



# **MINUTES**

## **Ordinary Council Meeting**

**14 May 2019**

**MINUTES OF WAIMATE DISTRICT COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, WAIMATE DISTRICT COUNCIL, 125 QUEEN STREET,  
WAIMATE ON TUESDAY 14 MAY 2019, COMMENCING AT 9.30AM**

**PRESENT:** Mayor Craig Rowley, Cr Sharyn Cain, Cr Peter Collins, Cr Tom O'Connor, Cr Sheila Paul, Cr Jakki Guilford (for Item 16.1)

**APOLOGIES:** Cr David Anderson, Cr Jakki Guilford, Cr Miriam Morton and Cr David Owen,

**IN ATTENDANCE:** Stuart Duncan (Chief Executive), Paul Cooper (Regulatory and Compliance Group Manager), Fiona Hester-Smith (Human Resources Manager), Carolyn Johns (Community and Strategy Group Manager), Michelle Jones (Executive Support Manager), Dan Mitchell (Asset Group Manager), Tina Stevenson (Corporate Services Group Manager), Karalyn Reid (Committee Secretary)

## OPENING

### 1 COUNCIL PRAYER

Cr Peter Collins opened the Council Meeting with a prayer and lit the Ministers' Association candle.

### 2 PUBLIC FORUM

There were no speakers at the Public Forum.

### 3 APOLOGIES

#### RESOLUTION 2019/35

Moved: Cr Sharyn Cain

Seconded: Cr Sheila Paul

That apologies from Cr David Anderson, Cr Jakki Guilford, Cr Miriam Morton and Cr David Owen be received and accepted.

**CARRIED**

**Note:**

The Chair noted that Cr Jakki Guilford would attend the meeting for Item 16:1 Reappointment of Commissioner for the District Licensing Committee to retain a quorum as Cr Cain will be stepping down from the Council Item because of a declared Conflict of Interest.

### 4 VISITORS

Nil

### 5 CONFLICTS OF INTEREST

The Chair called for Conflicts of Interests.

Cr Cain identified a Conflict of Interest in 16.1: Reappointment of Commissioner of the District Licensing Committee.

### 6 IDENTIFICATION OF MAJOR (URGENT) OR MINOR ITEMS NOT ON THE AGENDA

There were no major/minor items identified.

**MINUTES****7 CONFIRMATION OF MINUTES****7.1 MINUTES OF THE COUNCIL MEETING HELD ON 2 APRIL 2019****RESOLUTION 2019/36**

Moved: Cr Peter Collins

Seconded: Cr Sheila Paul

That the Minutes of the Council Meeting held on 2 April 2019 be accepted as a true and correct record, and the recommendations therein be adopted.

**CARRIED**

**8 RECEIPT OF MINUTES**

Nil

**REPORTS****9 MAYOR'S REPORT****9.1 MAYOR'S REPORT****RESOLUTION 2019/37**

Moved: Mayor Craig Rowley

Seconded: Cr Sheila Paul

That the Mayor's Report is accepted.

**CARRIED**

The meeting was adjourned at 9.35am for lack of quorum when Cr O'Connor stepped out of the Chamber.

Cr O'Connor re-entered the Chamber and the meeting was reconvened at 9.40am.

**10 COUNCILLORS' REPORTS****10.1 COUNCILLORS' REPORT****RESOLUTION 2019/38**

Moved: Cr Peter Collins

Seconded: Cr Sharyn Cain

That the Councillors' Report is accepted.

**CARRIED**

At 9.50am, Cr Jakki Guilford entered the meeting to ensure there was a quorum for Item 16.1: Reappointment of Commissioner for the District Licensing Committee as Cr Sharyn Cain had declared a Conflict of Interest.

## 11 CHIEF EXECUTIVE'S REPORT

### 11.1 CHIEF EXECUTIVE'S REPORT

#### RESOLUTION 2019/39

Moved: Mayor Craig Rowley

Seconded: Cr Sharyn Cain

That the Chief Executive's Report is accepted.

**CARRIED**

Item 16.1 was taken at this point in the meeting.

### 16.1 REAPPOINTMENT OF COMMISSIONER FOR THE DISTRICT LICENSING COMMITTEE

Council considered reappointing a Commissioner for the District Licensing Committee (DLC).

At 9.55am, Cr Sharyn Cain left the meeting as she had identified a Conflict of Interest.

#### RESOLUTION 2019/40

Moved: Cr Sheila Paul

Seconded: Cr Jakki Guilford

1. That the Reappointment of Commissioner for the District Licensing Committee report is accepted; and
2. That Council recommends to the Chief Executives of the Timaru and Mackenzie District Councils that Waimate District Council Deputy Mayor Sharyn Cain is reappointed Commissioner of the District Licensing Committee for a final term of 5 years, effective immediately.

**CARRIED**

At 10.00am, Cr Jakki Guilford left the meeting.

At 10.00am, Cr Sharyn Cain returned to the meeting.

### 11.2 AFFIXING OF THE COMMON SEAL

The following documents have been prepared in accordance with previous resolutions of the Council and/or the provisions of the Local Government Act, 1993 and other relevant statutes.

- a. Warrant of Appointment – Rhys Geddis, Noise Control Officer dated 26 March 2019
- b. Licence to Occupy a Reserve – Waimate District Council and Hurst Partnership Limited dated 1 January 2019 on State Highway 1 – Sheas Road Reserve (former Makikihi Forestry Block)
- c. Deed of Grant to Lay Irrigation Pipeline Under Road – Waimate District Council and Morven Glenavy Ikawai Irrigation Ltd dated 1 May 2019

**RESOLUTION 2019/41**

Moved: Mayor Craig Rowley

Seconded: Cr Tom O'Connor

That Council resolves the Affixing of the Common Seal to the documents as detailed above are noted and approved.

**CARRIED**

**12 COUNCIL ACTIONS REPORT****12.1 OUTSTANDING ACTIONS REPORT****RESOLUTION 2019/42**

Moved: Cr Peter Collins

Seconded: Cr Tom O'Connor

That the Outstanding Actions Report is accepted.

**CARRIED**

**13 HUMAN RESOURCES REPORT****13.1 HUMAN RESOURCES REPORT****RESOLUTION 2019/43**

Moved: Cr Sharyn Cain

Seconded: Cr Sheila Paul

That the Human Resources Manager's report is accepted.

**CARRIED**

**14 HEALTH AND SAFETY REPORT****14.1 HEALTH AND SAFETY UPDATE****RESOLUTION 2019/44**

Moved: Mayor Craig Rowley

Seconded: Cr Tom O'Connor

That the Health and Safety update report is accepted.

**CARRIED**

**15 AUDIT AND RISK COMMITTEE REPORT**

Nil

**16 GENERAL REPORTS**

Item - 16.1 Reappointment of Commissioner for the District Licensing Committee - has been moved to another part of the document.

**16.2 EXPENDITURE VARIATION REPORT FOR THE 9 MONTHS ENDED 31 MARCH 2019****RESOLUTION 2019/45**

Moved: Cr Peter Collins

Seconded: Cr Sharyn Cain

That the Expenditure Variation Report for the 9 months ended 31 March 2019 report is accepted.

**CARRIED**

**17 CONSIDERATION OF MAJOR (URGENT) OR MINOR ITEMS NOT ON THE AGENDA**

Nil

**PUBLIC EXCLUDED****18 EXCLUSION OF THE PUBLIC REPORT****RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2019/46**

Moved: Cr Sharyn Cain

Seconded: Cr Sheila Paul

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

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

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>18.1 - Public Excluded Minutes of the Council Meeting held on 2 April 2019</b>	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
<b>18.2 - Outstanding Actions - Public Excluded Report</b>	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	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

<b>18.3 - Heritage Grant Applications</b>	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)(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
<b>18.4 - Authorisation for Budgeted Invoice payment by Council</b>	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	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**

## 19 RE-ADMITTANCE OF THE PUBLIC REPORT

<b>RESOLUTION 2019/47</b>
Moved: Cr Sheila Paul Seconded: Cr Tom O'Connor
That Council move out of Closed Council into Open Council.
<b>CARRIED</b>

Council resolved to move the below decision from public-excluded into open meeting.

<b>RESOLUTION FROM PUBLIC EXCLUDED BROUGHT INTO PUBLIC</b>
<b>18.3 HERITAGE GRANT APPLICATIONS</b>
Council considered the re-presented funding applications from Waimate Historical Society Inc. and Margaret Wells. This item had been left on the table from the Council meeting held on 2 April 2019.
<ol style="list-style-type: none"> <li>1. That Council grant the Waimate Historical Society \$1,000.00, plus GST, from the Heritage Fund for an interpretation panel on their front entrance Museum sign; and</li> <li>2. That Council grant Margaret Wells \$1,000, from the Heritage Fund for the restoring and strengthening of the Waihao Downs homestead stables.</li> </ol>

## MEETING CLOSURE

There being no further business, the Chair declared the meeting closed at 10.30am.

The minutes of this meeting are to be confirmed at the Ordinary Council Meeting scheduled on 25 June 2019.

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**CHAIRPERSON**