

**CONFIRMED MINUTES**

**OF THE COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBER, THIRD FLOOR, OFFICE OF THE WAITAKI DISTRICT  
COUNCIL, 20 THAMES STREET, ŌAMARU  
ON TUESDAY, 29 APRIL 2025 AT 11:00 AM**

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

**IN ATTENDANCE:** Lisa Baillie (Deputy Chief Executive / Director, Community Engagement & Experience)  
Roger Cook (Director, Natural & Built Environment)  
Paul Hope (Director, Support Services)  
Joanne O'Neill (Director, Strategy, Performance & Design)  
Simon Neale (Independent Chair, Performance, Audit and Risk Committee)

**IN ATTENDANCE FOR SPECIFIC AGENDA ITEMS:**

David Campbell (Heritage & Planning Manager)  
Andrew Bardsley (Regulatory & Compliance Manager)  
Mark Smith (Heritage Advisor)

**Meeting Livestream Recording**

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

[Council Meeting - 29 April 2025](#)

**MEETING OPEN**

The Mayor declared the meeting open at 11.00am and welcomed everyone present.

**1 APOLOGIES**

**APOLOGY**

**RESOLVED WDC 2025/038**

Moved: Cr Jeremy Holding

Seconded: Deputy Mayor Hana Halalele

That the apology received from Cr Jim Hopkins be accepted.

**CARRIED**

**2 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **3 PUBLIC FORUM**

No members of the public asked to speak at the public forum.

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

#### **4.1 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 25 MARCH 2025**

##### **RESOLVED WDC 2025/039**

Moved: Cr Jim Thomson

Seconded: Cr Courtney Linwood

That the Council confirms the Public minutes of the Council Meeting held on 25 March 2025, as circulated, as a true and correct record of that meeting.

**CARRIED**

#### **4.2 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 31 MARCH 2025**

##### **RESOLVED WDC 2025/040**

Moved: Cr Jeremy Holding

Seconded: Cr Brent Cowles

That the Council confirms the Public minutes of the Council Meeting held on 31 March 2025, as circulated, as a true and correct record of that meeting.

**CARRIED**

#### **4.3 PUBLIC MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 4 APRIL 2025**

##### **RESOLVED WDC 2025/041**

Moved: Cr Jim Thomson

Seconded: Cr Rebecca Ryan

That the Council confirms the Public minutes of the Extraordinary Council Meeting held on 4 April 2025, as circulated, as a true and correct record of that meeting.

**CARRIED**

### **5 LEADERSHIP REPORTS**

#### **5.1 MAYOR'S REPORT**

The Mayor took his report as read and noted that regarding the Water Services Delivery Plan, both Waitaki and Mackenzie councils were going to consultation preferring in-house delivery. The Southern Group was Council's preferred option, with the draft consultation document coming to council for approval on May 8.

##### **RESOLVED WDC 2025/042**

Moved: Mayor Gary Kircher  
Seconded: Cr Courtney Linwood

That Council receives and notes the information.

**CARRIED**

## **6 DECISION REPORTS**

### **6.1 RECOMMENDATIONS FROM DISTRICT PLAN REVIEW SUB-COMMITTEE**

Roger Cook introduced his report and noted the requirement for Council to approve staff submissions.

David Campbell then went through the main points of the report, including changes to the district plan that were requested by staff.

Councillors asked staff to follow up with land owners regarding the proposal from staff, so they could submit on the change if they wished to.

Cr Thomson agreed to move the recommendations with the addition of recommendation number 5 - that affected landowners are notified of the changes where areas or overlays were increased and made aware of the opportunity to submit in the process.

#### **RESOLVED WDC 2025/043**

Moved: Cr Jim Thomson  
Seconded: Cr Tim Blackler

That Council:

1. Notes the Chair has approved the draft minutes of the District Plan Review Sub-Committee meeting of 10 April 2025, attached to this report (Appendix 1); and
2. Notes the draft minutes will be confirmed at the next scheduled meeting of the Sub-Committee; and
3. Adopts the recommendations of the District Plan Review Sub-Committee meeting of 10 April 2025 (Appendix 2); and
4. Approves the additional staff submissions as contained in the table attached to this report (Appendices 3 and 4).
5. That affected landowners are notified of the changes where areas or overlays were increased and made aware of their opportunity to submit in the process.

**CARRIED**

### **6.2 PROCEDURAL MATTERS FOR PROPOSED DISTRICT PLAN**

The purpose of this report was to respond to a specific request, and put in place appropriate measures, to deal with procedural matters that relate to the proposed Waitaki District Plan.

Once the proposed Waitaki District Plan has been notified, the Schedule 1 RMA process is to be followed. Throughout this process there can be procedural matters to address, which staff believe are best dealt with by an independent commissioner to maintain impartiality and ensure council officers are able to focus on plan content rather than process issues.

David Campbell said this matter arose from a request from a lawyer acting on behalf of a group of submitters. They were asking the elected members to extend the submission period. He considered the reasons for the request to have some validity. Legal advice was sought, and

Council was advised to appoint an independent hearing commissioner to deal with procedural matters.

Councillors asked what would happen if this request was not granted. Late submissions would be considered as late submissions, but not excluded from the process.

What was the cost of appointing an independent commissioner? This person would be on call and costs would depend on the number and nature of the requests for help.

Discussion took place on whether other members of the community might want to make late submissions or amend their current submission if the closing date was extended. The Mayor asked for everyone to have the opportunity to submit properly. He asked for the public to be notified that the submission period would be extended by five working days.

Cr Thomson, who is chairman of the District Plan Review Sub-Committee, then spoke regarding the appointment of a commissioner. He was opposed to the appointment as it was “a step too far”. He said if Council supported this he would be tendering his resignation as chair of the sub-committee.

Mr Cook replied that the recommendation from staff did not set out to undermine Cr Thomson’s role as chair of the sub-committee, and was not intended to suggest inadequacy in that chair or members. Mr Campbell said appointing a commissioner would only be for procedural matters, and substantive matters would still come back to the elected members.

Cr Thomson asked that Council did not appoint a commissioner for procedural matters and was supported.

**RESOLVED WDC 2025/044**

Moved: Mayor Gary Kircher

Seconded: Cr John McCone

That Council:

1. Directs the Heritage and Planning Manager to respond to a request from Todd and Walker Law, by extending the submission period by a further 5 working days within which the public must lodge the submission(s) to the Proposed Waitaki District Plan, being 16 May 2025.

**CARRIED**

**RESOLVED WDC 2025/045**

Moved: Cr Jim Thomson

Seconded: Cr John McCone

That Council:

2. Does not appoint an Independent Hearing Commissioner to deal with Schedule 1 Resource Management Act 1991 procedural matters pertaining to the Proposed Waitaki District Plan until such time as a Hearings Panel is appointed to the hear submissions on the Proposed Waitaki District Plan.

**CARRIED**

**6.3 CLASS 4 GAMBLING AND TAB VENUE POLICY - 3 YEARLY REVIEW**

Council is required to review its Totalisator Agency Board (TAB) Venues Policy and Class 4 Gambling Venues Policy every three years in accordance with the requirements of the relevant legislation. Sec 97(4) of the Racing Industry Act 2020 and Sec 102(5) of the Gambling Act 2003.

This report recognised the significant workload and time constraints placed on elected members and officers for the remainder of the 2025 year, and asked for approval to postpone the review process until 2026.

Cr Brent Cowles declared an interest in this item and did not take part in the discussion or vote.

*The Mayor left the meeting at 11.50am and the deputy mayor took the chair.*

A question was asked about any risk to Council in postponing this review. There was not considered to be any risk.

**RESOLVED WDC 2025/046**

Moved: Cr Jeremy Holding

Seconded: Cr Tim Blackler

That Council:

1. Approves the review of the TAB Venues Policy 2022 and Class 4 Gambling Venues Policy 2022.
2. Approves the postponement of the review process until 2026.

**CARRIED**

**Cr Brent Cowles abstained**

**6.4 LOCAL APPROVED PRODUCTS POLICY PSYCHOACTIVE SUBSTANCES - 3 YEARLY REVIEW**

The purpose of this report was to approve an unchanged Local Approved Products Policy – Psychoactive Substances.

Andrew Bardsley introduced this report. He noted that if the policy lapsed Council would need to go through a special consultative procedure to develop a new policy. He recommended that the current policy be rolled over.

Cr Ryan asked about the process to make adjustments to the policy. This would be to bring a paper to council to amend the policy. Deputy Mayor Halalele noted the impact that these substances can have on members of the community and supported the recommendations as presented.

**RESOLVED WDC 2025/047**

Moved: Cr Rebecca Ryan

Seconded: Cr Jim Thomson

That Council:

1. Agrees that, as a result of a review of the Local Approved Products Policy – Psychoactive Substances, no changes to the policy are necessary; and
2. Approves an unchanged Local Approved Products Policy – Psychoactive Substances; and
3. Confirms that, unless circumstances change, the next review will be prior to 30 April 2030.

**CARRIED**

## 6.5 ŌAMARU HERITAGE BUILDINGS LANDMARK LISTINGS

The purpose of this report was to seek Council's consent to Heritage New Zealand Pouhere Taonga's (HNZPT) request for approval of both Council-owned property and legal registered interests to be included in the Ōamaru Historic Town Centre and Port National Historic Landmark proposal. (Appendix G).

This means the Ōamaru Historic Town Centre and port sites would go from being listed among the thousands of items on HNZPT's list to one of a handful of places of exceptional national significance.

No additional regulatory burden would be placed on Council as a property owner.

Roger Cook noted this was an opportunity to put Oamaru buildings on the national radar. Mr Campbell and Dr Smith joined the meeting and Dr Smith summarised the report.

*The Mayor re-joined the meeting at 11.57am and the deputy mayor vacated the chair.*

Questions were asked about the role of Heritage New Zealand.

Questions were asked about the status of Sumpter Wharf and the Old Freezer Building. Why left out? Complexity. Heritage NZ would include these if Council wanted. Or they could be added later.

Does it make the upkeep of the buildings more expensive in the long run? Heritage NZ said this was about promotion rather than upkeep. Under the Building Act there was legislation that might apply to some buildings. Property owners would have the ability to apply to various funds for help with maintenance costs.

Cr McCone expressed his support providing this did not increase costs for building owners.

Council thanked Dr Smith for the quality report.

### RESOLVED WDC 2025/048

Moved: Mayor Gary Kircher

Seconded: Cr Rebecca Ryan

That Council resolves to:

- a. Sign two letters of consent for WDC-owned property and WDC's legal registered interests (as listed in Appendix C) to be included in the Ōamaru Historic Town Centre and Port National Historic Landmark.
- b. Explicitly permit Heritage New Zealand Pouhere Taonga (HNZPT) to contact parties affected by WDC's legal registered interests on behalf of WDC in relation to the National Historic Landmark process.
- c. Instruct Council's Chief Executive to:
  - i. sign the third page of HNZPT's 31 March letter (contains a single lease interest update from HNZPT's 28 February letter) to WDC (Appendix A), and
  - ii. also tick the option that reads "I/We give consent to Heritage New Zealand Pouhere Taonga to contact parties with a registered interest on the record of title on my behalf" on the third page of HNZPT's 31 March letter to WDC (Appendix A), and
  - iii. sign the second page of HNZPT's 27 March letter to WDC (Appendix B) once HNZPT notifies WDC that written permission has been secured from all relevant parties.

**CARRIED**

## **6.6 2025 TRIENNIAL ELECTIONS**

The purpose of this report was to seek approval for postal voting; and a determination of the order in which candidate names are to be shown on the voting documents in upcoming elections.

Acting chief executive Lisa Baillie spoke to this report. It was written in response to an earlier request from council to investigate booth voting for the next election. She summarised the report and noted the significant costs of booth voting and the time constraints to introduce a new voting method.

Questions were asked about introducing more ballot bins. The councillors agreed it was important to get more people involved in, and voting for, local government.

The process to introduce more ballot bins. Simple to do and there will be more introduced this year.

### **RESOLVED WDC 2025/049**

Moved: Cr Rebecca Ryan

Seconded: Cr Tim Blackler

That Council:

1. Pursuant to Section 36 (2) of the Local Electoral Act 2001, agrees that the 2025 triennial elections are to be conducted using the postal voting method.
2. Pursuant to Clause 31(1) of the Local Electoral Act Regulations 2001, agrees that the names of the candidates at the 2025 and 2028 triennial council elections and any subsequent by-elections are to be arranged in random order of surname.

**CARRIED**

## **7 RESOLUTION TO EXCLUDE THE PUBLIC**

The Chair acknowledged that, because the Public Excluded Minutes of the previous meeting had been confirmed in the public session of this meeting, there was no requirement for agenda items 9, and 10 at this meeting.

## **8 PUBLIC EXCLUDED SECTION**

### **8.1 PUBLIC EXCLUDED MINUTES OF THE COUNCIL MEETING HELD ON 25 MARCH 2025**

#### **RESOLVED WDC 2025/050**

Moved: Cr John McCone

Seconded: Cr Jeremy Holding

That the Council confirms the Public Excluded minutes of the Council Meeting held on 25 March 2025, as circulated, as a true and correct record of that meeting.

**CARRIED**

## **11 MEETING CLOSE**

The Chair declared the meeting closed at 12.23pm.

TO BE CONFIRMED at the Council Meeting to be held on Tuesday, 27 May 2025.

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CHAIRPERSON