe & Bar	Waitaki District Council	94 Thames Street Oamaru 9400	On
Otematata District Club	Otematata District Club Inc	8-12 Tasman Road Otematata 9412	Club
Otematata District Club	Otematata District Club Inc	8-12 Tasman Road Otematata 9412	Off
Otematata Golf Club Inc	Otematata Golf Club	2740 Otematata-Kurow Otematata 9412	Club
Otematata's Best Dam Pub	Get It Now Ltd	2736 Otematata-Kurow Road Otematata 9412	On
Otematata's Best Dam Pub	Get It Now Ltd	2737 Otematata-Kurow Road Otematata 9412	Off
Palmerston Bowling Club	Palmerston Bowling Club Inc	36 Towey Street Oamaru 9401	Club
Palmerston Four Square	Colhoun Supermarket Ltd	59 Tiverton Street, Palmerston 9430	Off

Palmerston/Waihemo Returned Services Association	Palmerston Waihemo RSA Inc	109 Ronaldsay Street, Palmerston 9430	Club
Panda Restaurant	Yuefeng Chen	301 Thames Street Oamaru 9400	On (Endorsed BYO)
Penguin Entertainers Club	The Penguin Entertainers Club	10 Harbour Street South Hill Oamaru 9400	Club
Pen-y-bryn Lodge	Pen-y-bryn Lodge Ltd	41 Towey Street Oamaru 9401	On
Poshtel	Oamaru Poshtel Ltd	126 Thames Street Oamaru 9400	On
Pure NZ Wine Ltd	Pure NZ Wine Ltd	407 Lake Ohau Road Lake Ohau 7999	Off
Riverstone Kitchen	Riverstone Kitchen Ltd	1431-1527 Glenavy-Hilderthorpe Road Glenavy	On
River-T Winery	Stellar Holdings (2020) Ltd	5292 Kurow-Duntroon Road Kurow 9494	On
River-T Winery	Stellar Holdings (2020) Ltd	5292 Kurow-Duntroon Road Kurow 9494	Off
Scotts Brewing Company Limited	Scott's Brewing Ltd	1 Wansbeck Street Oamaru 9400	Off
Scotts Brewing Company Limited	Scott's Brewing Ltd	1 Wansbeck Street Oamaru 9400	On
Stanley's Hotel	Danday Ltd	1760 Macraes Road Moonlight Macraes 9483	On
Stanley's Hotel	Danday Ltd	1760 Macraes Road Moonlight Macraes 9483	Off
Star and Garter Restaurant	Star & Garter 2023 Ltd	9 Itchen Street Oamaru 9400	On
Super Liquor Oamaru	Rickhouse Private Ltd	245 Thames Street Oamaru 9400	Off
The Flying Pig Cafe	TFPC Ltd	23 Campbell Street Duntroon 9494	On
The Fort Enfield	The Fort Enfield Ltd	625 Weston-Ngapara Road Oamaru 9491	On
The Fort Enfield	The Fort Enfield Ltd	625 Weston-Ngapara Road Oamaru 9492	Off
The Galley Cafe	Galley (Oamaru) Ltd	Esplanade South Hill Oamaru 9400	On
The Harbour Street Collective Cafe	Harbour Craft Ltd	8 Harbour Street Oamaru 9400	On
The Last Post	Grovert Ltd	12 Thames Street Oamaru 9400	On
The Lindis	New Zermatt Properties Ltd	1490 Birchwood Road Omarama 9412	On
The New Zealand Whisky Co. Limited	The New Zealand Whisky Co Ltd	7-9 Tyne Street Oamaru 9400	Off
The New Zealand Whisky Co. Limited	The New Zealand Whisky Co Ltd	11 Wansbeck Street Oamaru 9400	On
The Pink Glider Cafe	Tanya Michelle McAughtrie	68 Airport Road Omarama 9412	On
The Star & Garter Restaurant	Star and Garter 2023 Limited	9 Itchen Street Oamaru 9400	On
The Station Yuan's	Treasure International Ltd	43A Humber Street Oamaru 9400	On
The Wrinkly Rams	The Wrinkly Rams Ltd	24-30 Omarama Avenue Oamaru 9412	On
Thirsty Liquor Palmerston	SSAIKK NZ Ltd	26 Sanday Street Palmerston 9430	Off
Thirsty Liquor Oamaru	Verve Enterprises Ltd	51 Humber Street Oamaru 9400	Off
Tokarahi Golf Club	Tokarahi Golf Club	215 Dip Hill Road Tokarahi 9491	Club
Union Cricket Club (Oamaru) Incorporated	Union Cricket Club	47A Tyne Street South Hill Oamaru 9400	Club
Valley Rugby Football Club	Valley Rugby Club	13A Charles Street Weston 9401	Club
VALLI Wine Bar	Valli Vineyards Ltd	45 Bledisloe Street Kurow 9435	On
VALLI Wine Bar	Valli Vineyards Ltd	45 Bledisloe Street Kurow 9435	Off
Victoria Lounge & Eatery	Woodleys Hospitality Ltd	7 Thames Street Oamaru 9400	On
Waihemo Lodge Hotel	Brown Shaver Ltd	15 Runbrake Street Palmerston 9430	Off
Waihemo Lodge Hotel	Brown Shaver Ltd	15 Runbrake Street Palmerston 9430	On
Waitaki Braids Lodge	Kathryn Anne White	61 Bledisloe Street Kurow 9435	On
Waitaki District Council Social Club	WDC Social Club	20 Thames Street Oamaru 9400	Club
Waitaki Hotel	Waitaki Hospitality Ltd	37 Bledisloe Street Oamaru 9435	On
Waitaki Hotel	Waitaki Hospitality Ltd	37 Bledisloe Street Oamaru 9435	Off
Waitoa Park Golf Club	Waitoa Park Golf Club Inc	25 Bulleid Road Deborah Oamaru 9491	Club
Whitestone Cheese Cafe	Whitestone Cheese Ltd	469 Thames Highway Oamaru 9400	ON

7.5 LOCAL WATER DONE WELL - OTAGO SOUTHLAND JOINT CCO

Author: Paul Hope, Director Support Services

Recommender: Paul Hope, Director Support Services

Authoriser: Alex Parmley, Chief Executive

Attachments:

Attachments: 1. Joint CCO Commitment Agreement for Approval [↓](#) 

PURPOSE

To consider an agreement that would formally commit Council to the further investigation of a joint water services delivery option along with Gore, Clutha and Central Otago District Councils.

EXECUTIVE SUMMARY

The Water Services Preliminary Arrangements Act 2024 sets out the new requirements for water services delivery in New Zealand. The Local Government (Water Services) Bill has also been introduced into parliament and will likely set the enduring framework for water delivery if it is passed into law later this year.

This paper presents a summary of progress to develop a Joint Water Services Organisation by the Central Otago, Clutha, Gore & Waitaki District Councils (the 'Group of Councils') as an option to consider alongside other practicable delivery model options.

The paper summarises the overall approach and plan to develop the options, consult with the community, secure required Council approvals and prepare a Council Approved Water Services Delivery Plan (WSDP) to the Minister of Local Government by 3 September 2025. This paper makes recommendations in relation to consultation under the Water Services Preliminary Arrangements Act 2024.

To support this work, a Commitment Agreement Template has been developed by the DIA, for Councils to modify and adopt as they work to develop and establish a Joint Operating Organisation for Water Services. The Commitment Agreement Template has been populated to meet the requirements of the Group of Councils.

The purpose of this paper is to seek that the Council authorises the Chief Executive to enter into the Commitment Agreement as appended to this paper subject to any minor drafting changes that are required when the document is finalised.

OFFICER RECOMMENDATION

That Council:

1. Agrees to enter into the Otago Southland Joint Group of Councils Commitment Agreement.
2. Authorises the Chief Executive to sign the Otago Southland Joint Group of Councils Commitment Agreement as set out in Attachment 1 on behalf of the Waitaki District Council including approving any minor amendments that are required when finalising the document for signing.
3. Decides to rely on the alternative requirements for decision-making and consultation set out in sections 61 to 64 of the Local Government (Water Services Preliminary Arrangements) Act 2024 in accordance with section 58(a)(i).

CONTEXT, ANALYSIS AND ADVICE

Background and Current Situation

In February 2024, the Coalition Government introduced and passed legislation to repeal all laws relating to the previous Government's water services entities. The new approach, Local Water Done Well (LWDW), is designed to address New Zealand's long-standing water infrastructure challenges while maintaining local decision-making flexibility. Councils, in consultation with their communities will determine how their water services are delivered, provided they meet economic, environmental, and regulatory requirements.

Government statements have made it clear that water service providers must operate more like independent utility businesses, similar to telecommunications or electricity providers. Regardless of whether services remain in-house or are managed by a Council-Controlled Organisation (CCO), they must be structured and operated differently, with direct accountability to customers, regulators, and ratepayers and shareholders.

The Water Services Preliminary Arrangements Act 2024, enacted on 2 September 2024, requires councils to submit a Water Services Delivery Plan (WSDP) to the Department of Internal Affairs (DIA) by 3 September 2025. Each WSDP must define a financially sustainable delivery model with 10 years of financial information and undergo public consultation before formal adoption. The Government has introduced financial arrangements allowing CCOs to borrow up to 500% of their water revenue from the Local Government Funding Agency (LGFA).

On 10 December 2024, the Local Government (Water Services) Bill (Bill 3) was introduced to Parliament. The Bill sets out key details relating to the water services delivery system, the economic regulation and consumer protection regime for water services, and changes to the water quality regulatory framework and is expected to be enacted in June 2025.

Councils in Otago and Southland have a history of working together on water service challenges.

In February 2024, the Otago-Southland Mayoral Forum directed Chief Executives to establish the Otago-Southland LWDW Working Group to explore a Regional Delivery Model. As part of this, the Morrison Low report, "Local Water Done Well Review," was completed and presented to Otago-Southland councillors in November 2024. It found that without structural changes, future water service delivery would become unaffordable, with 76% of residential users in the region facing doubled water bills within 10 years. Additionally, workforce shortages and infrastructure demands would require regional coordination to avoid inefficiency and competition. The report concluded that a joint asset-owning entity would be the most effective solution.

From that work, a subgroup of Otago Southland Councils has formed, comprising Central Otago, Clutha, Gore and Waitaki District Councils. This Group of Councils is working to investigate creation of a Joint Water Services CCO.

Priority and Strategic Context

Delivery of water services is a critical matter for the community. The water reform process has a major impact on this matter. The deadline to development a Water Services Delivery Plan that would allow local input into future of this service mean that all decisions must be made with urgency to meet this deadline.

Analysis and Discussion

Group of Councils - Project Formed

Mayors & Chief Executives of the Group of Councils are engaged, and a project team has formed to define what a Joint CCO would look like and how it compares against the other practicable options, such as leaving water services in house or setting up a standalone Council CCO.

Presenting the options and agreeing a preferred delivery model to take out for consultation.

A view of the water organisation delivery model options, with supporting pros and cons is planned to be presented to the March Council Meeting for decision on a preferred delivery services model and options to consult on.

Current modelling is predominantly based on existing Council long-term plans and infrastructure strategies with some adjustments to reflect a reduction in potential costs for wastewater treatment plant upgrades.

Further work is required in order to present a view of the water service delivery models and their relative strengths and weaknesses. The work includes:

- External review of Council Asset Management Plans and associated Long Term Budgets to test and align planning and costing assumptions.
- Draft wastewater standards are released mid-February 2025. These may mean future investment requirements can be reduced. Potential impact of these to be assessed for each Council.
- Progress Joint CCO design and update modelling to reflect design options. For example, approach to Price Harmonisation.
- Seek DIA and Water Services Authority - Taumata Arowai review of financial modelling and option analysis.

DIA Joint Commitment Agreement

The DIA WSDP Team have provided a Commitment Agreement Template which sets out how councils can work together to develop and establish a joint water organisation. It lists the key activities and programme, allocation of roles and sharing of resources, accountability measures and the governance structure during the period where councils are assessing the delivery options, deciding on a preferred delivery and through to establishment of a joint water organisation.

The agreement provides for individual Councils to withdraw from the agreement at any time. Logical points for Councils to assess their continued participation are:

- Provision of Water Service Delivery Models Options Analysis for Councils to decide on their preferred Water Service Delivery Model
- Review of Consultation and Stakeholder engagement outcomes
- Review & Approval of the Water Services Delivery Plan

The Commitment Agreement template has been completed by the project team and an external legal review conducted to help inform council decision making. The Commitment Agreement is provided as Attachment 1.

Consultation and Option Development

The Water Services Preliminary Arrangements Act 2024, provides an alternative consultation requirements and decision-making pathway to that provided via the Local Government Act 2002 (Alternative Consultation and Decision-Making Requirements).

Councils are required to adopt the Alternative Consultation and Decision-Making Requirements when considering the preferred model or arrangement for delivering water services in its WSDP. These requirements are summarised as -

- Must consult once but may consult further if certain conditions are met
- Make the following information publicly available:
 - Proposed model or arrangement (with explanation and reasons for the proposal)
 - Analysis of reasonably practicable options
 - How proceeding (or not) with the proposal would affect council rates, debt, water charges and levels of service.

If the alternative consultation pathway is taken there is no need to consult further on required amendments to the Long-Term Plan to give effect to the water services delivery model if Council has already consulted on a proposed model and is satisfied that the community has a good understanding of its implications and that the Council understands the community's views. All other relevant LGA 2002 requirements still apply (e.g. principles of consultation).

For a Council decision whether to establish, join or amend a Water Services CCO there is the ability to consult either via the LGA 2002 Part 6 pathway or use the Alternative Consultation and Decision-Making Requirements. The Alternative Consultation and Decision-Making Requirements include consideration of the following:

- Impact of the Joint Water Services CCO on the communities in the joint service area (as well as the impact on the authority's district)
- Views of people in the joint service area (as well as the views of people in the authority's communities)
- View of other territorial authorities who are parties or potential parties to the Joint Water Services CCO Arrangement.

Financial Considerations

The financial implications for ratepayers and impact on overall Council debt and non 3 waters budgets will be presented as part of the March report. These implications will be included in the Pros and Cons analysis to be presented to Council when selecting the preferred delivery model and for feedback through the planned consultation.

Additional Considerations

Legal Implications

The Local Government (Water Services Preliminary Arrangements) Act places statutory requirements on the Councils that are required to be complied with. If a territorial authority struggles to comply with the requirements for a compliant WSDP, the Act provides for the Minister to appoint either of two new roles:

- Crown facilitators, who may work with Councils to assist, advise, or amend draft WSDPs and;
- Crown water services specialists, who may prepare, direct, or adopt a WSDP in accordance with their notice of appointment.

In addition, the Act provides that a person who contravenes an obligation to disclose information can be fined up to \$500,000 or, in the case of an entity, \$5 million.

Climate Change

Changes are administrative in nature. Climate Change impacts would be assessed as part of any change to service provision.

Risks

Risk	Impacts
DIA does not approve the WSDP and requires the document to be revised.	DIA requires the Group of Councils to alter the WSDP DIA requires the Group of Councils to change the Operating Model Design DIA requires other Councils to join the Group of Councils.

Risk	Impacts
DIA does not approve the Group of Councils WSDP – and appoints a Crown Facilitator or Water Services Specialist	Reputation risk for Councils Reduction / loss in decision making control
Individual Councils do not approve of progressing with a Joint CCO approach.	Group may become unviable Individual Councils may not be able to complete a compliant WSDP Risk of DIA intervention with associated loss of decision-making control
WSDP Plan and Implementation Tasks are more complex / extensive than estimated	Potential increase in project budget Additional Council resource commitments
Continuing uncertainty for the Council 3 Waters teams as to how their work and roles may be affected	Potential loss of key staff Increasing difficulty to recruit staff
Local Government Election processes during Oct 2025.	Potential delay to key decisions – administration period may then impact Re-litigation of decisions by new Council New Councillors require up skilling in LWDW requirements
The Group of Councils is not fully compliant with new legislative requirements – within the required timeframes	Reputation risk for Councils Cost and time to rectify Potential DIA or Regulator Intervention
3 Waters legislative investment requirements impact on wider Council investment capacity	Impending increase in 3 Waters costs impacting affordability and Council investment in other areas
Ratepayers do not appreciate the impending costs increases for 3 Waters Services – irrespective of the delivery model adopted	Increasing affordability issue for larger group of ratepayers Negative publicity and reputation risk for Councils
Changes to legislation through Bill 3 may require additional resource commitments and amendments to arrangements.	Cost and time associated with rework Potential increase in project budget Additional Council resource commitments

Significance and Engagement

Significance is considered high on several grounds including, community interest, impact on Councils capability and capacity, cost to council and impact on ratepayers and potential changes to the control of a Strategic Asset.

The Significance and Engagement Policies of the Group of Councils and the requirements of the Local Government (Water Services Preliminary Arrangements) Act 2024 and Bill 3, require the water services delivery model options to be presented for community engagement and feedback.

It is intended that consultation will be coordinated across the Group of Councils, with consistent content developed in collaboration with the individual councils, approved by the individual Council and conducted via each Council using their existing community engagement channels, processes and relationships.

Outcomes would be collated and presented back to each Council to inform decision making and whether to proceed with the preferred delivery model. A summary of the consultation would also be included in the WSDP.

Summary of Options Considered

As noted, the project team is working to compile a view of practicable water service delivery model options, assess these against investment objectives and provide a view of their relative merits and drawbacks, impact of each to the ratepayer and Council debt and any impact on service levels. That analysis will be presented to the March Council meetings for decision to confirm the preferred option and options to consult on.

A summary of the options associated with the decisions requested in this paper is presented below.

- 1) For the Council decision whether to approve entry to the Commitment Agreement.

Option	Advantages	Disadvantages
Group of Councils draft their own commitment agreement Not Recommended	<ul style="list-style-type: none"> - Tailored for the group of Councils requirements 	<ul style="list-style-type: none"> - Significant cost and time to draft a bespoke agreement - Likely greater DIA scrutiny of a bespoke agreement and less willing to provide support to the Group if required. - Impact on WSDP delivery timeframe
Group of Councils adopt the DIA Template as modified in Attachment 1. Recommended	<ul style="list-style-type: none"> - Comprehensive and low cost to adapt to specific Group of Council requirements - DIA supported approach - Defined agreement entry and exit process. - Legal review completed 	<ul style="list-style-type: none"> - If the Joint CCO preferred option is not adopted by a member Council, time and cost to exit the Agreement.
Group of Councils proceed without a Commitment Agreement. Not Recommended	<ul style="list-style-type: none"> - Avoided costs to adapt, complete legal reviews and secure Council decisions. 	<ul style="list-style-type: none"> - Project work is complex and costly – lack of an agreement increases the risk of poor governance, disputes and failure to deliver required outcomes. - Increased risk of DIA intervention

- 2) For the Council decision whether to establish, join or amend a Water Services CCO there are two consultation options. Note that the proposed model for delivering water services is required to be consulted on using the alternative consultation requirements in the Local Government (Water Services Preliminary Arrangements) Act 2024.

Option	Advantages	Disadvantages
Consult via LGA 2002 Part 6 consultation requirements Not Recommended	<ul style="list-style-type: none"> - Established decision making framework. - Allows wider Joint CCO Council & Community views to be included in Council Decision Making 	<ul style="list-style-type: none"> - Requires consultation to be split between two processes which creates inefficiency, complexity and potential confusion in decision making. - Consultation processes can be costly in terms of resource and financial cost. Running multiple processes will cost more. - Given the number of significant decisions that will be required and decisions that require statutory consultation, the public may become fatigued with consultation.

Option	Advantages	Disadvantages
		- No ability to narrow consultation, if doing so would not comply with the LGA requirements.
Consult via Local Government (Water Services Preliminary Arrangements) Act 2024 alternative consultation requirements Recommended	<ul style="list-style-type: none"> - Aligns CCO decision making with consultation on the proposed model for delivery of water services – offering a single consistent framework that is comparatively more efficient to adopt. - Potential to avoid the need to consult on required LTP changes for the proposed model and for transfer of strategic assets if the water infrastructure is defined as a strategic asset in the Council's significance and engagement policy. - Consultation Process is tailored for consideration of selecting a water service delivery model and will be sufficiently detailed so that the public are well informed about the full process being consulted on. - Only one consultation process required therefore saving resources and cost. - Retain the ability to consult more broadly than the alternative arrangements prescribe. 	- Possible perception that consultation / decision making is not as robust as via the LGA 2002.

Assessment of Preferred Option

Committing to further investigation through externally developed template agreement which has been modified as require to reflect the current circumstance is seen as the safest and most efficient way to advance a group proposal. This recognises that this is the first in a series of decision and does not commit Council to any long-term position or arrangement.

Next Steps

- Complete and present Practicable Option Pros and Cons Assessment for Council Decision to identify the Preferred Water Service Delivery Model and options to consult on (target end March)
- Present Joint CCO design options and secure decisions – March 2025 Council Meetings.
- Draft consultation materials and secure Council approval – April 2025 Council Meetings
- Schedule consultation to occur from end April to end May 2025
- Schedule hearings, deliberations and decision making through June 2025

- Council Decision Making & WSDP Approval June & July 2025
- Contingency to secure WSDP approvals - August 2025
- WSDP Submission Deadline – 3 Sept 2025

Commitment Agreement

PARTIES

Central Otago District Council

Clutha District Council

Gore District Council

Waitaki District Council

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AGREEMENT dated

xx February 2025

PARTIES

Central Otago District Council

Clutha District Council

Gore District Council

Waitaki District Council

together, the "**Councils**".

INTRODUCTION

- A. The Councils have each voted to proceed with the planning for a joint operating model between the Councils in respect of the Service Areas.
- B. The Councils are required to submit a Water Services Delivery Plan ("**WSDP**") to the Secretary for Local Government (Department of Internal Affairs) by 3 September 2025 on how water services will be delivered in the Council's district as required under the Local Government (Water Services Preliminary Arrangements) Act 2024.
- C. The Councils commit to working together to:
 - (a) plan and develop a joint operating model for the delivery of water services for each Council's community to inform a WSDP; and
 - (b) establish a WO for the joint operating model in accordance with a WSDP adopted by the Councils (subject to community consultation).
- D. Each Council agrees to undertake the activities and responsibilities allocated to it in this agreement to achieve the Objectives.
- E. The Councils have entered into this agreement to record the terms of their commitment to achieve the joint operating model and Objectives.

SIGNATURES

SIGNED for and on behalf of

Central Otago District Council

By:

Signature of Authorised Signatory

Name of Authorised Signatory

Date

Clutha District Council

By:

Signature of Authorised Signatory

Name of Authorised Signatory

Date

Gore District Council

By:

Signature of Authorised Signatory

Name of Authorised Signatory

Date

Waitaki District Council

By:

Signature of Authorised Signatory

Name of Authorised Signatory

Date

Signature of Authorised Signatory

Name of Authorised Signatory

Date

Signature of Authorised Signatory

Name of Authorised Signatory

Date

Signature of Authorised Signatory

Name of Authorised Signatory

Date

Signature of Authorised Signatory

Name of Authorised Signatory

Date

SCHEDULE 1

Agreement Details

Commencement Date <i>(Clause 6.1, Schedule 2)</i>	<p>This agreement commences on the date it is last signed by all Councils.</p>
Expiry Date <i>(Clause 6.1, Schedule 2)</i>	<p>This agreement expires on:</p> <p>Establishment of the WO in accordance with LG(WS) Act unless terminated earlier in accordance with the terms of this Agreement.</p>
Service Areas <i>(Background A)</i>	<p>The Districts of Central Otago, Clutha, Gore and Waitaki.</p>
Councils Executive Group <i>(Clause 4, Schedule 2)</i>	<p>Members: The members of the Councils Executive Group are:</p> <ul style="list-style-type: none"> Central Otago District Council member: Mayor (or his/her delegate) and one elected representative. Clutha Council member: Mayor (or his/her delegate) and one elected representative. Gore Council member: Mayor (or his/her delegate) and one elected representative. Waitaki Council Member: Mayor (or his/her delegate) and one elected representative. <p>Optional observers (non-voting): Chief Executive of each District Council (or his/her nominee).</p> <p>Meetings: The Council Executive Group will meet every second week.</p> <p>Quorum: At least one voting representative of each District Council.</p>
Project Steering Group <i>(Clause 4, Schedule 2)</i>	<p>Members: The members of the Project Steering Group are:</p> <ul style="list-style-type: none"> Central Otago District Council member: Peter Kelly Clutha Council member: Steve Hill Gore Council member: Deborah Lascelles Waitaki Council Member: Alex Parmley <p>Meetings: The Project Steering Group will meet weekly</p> <p>Project Budget: The Project Steering Group is required to approve any expenditure that exceeds the Project Budget.</p>

<p>Project Team</p> <p><i>(clause 4 and 5.2, Schedule 2)</i></p>	<p>Members: The members of the Project Team are:</p> <ul style="list-style-type: none"> Central Otago Council member: Julie Muir Clutha Council member: Jules Witt Gore Council member: Jason Domigan Waitaki Council Member: Paul Hope <p>Meetings: The Project Team will meet weekly.</p> <p>Project Budget: The Project Team has authority to approve costs up to the agreed Project Budget. Costs that exceed this amount will require approval by the PSG.</p>	
<p>Initial Contribution</p> <p><i>(clause Error! Reference source not found., Schedule 2)</i></p>	<p>Each Council will contribute an Initial Contribution of \$26,500 – to provide for consulting services during January/February 2025.</p>	
<p>Address for notices</p> <p><i>(clause 10, Schedule 2)</i></p>	<p>Central Otago District Council</p>	<p>Clutha District Council</p>
	<p>1 Dunorling St. Alexandra, 9320</p> <p>Email: peter.kelly@codc.govt.nz</p> <p>Attention: Peter Kelly</p>	<p>1 Rosebank Ter, Balclutha 9230</p> <p>Email: steve.hill@cluthadc.govt.nz</p> <p>Attention: Steve Hill</p>
	<p>Gore District Council</p>	<p>Waitaki District Council</p>
	<p>29 Bowler Avenue, Gore, 9710</p> <p>Email: dlascelles@goredc.govt.nz</p> <p>Attention: Debbie Lascelles</p>	<p>20 Thames Street, Oamaru, 9400</p> <p>Email: aparmley@waitaki.govt.nz</p> <p>Attention: Alex Parmley</p>

SCHEDULE 2

Agreement Terms and Conditions

1. DEFINITIONS AND INTERPRETATION

1.1 Definitions: In this agreement the following definitions apply:

"**Agreement Details**" means Schedule 1 of this agreement.

"**Business Day**" means any day other than a Saturday, Sunday or a statutory public holiday in the Service Area(s) identified in the Agreement Details, New Zealand.

"**Commencement Date**" has the meaning given to that term in the Agreement Details.

"**Confidential Information**" means any of the following (whenever it was obtained):

- (a) all information of a confidential nature (reasonably determined) obtained by one Council from another Council under or in connection with this agreement;
- (b) all information relating to the operations and affairs of another Council; and
- (c) all information obtained by a Council in respect of all activities or information undertaken, produced or discussed under the umbrella of the Project.

"**Councils**" means the councils who are named as counterparties to this agreement and who continue to be a participant of this agreement.

"**Existing Material**" means, in respect of any Council, all documentation and other materials used or provided by the Council under or in connection with this agreement that are:

- (a) owned by, or licensed to, that Council prior to the date of this agreement; or
- (b) developed independently from this agreement by that Council, and that are not developed, commissioned or created under or in connection with this agreement.

"**Expiry Date**" has the meaning given to that term in the Agreement Details.

"**Initial Contribution**" has the meaning given to that term in the Agreement Details.

"**Intellectual Property Rights**" means, in respect of any person, all intellectual and industrial property rights and interests (including common law rights and interests) owned or held by that person, or lawfully used by that person, including:

- (a) patents, trade marks, service marks, copyright, registered designs, trade names, symbols and logos;
- (b) patent applications and applications to register trade marks, service marks and designs; and
- (c) formulae, methods, plans, data, drawings, specifications, characteristics, equipment, designs, inventions, discoveries, improvements, know-how,

experience, software products, trade secrets, price lists, costings, brochures and other information used by that person.

"**LGOIMA**" means the Local Government Official Information and Meetings Act 1987.

"**LG(WS) Act**" means Local Government (Water Services) Act 2024 as enacted or to be enacted under clause 1 of the Local Government (Water Services) Bill 11.

"**LG(WSPA) Act**" means the Local Government (Water Services Preliminary Arrangements) Act 2024.

"**Objectives**" has the meaning given to that term in clause 2.1.

"**Scope and Project Plan**" has the meaning given to that term in clause 4.6(a).

"**Submission Date**" means the date the WSDP is submitted by the Councils to the Secretary for Local Government (Department of Internal Affairs) in accordance with section 18 of the LG (WSPA) Act.

"**WO**" means the water organisation (as defined in the LG(WS) Act) to be established by the parties to this agreement.

"**WSDP**" has the meaning given to that term in paragraph B of the Introduction section of this agreement.

1.2 **Interpretation:** In this agreement unless the context otherwise requires:

- (a) headings are for convenience only and do not affect interpretation;
- (b) the singular includes the plural and vice versa, and a gender includes other genders;
- (c) another grammatical form of a defined word or expression has a corresponding meaning;
- (d) reference to a party, person or entity includes:
 - (i) an individual, firm, company, trust, partnership, joint venture, association, corporation, body corporate, , estate, state, government or any agency thereof, municipal or local authority and any other entity, whether incorporated or not (in each case whether or not having a separate legal personality); and
 - (ii) an employee, agent, successor, permitted assign, executor, administrator or other representative of such party, person or entity.
- (e) a reference to dollars or \$ is to New Zealand currency and excludes every tax and duty;
- (f) a reference to a clause or schedule is to a clause or schedule of this agreement;
- (g) a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;

- (h) references to the word 'include' or 'including' are to be construed without limitation;
- (i) references to any form of law is to New Zealand law, including as amended or re-enacted;
- (j) a reference to a document or instrument includes reference to that document or instrument as novated, altered, supplemented, or replaced from time to time;
- (k) "written" and "in writing" include any means of reproducing words, figures or symbols in a tangible and visible form (including email);
- (l) any obligation falling due for performance on or by a day other than a Business Day shall be performed on or by the Business Day immediately following that day; and
- (m) an obligation not to do something includes an obligation not to allow or cause that thing to be done.

2. PROJECT OVERVIEW

2.1 Objectives: The key objectives of this agreement ("**Objectives**") are:

- (a) for the Councils to continue to work closely, collaboratively and successfully to plan and develop a WSDP that meets each Council's needs and objectives for their respective communities;
- (b) to facilitate the Councils making decisions in a timely manner to ensure a joint operating model can progress in a timely way to meet the requirements for submissions of the joint WSDP and other requirements under the LG(WSPA) Act and the LG(WS) ACT;
- (c) to enable the Councils to consider how they would operate together in a way that facilitates an effective and efficient use of the Councils' resources, providing optimum benefit to the parties' ratepayers; and
- (d) to effectively establish a WO for the joint operating model in accordance with a WSDP adopted by the Councils.

2.2 Relationship principles: The Councils will:

- (a) work together collaboratively and in good faith;
- (b) ensure communication between them is open, proactive, transparent and inclusive, to avoid any surprises;
- (c) make every effort to understand the other Council's needs and objectives for the joint operating model, and make all reasonable endeavours to ensure the joint operating model meets such needs and objectives;
- (d) raise any issues that arise in connection with this agreement at the earliest opportunity, for joint resolution;
- (e) resolve disagreements between them promptly and amicably; and

- (f) as a courtesy and in the interest of clear and consistent communication, consult with the other Councils before commenting publicly on the joint operating model or this agreement.

3. KEY ACTIVITIES

3.1 Council responsibilities: Each Council will:

- (a) work with the other Councils to:
 - (i) develop and document the Council's technical, operational, legal and other requirements for the joint operating model ("**Requirements**") and to agree reasonable and realistic timeframes for delivery of the joint operating model; and
 - (ii) plan and design the joint operating model to meet the Requirements, including at such time(s) required by the other Councils;
- (b) implement and make decisions in relation to matters for the project within the indicative timeframes listed in the Scope and Project Plan;
- (c) provide subject matter experts where relevant to assist with the development and design of the joint operating model;
- (d) provide a dedicated single point of contact for that Council for the management of the project delivery (ideally a project manager, who will also be the person authorised to make decisions (for example, approvals of proposed public comments on the project) on behalf of that Council);
- (e) provide a dedicated and senior level 'sponsor' for the project;
- (f) attend those meetings agreed by the Councils as appropriate or necessary for the effective governance of and/or the delivery of the joint operating model;
- (g) where there are any changes in Government policy or direction, which affects the purposes and activities of this agreement, inform the other Councils of those changes at the earliest possible opportunity thereafter, and the Councils agree to renegotiate, where necessary, any aspects of this agreement that has been or will be affected by this policy change; and
- (h) fund and provide resources to undertake the project under this Agreement; and
- (i) be responsible for complying with any requirements to undertake consultation or reporting in respect of its own council and local government processes.

3.2 Council individual responsibilities not affected: Each Council acknowledges that the Councils' commitment to the obligations under this agreement does not limit or pre-empt each Council's own obligations as local government authorities at law, including in respect of decision-making responsibility and public consultation obligations.

3.3 **Lead council responsibilities:**

- (a) The Councils unanimously agree that the Waitaki District Council will be the project lead ("**Lead Council**") with the following responsibilities:
 - (i) holding contributions from each Council in a nominated account;
 - (ii) managing project expenditure and tracking against the Project Budget;
 - (iii) preparing agendas and scheduling governance meetings for the project; and
 - (iv) preparing reporting for governance meetings for the project.
- (b) The Project Steering Group ("**PSG**") may, from time to time, agree to replace the Lead Council, after which time, the relevant Council will assume the responsibilities of the Lead Council under this Agreement.

3.4 **Development expectations and timelines:**

- (a) Each Council acknowledges that the other Council(s) will be providing funding and resources to develop and design the joint operating model, and has an interest in ensuring a consistency of approach in the development and design of the joint operating model.
- (b) Accordingly, any Council may submit a request to the other Council(s), for consideration and agreement by all the Councils, to:
 - (i) adjust expected timelines and/or reprioritise resources allocated to the development and design of the joint operating model as necessary to manage resource and funding constraints, subject to not compromising the achievement of the Objectives; and/or
 - (ii) change the Requirements that are not reasonably viable in order for a Council to meet its own needs, and the Councils will work together to agree and implement any agreed change to the joint operating model, including any consequential changes to the Requirements for that joint operating model.

3.5 **Project communications:** The Councils agree that media releases, public announcements and public disclosures by any Council relating to this agreement or its subject matter (including informational or promotional, but not including any announcement intended solely for internal distribution or any disclosure required by legal, accounting or regulatory requirements beyond the reasonable control of such Council) shall be co-ordinated with, and approved by, all Councils, provided that this does not apply to any media release, public announcement or public disclosure made by a Council (the "**Announcing Council**"):

- (a) which does not identify any other Council to this agreement; or
- (b) about the Announcing Council's business and operations or the Announcing Council's Confidential Information, excluding anything about or in connection with this agreement.

- 3.6 **Government communications:** The Councils agree that no Council may communicate directly with the Department of Internal Affairs in relation to the content of the joint WSDP without the prior written consent of the other Councils.
4. **PROJECT GOVERNANCE**
- 4.1 **Governance structure:** The governance model for the project comprises the following:
- (a) Councils Executive Group ("CEG");
 - (b) Project Steering Group ("PSG"); and
 - (c) Project Team.
- 4.2 **Decisions made by the governance groups:**
- (a) Each Council will be responsible for their own decision-making using the Project Team's advice and assistance.
 - (b) The CEG, PSG, and Project Team will make decisions on a consensus basis.
 - (c) Where consensus is not possible, decisions will be escalated to the next governance level, with final decisions to be made by the Council members of the CEG.
- 4.3 **Meeting administration:** Each of the governance meetings will be scheduled by the Lead Council, who will circulate agenda items and decisions to be discussed ahead of the meeting date.
- 4.4 **Councils Executive Group:** The CEG shall be responsible for:
- (a) overseeing the executive direction of the project;
 - (b) addressing issues that have been escalated to it by the PSG; and
 - (c) keeping informed on the project by information provided from the Project Team.
- 4.5 **Project Steering Group:** The PSG shall be responsible for:
- (a) providing strategic directions and decisions on the project;
 - (b) addressing issues that have been escalated to it by the Project Team;
 - (c) reviewing and approving any proposed changes the direction of the project;
 - (d) appointing members to the Project Team;
 - (e) ensuring the strategic direction of the project continues to align with the Objectives and each Council's obligations under this agreement; and
 - (f) approving the Project Budget.
- 4.6 **Project Team:** The Project Team shall be responsible for:

- (a) preparing a detailed scope of work and project plan (including project milestones) to deliver on the Objectives ("**Scope and Project Plan**"). The Scope and Project Plan may take the form set out in Schedule 3. The project plan and progress against the Scope and Project Plan will be reported to the PSG and CEG on a monthly basis;
 - (b) developing and maintaining a Project Budget and submitting same for approval by the PSG;
 - (c) engaging external expertise as required;
 - (d) preparing stakeholder/engagement framework ensuring all appropriate parties are included on an ongoing basis;
 - (e) preparing and attending workshops with the Councils' elected members as required to achieve the project and Objectives;
 - (f) preparing consultation packs in collaboration with individual Councils to support each Council's required consultation processes;
 - (g) running and/or supporting consultation processes as required;
 - (h) developing a joint WSDP in accordance with legislative requirements and each Council's requirements; and
 - (i) any of matters required under a terms of reference agreed for the Project Team.
- 4.7 **Commercial Terms Sheet:** The parties agree to work in good faith to complete the terms sheet set out at Schedule 5 that will outline the key commercial terms relating to the WO.
5. **COST SHARING**
- 5.1 **Cost sharing principles:** The Councils agree to fund the costs of the project in equal parts in accordance with the Project Budget set out in Schedule 4 (as amended from time to time in accordance with this clause 5) (**Project Budget**).
- 5.2 **Project Team delegation:** The Project Team have authority to spend up to the approved Project Budget. Costs that exceed the approved Project Budget and any other amendments to the Project Budget will require approval by the PSG (and, for the avoidance of doubt, the provisions of clause 4.2(c) shall apply).
- 5.3 **Council Exit:** If a Council exits this agreement pursuant to clause 6.3:
- (a) contributions made by the Council on or prior to the date of exit (including the Initial Contribution) are not recoverable by the exiting Council;
 - (b) that Council remains responsible for their share of all costs incurred up to that date; and
 - (c) that Council remains liable to pay its share of any committed or budgeted (but unpaid) costs to the extent such costs cannot be reasonably mitigated or avoided (without penalty) by the remaining participating Councils.

6. TERM

- 6.1 **Term:** This agreement commences on the Commencement Date and continues until the Expiry Date, unless terminated earlier by all Councils in accordance with clause 6.2.
- 6.2 **Termination by agreement:** This agreement may be terminated at any time with immediate effect by agreement of all current Councils to this agreement for any reason, including if there is a material change of law or policy direction that affects the Councils' obligations under the LG(WSPA) Act and LG(WS) ACT.
- 6.3 **Council withdrawal:**
- (a) Subject to clauses 5.3 and 6.3(b), any Council may withdraw its participation in this agreement at any time prior to the Submission Date by giving written notice to the other Councils.
 - (b) Before a Council exercises its withdrawal right under subclause (a), that Council must use reasonable endeavours to:
 - (i) provide as early as possible notification to the other Councils that the Council is considering, or intending to withdraw from the Project, including to provide the other Council(s) with sufficient time to respond to and agree on any public releases in accordance with clause 3.5; and
 - (ii) provide the other Council(s) an explanation for the withdrawing Council's reason(s) for the withdrawal.
 - (c) Where any Council breaches a material obligation, or persistently does not perform its obligations, under this agreement, then the other Council(s) may request that such Council withdraws its participation from this agreement, in which case the parties will promptly discuss the next steps following such request.
- 6.4 **Effect of termination:** In addition to any other rights, powers or remedies a Council may have under this agreement or at law:
- (a) if this agreement ends or is terminated, the following will apply:
 - (i) each Council is released from its obligations under this agreement, except clauses 3.5 (Project communications); 5.3 (Council Exit); 6 Term); 7 (Dispute Resolution); 8 (Confidentiality); 9 (Intellectual Property); 10 (Notices); and 11 (General) that shall survive expiry or termination of this agreement;
 - (ii) each Council retains the rights and obligations it has accrued under this agreement as at the date of expiry or termination; and
 - (iii) each Council must return any Confidential Information of another Council in its possession to that other Council or, if requested by the other Council, destroy the Confidential Information, except to the extent that it is required to retain the Confidential Information in order to meet its legal, contractual and governance obligations.
 - (b) if a Council withdraws its participation in this agreement:

- (i) clause 6.4(a) will apply only in respect of that Council; and
- (ii) this agreement continues in force as between the remaining Councils.

7. DISPUTE RESOLUTION

7.1 **Notice in writing:** If a Council claims that a dispute has arisen, that Council must give written notice to the PSG. The written notice must specify the nature of the dispute.

7.2 **Negotiation:**

- (a) On receipt of a notice delivered in accordance with clause 7.1 and before any Council may refer a dispute to mediation, the PSG must, in good faith and acting reasonably, do their best to resolve the dispute quickly and efficiently through negotiation.
- (b) If the PSG has not resolved the dispute within 10 Business Days of receipt of the notice delivered in accordance with clause 7.1, the dispute shall be escalated to the CEG for resolution.
- (c) If the dispute has not been resolved by the CEG within 10 Business Days (or within such other period as agreed by the Councils) of the date of escalation under clause 7.2(b), any Council may submit the dispute to mediation in accordance with clause 7.3.

7.3 **Mediation:**

- (a) If the Councils do not resolve the dispute by negotiation, the Councils must, in good faith and acting reasonably, do their best to resolve the dispute by participating in mediation with an independent mediator.
- (b) If the Councils do not agree on a mediator, then the mediator will be appointed by the New Zealand Dispute Resolution Centre.
- (c) The Councils must mediate the dispute in accordance with principles agreed between them or, if no agreement can be reached, the New Zealand Dispute Resolution Centre Mediation Rules.
- (d) Unless the Councils agree otherwise, the mediator's fee and any other costs of the mediation itself (such as for venue hire or refreshments) will be shared equally between the parties, but the parties will each pay their own costs of preparing for and participating in the mediation (such as for travel and legal representation).

7.4 **Arbitration**

- (a) If the dispute has not been resolved within 40 Business Days (or within such other period as agreed by the parties) of the dispute being referred to mediation, any Council (the "**Initiating Council**") may refer such dispute to binding arbitration by issuing a written notice ("**Arbitration Notice**") to the other Council(s) (together with the Initiating Council, the "**Disputing Council(s)**") for final resolution in accordance with the provisions of this clause 7.4 and in accordance with the provisions of the

Rules of Arbitration of the New Zealand Dispute Resolution Centre, as amended or modified from time to time ("**NZDRC Rules**").

- (b) The arbitral panel shall consist of one arbitrator. The arbitrator will be appointed by the agreement of the Disputing Council(s) or, failing agreement within 10 Business Days of the date of the Arbitration Notice, in accordance with the NZDRC Rules.
- (c) The seat of arbitration shall be Waitaki, New Zealand and the arbitration shall be conducted in the English language.
- (d) The award of the arbitration shall be in writing and must include reasons for the decision.
- (e) The award of the arbitration shall be final and binding on the Councils. No Council may appeal to the High Court under Clause 5 of the Second Schedule of the Arbitration Act 1996 on any question of law arising out of an award.
- (f) The award shall allocate or apportion the costs of the arbitration as the arbitrator deems fair.
- (g) Neither the existence of any dispute nor the fact that any arbitration is pending hereunder shall relieve any of the Councils of their respective obligations under this agreement.

- 7.5 **Implementation of agreement:** The Councils must do whatever is reasonably necessary to put into effect any negotiated or mediated agreement, arbitral award or other resolution. This includes exercising voting rights and other powers as required.
- 7.6 **Rights and obligations during a dispute:** During a dispute, each Council must continue to perform its obligations under this agreement.
- 7.7 **Interlocutory relief and right to terminate:** This clause does not restrict or limit the right of a Council to obtain interlocutory relief, or to immediately terminate this agreement where this agreement provides such a right.

8. CONFIDENTIALITY AND INFORMATION DISCLOSURE

- 8.1 **Confidentiality:** Each Council will keep confidential and secure all Confidential Information, and no Council shall disclose the other Councils' Confidential information to any person, or use the other Councils' Confidential Information, other than:
- (a) to the extent that use or disclosure is necessary for the purposes of giving effect to or exercising the rights and benefits of this agreement (which for the purpose of each Council, may involve disclosure to that council's elected members and staff);
 - (b) if the discloser of the information has obtained the prior written approval of the providing Council to the use or disclosure;
 - (c) if the use or disclosure is required by law including under the Local Government Official Information and Meetings Act 1987 ("**LGOIMA**"), or the Local Government Act 2002, provided that prior to that Council making a disclosure, that Council will

use reasonable endeavours to promptly consult in good faith with the other Councils:

- (i) regarding the requirement under which that Council is required to disclose the Confidential Information; and
- (ii) so that the other Councils are informed to arrive at a view on whether those Councils would also be required to make such disclosure if a request is made of them; or
- (d) in relation to disclosure, if the information has already become public, other than through a breach of an obligation of confidentiality by one of the Councils or another third party.

8.2 **LGOIMA:** Each Council acknowledges that the other Council(s) are subject to the LGOIMA. Accordingly, notwithstanding anything else in this agreement, each Council agrees to cooperate fully in providing the other Council(s) with any documents or other information that the other Council is required to provide pursuant to a request made under the LGOIMA.

9. INTELLECTUAL PROPERTY RIGHTS

9.1 **Existing Intellectual Property Rights:** Notwithstanding any of the provisions of this agreement, each Council or its licensors retain ownership of all Intellectual Property Rights, including in Existing Material belonging to that Council or its licensors at the Commencement Date ("**Existing Intellectual Property Rights**").

9.2 **New Intellectual Property Rights:** Any new Intellectual Property Rights which are created as a result of, or in connection with, the provision of the Services or Deliverables, or otherwise in connection with this agreement, shall be jointly owned by the Councils, unless otherwise agreed by the parties.

9.3 **Licence:** If any Council's Existing Intellectual Property Rights is included in any new Intellectual Property Rights, then that Council grants to the other Council(s) and the other Councils accept, anon-exclusive, non-transferable, royalty-free licence during the term of this agreement to use the Council's Existing Intellectual Property Rights for the purposes of giving effect to and performing its obligations under this agreement. That licence will expire immediately on expiry or termination of this agreement.

10. NOTICES

10.1 **Giving notices:** Any notice or communication given to a Council under this agreement is only given if it is in writing and sent in one of the following ways:

- (a) Delivered or posted to that Council at its address and marked for the attention of the relevant department or officer (if any) set out in Schedule 1.
- (b) Emailed to that Council at its email address and marked for the attention of the representative set out in Schedule 1.

- 10.2 **Change of details:** If a Council gives the other Councils three Business Days' notice of a change of its postal address or email address, any notice or communication is only given to that Council if it is delivered, posted or emailed to the latest postal address or email address.
- 10.3 **Time notice is given:** Any notice or communication is to be treated as given at the following time:
- (a) If it is hand delivered, when it is left at the relevant address.
 - (b) If it is sent by post, five Business Days after it is posted.
 - (c) If it is sent by email, on the date and at the time at which it enters the recipient's information system, as evidenced (if required by the recipient, where delivery is disputed) in a confirmation of delivery report from the sender's information system which indicates that the email was sent to the email address of the recipient.

However, if any notice or communication is given on a day that is not a Business Day or after 5pm on a Business Day in the place of the Council to whom it is sent it is to be treated as having been given at 9am on the next Business Day.

11. GENERAL

- 11.1 **Capacity:** The Parties each warrant and represent to each other that they have full power and authority to enter into this agreement and that all authorisations and approvals that are necessary or required in connection with the execution of this agreement have been obtained.
- 11.2 **No partnership, joint venture:** Nothing in this agreement shall create or evidence any partnership, joint venture, agency, trust or employer/employee relationship between any of the Councils, and a Council may not make, or allow to be made, any representation that any such relationship exists between any of the Councils. A Council shall not have authority to act for, or to incur any obligation on behalf of, any other Shareholder, except as expressly provided for in this agreement.
- 11.3 **No privity:** Other than as expressly provided for in this agreement, this agreement is not intended to confer a benefit on any person or class of persons who is not a party to it.
- 11.4 **Counterparts:** This agreement is deemed to be signed by a Council if that Council has signed or attached that Council's signature to any of the following formats of this agreement:
- (a) an original;
 - (b) a photocopy; or
 - (c) an electronic copy,
- and if every Council has signed or attached that Council's signature to any such format and delivered it to the other Council(s), the executed formats shall together constitute a single binding agreement between the Councils.
- 11.5 **Electronic signing:** A Party may sign this agreement by way of the application of that Party's (or its relevant signatory's) electronic signature in accordance with Part 4 of the Contract and Commercial Law Act 2017.

- 11.6 **Entire agreement:** This agreement contains everything the parties have agreed in relation to the subject matter it deals with. No Council can rely on an earlier written agreement or anything said or done by or on behalf of another Council before this agreement was executed.
- 11.7 **Severance:** If any provision of this agreement is, or becomes unenforceable, illegal or invalid for any reason it shall be deemed to be severed from this agreement without affecting the validity of the remainder of this agreement and shall not affect the enforceability, legality, validity or application of any other provision of this agreement.
- 11.8 **Further assurance:** Each Council shall make all applications, execute all documents and do or procure all other acts and things reasonably required to implement and to carry out its obligations under, and the intention of, this agreement.
- 11.9 **Variation:** No variation of this agreement will be of any force or effect unless it is in writing and signed by each Council to this agreement.
- 11.10 **Assignments and transfer:** A Council must not assign or transfer any of its rights or obligations under this agreement without the prior written consent of the other Councils.
- 11.11 **Costs:** Except as otherwise set out in this agreement, each Council must pay its own costs and expenses, including legal costs and expenses, in relation to preparing, negotiating, executing and completing this agreement and any document related to this agreement.
- 11.12 **Waivers:**
- (a) A waiver of any right, power or remedy under this agreement must be in writing signed by the Council granting it. A waiver only affects the particular right, obligation or breach for which it is given. It is not an implied waiver of any other right, obligation or breach or an implied waiver of that right, obligation or breach on any other occasion.
 - (b) The fact that a Council fails to do, or delays in doing, something the Council is entitled to do under this agreement does not amount to a waiver.
- 11.13 **Governing law:** This agreement is governed by the laws of New Zealand and the Councils submit to the non-exclusive jurisdiction of the courts of New Zealand in respect of any dispute or proceeding arising out of this agreement.

SCHEDULE 3

Scope and Project Plan

Activities and Decisions	Indicative Timeframes
<p><u>Project initiation phase</u></p> <ul style="list-style-type: none"> Agree project approach, high level plan, budget and cost allocation. 	10 Feb 2025
<p><u>Design phase</u></p> <ul style="list-style-type: none"> Agree preferred service delivery model Agree financial projections for the service delivery options Agree approach to public consultation Council decisions on consultation options and information to be made publicly available 	End February 2025
<p><u>Planning phase</u></p> <ul style="list-style-type: none"> Undertake public consultation Prepare joint WSDP Plan arrangements for the WO, including governance structures and financial arrangements Each Council ensures internal endorsement for joint WSDP Chief Executives from each Council certify information provided by that Council 	<p>End April to End May 2025</p> <p>Deliberations-Decisions</p> <p>June – July 2025</p> <p>August 2025</p>
Submit the joint WSDP (with certification) to the Secretary for Local Government for acceptance. The WSDP may require amendments and resubmission for acceptance.	3 September 2025
<p><u>Implementation phase</u></p> <ul style="list-style-type: none"> Councils adopt the accepted WSDP Publish the adopted WSDP Execute the corporate documents required to establish the WO Establish the WO Set up operational arrangements for the WO 	<p>After acceptance of the WSDP under the LG(WSPA) Act</p> <p>Planning assumption – Joint CCO in place from 1 July 2026</p>

SCHEDULE 4

Project Budget

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SCHEDULE 5

Commercial Terms Sheet

Term	Agreed position	Template document clause reference
General		
Name of the WO		<ul style="list-style-type: none"> All template documents
Matters which require the approval of shareholders.		<ul style="list-style-type: none"> Single council shareholder: Constitution, Schedule 2 Multiple shareholders: Shareholders' Agreement, Schedule 1; Schedule 2, clause 5.1(b); and Schedule 3
Service Area(s) where the WO will provide "water services".		<ul style="list-style-type: none"> Commitment Agreement: Background, paragraph A Shareholders' Agreement: Schedule 1; Schedule 2, clause 1.1; and Schedule 6
Constitution (single- and multi-shareholder WOs)		
Whether Shareholders will be able to require changes to and approve the Water Services Strategy.		<ul style="list-style-type: none"> Clause 3.2
Maximum number of directors.		<ul style="list-style-type: none"> Clause 12.2
Preferred method of appointing/removing directors, including: <ul style="list-style-type: none"> Will directors be appointed by the shareholders directly or a by a Shareholder Council? Will directors be appointed proportionate to the shareholding of each council, or some other methodology (please specify) 	Single director per shareholder	<ul style="list-style-type: none"> Clause 12.3(a)
Directors' term of appointment and maximum number of terms a director can be appointed for.	Term - 3 years	<ul style="list-style-type: none"> Clause 12.6

Quorum for board meetings.		<ul style="list-style-type: none"> Schedule 2, clause 3.1(a)
Skills the directors are required to have.		<ul style="list-style-type: none"> Clause 12.5 Schedule 3
Shareholders' Agreement		
Initial shares to be issued and shareholding for each shareholder.		<ul style="list-style-type: none"> Schedule 1 Schedule 2, clause 2.2
Price payable for each share in the WO issued.		<ul style="list-style-type: none"> Schedule 1 Schedule 2, clause 2.3
Principles that any further shares must be issued in accordance with.		<ul style="list-style-type: none"> Schedule 1 Schedule 2, clause 9.3
The name, registered office and address for service of the WO.		<ul style="list-style-type: none"> Schedule 1 Schedule 2, clause 2.4
The initial business set up, operational steps and transactions to be undertaken by the WO and Councils.		<ul style="list-style-type: none"> Schedule 1 Schedule 2, clause 3.2
The initial directors of the WO.		<ul style="list-style-type: none"> Schedule 1 Schedule 2, clause 4.2
Whether to establish a Shareholders Council, and if yes, confirmation that the Terms of Reference in Schedule 4 apply.		<ul style="list-style-type: none"> Schedule 1 Schedule 2, clause 6.1 Schedule 4
Membership of the Shareholders Council (where established), including the total number of members, the initial membership, and the number of members for a quorum at meetings.		<ul style="list-style-type: none"> Schedule 4
Number of missed Shareholders Council meetings missed before a new representative will be appointed.		<ul style="list-style-type: none"> Schedule 1 Schedule 2, clause 6.6

Matters to be included in the Statement of Expectations.		<ul style="list-style-type: none"> Schedule 1 Schedule 2, clause 8.1(b)
Interest rate payable on payment default by any party under the Shareholder's Agreement.		<ul style="list-style-type: none"> Schedule 1 Schedule 2, clause 12.3
Time period before publication to provide the agreed Statement of Expectations to the Chairperson of the Board, the Chief Executive of the Company and the Shareholders Council (must be no more than one month).		<ul style="list-style-type: none"> Schedule 1 Schedule 2, clause 8.1(c)
Deed relating to Indemnity, Access and Insurance		
Individuals who will be indemnified under the Deed.	[All directors and senior executives of the WO.]	<ul style="list-style-type: none"> Parties to the Deed
Transfer Agreement		
Responsibilities to be transferred to the WO; Responsibilities which won't be transferred		<ul style="list-style-type: none"> Appendices 1 and 2 of Schedule 2
Assets to be transferred to the WO; Assets which won't be transferred		<ul style="list-style-type: none"> Appendices 1 and 2 of Schedule 2
Employees and Contractors to be transferred to the WO		<ul style="list-style-type: none"> Schedule 2, clause 5
Contracts to be novated to the WO; Contracts which won't be novated		<ul style="list-style-type: none"> Appendices 1 and 2 of Schedule 2
Matters of Shared Interest which Council and the WO will work together on		<ul style="list-style-type: none"> Schedule 3
Ad hoc services to be provided by Council to WO		<ul style="list-style-type: none"> Schedule 1 Schedule 4, clauses 2 and 4
Ad hoc services to be provided by WO to Council		<ul style="list-style-type: none"> Schedule 1 Schedule 4, clauses 2 and 4

Date of commencement		<ul style="list-style-type: none">• Schedule 1• Schedule 5, clause 1.1
Date on which the transfer will take effect		<ul style="list-style-type: none">• Schedule 1• Schedule 2, clause 7.1
Purchase price/limitation of liability		<ul style="list-style-type: none">• Schedule 1• Schedule 2, clauses 3.1 and 11.2
Party (as between the Council and the WO) who will collect the water charges		<ul style="list-style-type: none">• Schedule 1• Schedule 3, clause 2
Council's Representative and Interface Governance Group Members		<ul style="list-style-type: none">• Schedule 1• Schedule 3, clause 4.2• Schedule 3, clause 4.3

7.6 OBSERVATORY VILLAGE LIMITED LOAN REPAYMENT AND OPTIONS

Author: Amanda Nicholls, Chief Financial Officer

Authoriser: Paul Hope, Director Support Services

RECOMMENDATION

That Council:

1. Note the early loan repayments received by Observatory Village and the impact this has on interest income previously forecast; and
2. Approve utilising the early loan repayments to repay LGFA debt.

DECISION OBJECTIVE

To advise Council of the early loan repayments received by the Observatory Village entities and seek approval from Council to use these funds to repay external debt held with LGFA.

SUMMARY

Late last year Observatory Village (OVL) advised Council that they would like to refinance and repay all outstanding debt that they had borrowed from Waitaki District Council. Officers confirmed that this was allowable under the terms of the loan agreements and advised Council at that point in time.

The transaction was completed on 3 February 2025, with all loan principal repayments and outstanding interest payable at that date, paid in full.

Officers have considered the financial forecasts until 30 June 2025 and the draft 10-year financial forecasts prepared as part of the Long-Term Plan and consider the most prudent option is to utilise the funds received to repay LGFA debt. The next available opportunity will be on 15 April 2025, where Council has \$21.1m of LGFA debt maturing.

DECISION-MAKING EXPECTATIONS

Governance Decision-Making:	Approve utilising the early loan repayments received by Observatory Village, to repay LGFA debt.
Operational Decision-Making:	Carry out the debt repayment at the next available opportunity.
Communications	Media Releases – contributed to by officers and Elected Members Media/public enquiries regarding governance decision-making topics above can be addressed by governance Media/public enquiries regarding operational decision-making topics above can be addressed by officers

SUMMARY OF DECISION-MAKING CRITERIA

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	No	Environmental Considerations	No

Legal	No	Cultural Considerations	No
Significance	Moderate	Social Considerations	No
Financial Criteria	Key	Economic Considerations	No
Community Views	No	Community Board Views	No
Consultation	No	Publicity and Communication	No

BACKGROUND

Council has discussed the funding provided to Observatory Village on numerous occasions since the organisers original request for support. The intent from the start of the process was for Council to provide development funding, with this funding to be reviewed as the development progressed. It was the intention from the start that the funding be only available on a medium-term basis and that Council would need the funds returned. The complex has now reached the stage in its' physical and financial development where other third-party funding is economically viable, which has allowed the organisation to explore alternate arrangements.

September 2024, Observatory Village enquired whether they could repay their outstanding loans to Council earlier than intended. Officers confirmed that this was allowable under the terms of the loan agreements and advised that there would be no early repayment charges.

Observatory Village confirmed in November 2024, that they had obtained full financing arrangements to support the next stages of their development as well as cover the existing debt owed to Council. They confirmed that they would repay all outstanding debt that they had borrowed from Council early in the new year.

The transaction was completed on 3 February 2025, will all loan repayments and outstanding interest payable at that date, paid in full.

Details of the repayment amount are as follows:

Loan Description	Original Expiry	Principal	Accrued Interest	Repayment Total 03/02/2025
Observatory Village - \$1.5m 5.98%	30/06/2026	1,500,000	3,441	1,503,441
Observatory Village - \$1.5m 6.09%	30/06/2027	1,500,000	3,504	1,503,504
Observatory Village - \$12.4+m 5.32%	30/06/2035	12,442,001	25,389	12,467,390
Observatory Village - Stage 2 \$250k 0.00%	30/06/2029	156,637	0	156,637
Totals		15,598,638	32,333	15,630,971

The total foregone interest income that would have been earned if the loans were held until their contractual maturity dates was forecast to be \$4.3m. Most of this is from the \$12.4m loan that was intended to mature on 30 June 2035 and would have earned \$2.9m in interest over this period. However, note that the interest rate is not significantly higher than Council's cost of borrowing (0.72% higher currently), so the net interest (interest income from OVL less interest paid to LGFA) would have been marginal.

The \$15.6m unplanned cash injection has significantly helped our financial situation in the short term. We are unable to make ad hoc debt repayments to LGFA so instead the cash has been used to pay capital expenditure (without the need to take out any further borrowing from LGFA) and the balance has been put into term deposit (maturing on 15 April 2025, to coincide with the next debt maturity as per below).

The next available opportunity to repay debt will be on 15 April 2025, where Council has \$25.1m of debt maturing. Council would have had no choice but to re-borrow / "roll" this debt if this cash injection had not been received. We would have also had to borrow further to pay our capital expenditure over the first half of this year.

It is important to note when considering the following the source of the funds that allowed the original advance to be made. This was funding was available primarily because Council was in the process of accumulating funded reserves to be used to replace assets at a later date. This process mean that Council not only had no external debt but had surplus cash to invest. Council is now in the reverse situation where it is borrowing to provide the cash to fund asset replacement, as all available funding has been utilised. This process has been a major contributor the growth in external debt over the last few years.

Council outstanding debt balance is currently \$86m. Debt was forecast to be \$99m as at 30 June 2025, in Council's adopted 2025 annual plan. If the funds were used to repay debt, the closing debt balance as at 30 June 2025 could be as low as \$70m (based on current income and expenditure forecasts and taking into account the deferred capital expenditure approved at the Council meeting on 17 December 2024). Based on the current effective interest rate of 4.6% this provides an interest saving of circa \$1.3m per annum.

Officers have considered the financial forecasts until 30 June 2025 and the 10-year forecasts as part of the Long-Term Plan and consider the most prudent option is to utilise the funds received to repay LGFA debt.

Officers' recommendation is also in line with the general theme and guiding principles of the Financial Strategy. The Financial Strategy recognises our current financial situation is tough in the short to medium term, with financial capacity and affordability concerns, along with significant ongoing challenges such as the cost-of-living crisis and reform.

In a period of such uncertainty, prudent financial management is required more so than ever. The most effective, efficient and economical use of resources were thoroughly considered, which required an evaluation of relevant costs and benefits along with an assessment of risks.

Analysis of the other options considered are as follows:

Utilise the funds to repay debt	<ul style="list-style-type: none">✓ This would decrease debt forecasts to more prudent levels. Debt will continue to be drawn down for capital expenditure, but in total, Council will require less total borrowing than forecast in 2025 and over the life of the LTP.✓ There would be an interest cost reduction over the life of the LTP, this also has a positive impact on rates increases, as rates are used to pay interest costs.✓ There would be more headroom in the LGFA borrowing thresholds. If 3 waters do not move to a new entity, this will provide some more time before breaching the 175% debt to revenue rule, in 2028.✓ This approach would be acceptable to ratepayers and in line with the objective to "balance the budgets" and provide more sustainable long-term budgets in the final LTP in June.
Utilise the funds to provide loans to other entities	<ul style="list-style-type: none">✓ This would potentially provide a margin or net return to Council. For example, a 2% margin above the cost of borrowing is Council's typical requirement now, so whatever interest expense is paid to LGFA, Council would recoup that as well as a further 2% return. This is \$312k per annum.✓ Lending to other entities can enable the entities to get established and provide a much-needed service to the community, such as OVL and North Otago Irrigation Company.× Lending to other entities comes at additional costs and risk to Council. There are legal costs involved, and often large internal staff costs and time spent managing these agreements. Council has previously experienced negative outcomes from lending to other entities.

	<ul style="list-style-type: none"> × We are not currently aware of any other entities requiring this level of funding. Entities that are considered low risk can typically obtain lending from a bank or alternative financing. There are entities that would gratefully accept loan funding but are not considered to be healthy investment choices for Council.
Utilise the funds to take out other long-term investments (equity, property, CCO etc.)	<ul style="list-style-type: none"> ✓ By investing the funds, Council will make a return on its investment. This may be in terms of interest or dividend income, and/or in the value of the investment increasing in worth over time. The level of return generally increases with the level of risk. It is expected that Council would aim for a return of 6% or higher so it would receive a margin of 2% or more on its borrowing. × There is limited headroom in our borrowing facilities in the short to medium term. Council is expected to be a net borrower for the long-term. × Council is experiencing continued inflationary pressures, and the finances are currently tight. × There will be an internal cost to manage any investments. × New Zealand has been experiencing a cost-of-living crisis since 2021, with the cost of everyday essentials increasing faster than household incomes. Public perception may be that the priority should be to reduce debt, and it is not the time to be investing.

Officers recommend the funds are used to repay LGFA debt as soon as possible. This decision can be revisited in the future, potentially when there is more certainty over the forecasts including the outcome of consultation regarding the future of 3 waters.

This is the most risk adverse and financially prudent approach. While there is a potential loss of interest / investment income, officers feel that the risk and internal costs of this approach outweigh any potential income at this time. When Council's finances are more settled, this decision can be revisited.

SUMMARY OF OPTIONS CONSIDERED

Option 1 – Note the early loan repayments received by Observatory Village and the impact this has on interest income previously forecast; and utilise the funds to repay LGFA debt **[PREFERRED]**

Option 2 – Note the early loan repayments received by Observatory Village and the impact this has on interest income previously forecast; and request officers to look at various ways to invest the funds.

Option 3 – Note the early loan repayments received by Observatory Village and the impact this has on interest income previously forecast; and suggest an alternative way to utilise the funds received.

ASSESSMENT OF PREFERRED OPTION

Option 1 to note the early loan repayments received by Observatory Village and the impact this has on interest income previously forecast; and utilise the funds to repay LGFA debt, is the preferred option at this time.

Council is currently in a tough financial position, forecasting ongoing deficits with limited opportunities to increase revenue and is highly reliant on finding cost savings through transformation and the transfer of the 3 waters services to a new entity. Without these cost savings and the ability to transfer

waters related debt to a new entity, Council would need to significant and ongoing rates increases and would breach its debt threshold with LGFA in the medium term.

CONCLUSION

Council is advised of the early loan repayments received by Observatory Village and the impact this has on interest income previously forecast; and

The approval to use the funds received from the early loan repayments to repay LGFA debt, will greatly improve Councils current financial situation and forecasts. It will provide more headspace in Councils rates and debt limits, ahead of the potential transfer of the 3 waters services to a new entity. If and when that occurs, and Council's finances are more settled, this decision can be revisited.

ADDITIONAL DECISION-MAKING CONSIDERATIONS

Waitaki District Council Strategic Framework

Outcomes

Community Outcomes

Prosperous District

- Attractive to new opportunities
- Supporting local businesses
- Fostering a diverse and resilient economy

Strong Communities

- Enabling safe, healthy communities
- Connected, inclusive communities
- Promoting a greater voice for Waitaki
- Celebrating our community identity

Quality Services

- Robust core infrastructure and services
- Community facilities and services we are proud of

Valued Environment

- Protecting our diverse landscapes and water bodies
- Meeting environmental and climate change challenges

Financial Considerations

The early loan repayment from Observatory Village is a material amount and given the current financial situation, it is important that serious consideration is given to how to best utilise the funds.

8 RESOLUTION TO EXCLUDE THE PUBLIC

RECOMMENDATION

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
9.1 - Kakanui Bridge Renewal Construction Contract 994	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</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>s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</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
9.2 - Public Excluded minutes of the Council Meeting held on 29 October 2024	s6(a) - the making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
9.3 - Recommendations from the Development Contributions Sub-Committee PE	<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)(b)(ii) - the withholding of the information is necessary to protect information where the</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>making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</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>	
9.4 - Public Excluded minutes of the Council Meeting held on 17 December 2024	<p>s6(a) - the making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial</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>
9.5 - CCO Director Remuneration Review 2024 PE	<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>

9 PUBLIC EXCLUDED SECTION

10 RESOLUTION TO RETURN TO THE PUBLIC MEETING

RECOMMENDATION

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

11 RELEASE OF PUBLIC EXCLUDED INFORMATION

12 MEETING CLOSE