



# **MINUTES**

## **Ordinary Council Meeting**

**25 June 2019**

**MINUTES OF WAIMATE DISTRICT COUNCIL  
ORDINARY COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBER, WAIMATE DISTRICT COUNCIL, 125 QUEEN STREET,  
WAIMATE ON TUESDAY 25 JUNE 2019, COMMENCING AT 9.30AM**

**PRESENT:** Mayor Craig Rowley, Cr Sharyn Cain, Cr Peter Collins, Cr Miriam Morton, Cr Jakki Guilford, Cr Tom O'Connor, Cr David Owen, Cr Sheila Paul

**APOLOGIES:** Cr David Anderson

**IN ATTENDANCE:** Stuart Duncan (Chief Executive), Paul Cooper (Regulatory and Compliance Group 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)

**PARTIAL ATTENDANCE:** Leo Milani, Policy Analyst

## OPENING

### 1 COUNCIL PRAYER

Lister Home Chaplain Janet Williams 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 2019/48**

Moved: Cr Miriam Morton

Seconded: Cr Sharyn Cain

That an apology from Cr David Anderson be received and accepted.

**CARRIED**

### 4 VISITORS

10.15 – Ian Moore, Chair of the Economic Development Strategy Steering Group.

### 5 CONFLICTS OF INTEREST

The Chair called for conflicts of interests. There were no conflicts of interest identified.

### 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 14 MAY 2019****RESOLUTION 2019/49**

Moved: Cr Sharyn Cain

Seconded: Cr Sheila Paul

That the Minutes of the Council Meeting held on 14 May 2019 be accepted, and the recommendations therein be adopted, with the amendment below.

**CARRIED**

**Amendment**

Present: Cr Jakki Guilford was present for Item 16.1

**7.2 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 4 JUNE 2019****RESOLUTION 2019/50**

Moved: Cr Jakki Guilford

Seconded: Cr Sharyn Cain

That the Minutes of the Extraordinary Council Meeting held on 4 June 2019 be accepted, and the recommendations therein be adopted.

**CARRIED**

**8 RECEIPT OF MINUTES**

Nil

**REPORTS****9 MAYOR'S REPORT****9.1 MAYOR'S REPORT****RESOLUTION 2019/51**

Moved: Mayor Craig Rowley

Seconded: Cr Sheila Paul

That the Mayor's Report is accepted.

**CARRIED**

**10 COUNCILLORS' REPORTS****10.1 COUNCILLORS' REPORT****RESOLUTION 2019/52**

Moved: Cr Peter Collins

Seconded: Cr Sheila Paul

That the Councillors' Report is accepted.

**CARRIED**

**11 CHIEF EXECUTIVE'S REPORT****11.1 CHIEF EXECUTIVE'S REPORT****RESOLUTION 2019/53**

Moved: Cr Miriam Morton

Seconded: Cr Tom O'Connor

That the Chief Executive's Report is accepted.

**CARRIED**

**Note:**

The Chief Executive reiterated he advised Councillors via email that he has been elected as Chair of the Waimate High School Board of Trustees.

The Chief Executive has almost completed revising the Alpine Energy Shareholders' Deed, together with work on improving reporting to shareholders.

**12 COUNCIL ACTIONS REPORT****12.1 OUTSTANDING COUNCIL ACTIONS REPORT****RESOLUTION 2019/54**

Moved: Mayor Craig Rowley

Seconded: Cr David Owen

That the Outstanding Actions Report is accepted.

**CARRIED**

**13 HUMAN RESOURCES REPORT**

Nil

**14 HEALTH AND SAFETY REPORT****14.1 HEALTH AND SAFETY UPDATE****RESOLUTION 2019/55**

Moved: Cr Sharyn Cain

Seconded: Cr Sheila Paul

That the Health and Safety update report is accepted.

**CARRIED**

**15 AUDIT AND RISK COMMITTEE REPORT**

Nil

**16 GENERAL REPORTS****16.1 ADOPTION OF WAIMATE DISTRICT COUNCIL ANNUAL PLAN 2019/20**

Council considered the adoption of the Waimate District Council Annual Plan for the 2019/20 financial year.

**RESOLUTION 2019/56**

Moved: Mayor Craig Rowley

Seconded: Cr Tom O'Connor

1. That the report Adoption of the Waimate District Council Annual Plan 2019/20 is accepted; and
2. That the Council resolves to permit an unbalanced budget in accordance with Section 100 of the Local Government Act 2002 for the year 1 July 2019 to 30 June 2020; and
3. That the Annual Plan 2019/20 is adopted in accordance with Section 93 of the Local Government Act 2002

**CARRIED**

**Note:**

Councillors congratulated staff on the presentation of the document, which is easy to follow and understand.

**16.2 RESOLUTION TO SET RATES FOR 2019/20**

Council considered the rates and the due dates for payment, for the 2019/20 financial year commencing 1 July 2019 and ending 30 June 2020.

**RESOLUTION 2019/57**

Moved: Cr Sharyn Cain

Seconded: Cr David Owen

1. That the Resolution to Set Rates for 2019/20 report be accepted; and
2. Waimate District Council resolves to set and assess rates under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing 1 July 2019 and ending 30 June 2020, and sets the due dates for payment of the rates, as follows; and
3. That Council set the following payment due dates for each instalment, of an equal amount:

	<b>Instalment Period</b>	<b>Instalment Due Date</b>
Instalment 1	1 July 2019 – 30 September 2019	30-Aug-19
Instalment 2	1 October 2019 – 31 December 2019	29-Nov-19
Instalment 3	1 January 2020 – 31 March 2020	28-Feb-20
Instalment 4	1 April 2020 – 30 June 2020	29-May-20

**CARRIED**

**16.3 2019/20 RATES PENALTIES RESOLUTION**

Council considered the Rates Penalties regime for the 2019/20 financial year.

**RESOLUTION 2019/58**

Moved: Cr Jakki Guilford

Seconded: Cr Sharyn Cain

1. That the report 2019/20 Rates Penalties Resolution is accepted; and
2. That Council resolves to authorise the Rates Penalties regime for the 2019/20 financial year:

**(a) An Additional Charge**

An additional charge under section 58(1)(a) of 10% of any amount of an instalment that remains unpaid after the due date of that instalment will be added on, or after, 3 September 2019, 3 December 2019, 3 March 2020, and 2 June 2020 (respectively for each instalment).

**(b) Further Additional Charges**

A further additional charge under section 58(1)(b) and 58(1)(c) of 10% of any amount of rates that remain unpaid from previous financial years will be added on or after 3 July 2019 and 3 January 2020 if unpaid by then.

**CARRIED**

**16.4 RECOMMENDATIONS OF THE DISTRICT INFRASTRUCTURE COMMITTEE MEETING HELD ON 4 JUNE 2019****16.4.1 DRAFT GENERAL RESERVE POLICIES AND DRAFT KNOTTINGLEY PARK AND ARBORETUM RESERVE MANAGEMENT PLAN**

The District Infrastructure Committee reviewed the Draft General Reserve Policies and the Draft Knottingley Park and Arboretum Reserve Management Plan.

**COMMITTEE RESOLUTION 2019/24**

Moved: Cr Sharyn Cain  
Seconded: Cr Tom O'Connor

1. That the Draft General Reserve Policies and Draft Knottingley Park and Arboretum Reserve Management Plan report is accepted; and
2. That the District Infrastructure Committee recommends to Council that a notice be prepared advising that the Draft General Reserve Policies and Draft Knottingley Park and Arboretum Reserve Management Plan are available for viewing and that submissions are being accepted until 30 August 2019.

**MOTION****RESOLUTION 2019/59**

Moved: Cr Sharyn Cain  
Seconded: Cr Miriam Morton

That a notice be prepared advising that the Draft General Reserve Policies and Draft Knottingley Park and Arboretum Reserve Management Plan are available for viewing and that submissions are being accepted until 30 August 2019.

**CARRIED**

**16.4.2 ROAD STOPPING PROPOSAL - HILLARY STREET, WAIMATE**

The District Infrastructure Committee considered the reduction of the legal width of Hillary Street between Queen Street and Naylor Street (i.e. opposite Victoria Park).

**COMMITTEE RESOLUTION 2019/26**

Moved: Cr Sharyn Cain  
Seconded: Cr Tom O'Connor

1. That the Road Stopping Proposal – Hillary Street, Waimate report is received, and
2. That the Item 9.2: Road Stopping Proposal – Hillary Street, Waimate lie on the table awaiting further information until the Council Meeting scheduled on 25 June 2019.

**16.5 ROAD STOPPING PROPOSAL - HILLARY STREET, WAIMATE**

Council considered reducing the legal width of Hillary Street between Queen Street and Naylor Street (i.e. opposite Victoria Park).

This item was brought to the District Infrastructure Committee meeting on 4 June 2019, but left on the table pending further information.

An updated drawing of Hillary Street (Queen Street to Naylor Street width) was tabled at the meeting.

**MOTION**

Moved: Mayor Craig Rowley

Seconded: Cr Sheila Paul

1. That the Road Stopping Proposal – Hillary Street, Waimate report is accepted, and
2. That having considered all the matters raised in the report, in relation to the proposal to narrow the legal width affecting this part of Hillary Street between Queen Street and Naylor Street to 20.12m, that Council approves that action be taken in accordance with the provisions of the Public Works Act 1981 to stop part of Hillary Street subject to all legal and surveying fees and administration costs associated in stopping part of the road being met by the land owner of Lot 1 DP 83395.

In Favour: Crs Tom O'Connor, David Owen, Sheila Paul and Craig Rowley

Against: Crs Sharyn Cain, Peter Collins, Jakki Guilford and Miriam Morton

**EQUAL**

**THE MOTION WAS LOST**

**16.7 ECONOMIC DEVELOPMENT STEERING GROUP UPDATE**

Chair of the Economic Development Steering Group Ian Moore attended the meeting and updated Council on the Economic Development Steering Group activities and progress against the Economic Development Strategy Action Plans.

**RESOLUTION 2019/60**

Moved: Cr Miriam Morton

Seconded: Cr Tom O'Connor

That the Economic Development Steering Group Update report is accepted.

**CARRIED**

The meeting was adjourned at 10.50am for morning tea.

The meeting was reconvened at 11.05am



**16.6 ENFORCEMENT POLICY 325**

Council reviewed the Enforcement Policy 325 for adoption.

**RESOLUTION 2019/61**

Moved: Cr Sharyn Cain

Seconded: Cr Miriam Morton

1. That Council accepts the Draft Enforcement Policy 325 report; and
2. That Council adopts the Enforcement Policy 325, as presented.

**CARRIED**

Item - 16.7 Economic Development Steering Group Update - has been moved to another part of the document.

**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 2019/62**

Moved: Cr Miriam Morton

Seconded: Cr Jakki Guilford

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 14 May 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 - Public Excluded Minutes of the Extraordinary Council Meeting held on 4 June 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

<p><b>18.3 - Outstanding Council Actions Report - Public Excluded</b></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>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p><b>18.4 - Proposed Compliance Officer Role</b></p>	<p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

**CARRIED**

**19 RE-ADMITTANCE OF THE PUBLIC REPORT**

<p><b>RESOLUTION 2019/63</b></p>
<p>Moved: Cr Tom O'Connor</p>
<p>Seconded: Cr Jakki Guilford</p>
<p>That Council moves out of Closed Council into Open Council.</p>

**CARRIED**

**MEETING CLOSURE**

There being no further business, the Chair declared the meeting closed at 12.00pm.

The minutes of this meeting are to be confirmed at the Ordinary Council Meeting scheduled on 20 August 2019.

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**CHAIRPERSON**