

Agenda

**Notice is hereby given of
an Ordinary Council Meeting**

Tuesday 23 July 2024

11:00am

**Function Room
Waimate Event Centre
15 Paul Street
Waimate**

www.waimatedc.govt.nz

Notice is hereby given that a meeting of the Council will be held in the Function Room, Waimate Event Centre, 15 Paul Street, Waimate, on Tuesday 23 July 2024, commencing at 11:00am.

Elected Members

Craig Rowley	Chairperson
Sharyn Cain	Deputy Mayor
John Begg	Councillor
Peter Collins	Councillor
Sandy McAlwee	Councillor
Tom O'Connor	Councillor
Colin Pankhurst	Councillor
Lisa Small	Councillor
Rick Stevens	Councillor

Quorum – no less than five members

Significance Consideration

Evaluation: Council officers, in preparing these reports have had regard to Council's Significance and Engagement Policy. Council and Committee members will make the final assessment on whether the subject under consideration is to be regarded as being significant or not. Unless Council or Committee explicitly determines that the subject under consideration is to be deemed significant then the subject will be deemed as not being significant.

Decision Making

The Council, in considering each matter, must be:

- i. Satisfied that it has sufficient information about the practicable options and their benefits, costs and impacts, bearing in mind the significance of the decision;
- ii. Satisfied that it knows enough about and will give adequate consideration to the views and preferences of affected and interested parties bearing in mind the significance of the decisions to be made.

Stuart Duncan
Chief Executive

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OPENING

1 COUNCIL PRAYER

Cr Sandy McAlwee will open the Council Meeting.
Council will be introduced to new staff.

2 PUBLIC FORUM

3 APOLOGIES

The Chair will call for any apologies.

4 VISITORS

5 CONFLICTS OF INTEREST

As per the Local Authorities (Members' Interests) Act 1968 (as below), the Chair will enquire if there are any Conflicts of Interest to be declared on any item on the agenda, and if so, for any member to declare this interest.

Local Authorities (Members' Interests) Act 1968

Councillors are reminded that if they have a pecuniary interest in any item on the agenda, then they must declare this interest and refrain from discussing or voting on this item and are advised to withdraw from the meeting table.

6 IDENTIFICATION OF MAJOR (URGENT), MINOR OR PUBLIC FORUM ITEMS NOT ON THE AGENDA

1. The Chair will call for any major (urgent business) or minor items not on the agenda to be raised according to Standing Orders, as below:

a. Standing Orders 3.7.5 – Major Items

An item not on the agenda for a meeting may be dealt with at the meeting if the local authority by resolution so decides, and the presiding member explains at the meeting at a time when it is open to the public –

- i. The reason why the item was not listed on the agenda; and
- ii. The reason why discussion of the item cannot be delayed until a subsequent meeting.

b. Standing Orders 3.7.6 – Minor Items

An item not on the agenda for a meeting may be dealt with at the meeting if –

- i. That item is a minor matter relating to the general business of the local authority; and
- ii. The presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- iii. No resolution, decision, or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.

MINUTES**7 CONFIRMATION OF MINUTES****7.1 MINUTES OF THE COUNCIL MEETING HELD ON 25 JUNE 2024**

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Tina Stevenson, Corporate Services Group Manager

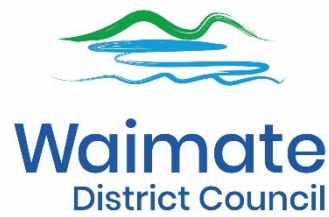
Attachments: 1. Minutes of the Council Meeting held on 25 June 2024

PURPOSE

To present the unconfirmed Minutes of the Council Meeting held on 25 June 2024 for confirmation.

RECOMMENDATION

That the Minutes of the Council Meeting held on 25 June 2024 be adopted as a true and correct record.



MINUTES

Ordinary Council Meeting

25 June 2024

**MINUTES OF WAIMATE DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE FUNCTION ROOM, WAIMATE EVENT CENTRE, 15 PAUL STREET, WAIMATE
ON TUESDAY 25 JUNE 2024, COMMENCING AT 9:30AM**

PRESENT: Mayor Craig Rowley, Cr John Begg, Cr Peter Collins, Cr Sandy McAlwee, Cr Tom O'Connor, Cr Lisa Small, Cr Rick Stevens

APOLOGIES: Deputy Mayor Sharyn Cain and Cr Colin Pankhurst

IN ATTENDANCE: Stuart Duncan (Chief Executive), Rachel Holley-Dellow (Human Resources Manager), Carolyn Johns (Community and Strategy Group Manager), Michelle Jones (Executive Support Manager), Dan Mitchell (Asset Group Manager), Dylan Murray (Regulatory and Compliance Group Manager), Tina Stevenson (Corporate Services Group Manager), Karalyn Reid (Committee Secretary)

OPENING

INTRODUCTION OF NEW STAFF

The Human Resources Manager introduced: Mason Gilbert (Library Assistant), Mayuko Vega (Cleaner), Gordon Sumption (Building Control Officer), Grace Aikman (Human Resources Advisor), Rebecca Farrant (After Hours Officer), Deborah Kibble (Mayor's Taskforce for Jobs Driver Licence Programme Co-ordinator and Project Assistant)

1 OPENING CEREMONY

Cr Tom O'Connor opened the Council Meeting by speaking on his personal experiences of being challenged by others with differing viewpoints, and how this can result in strengthening individual beliefs and opinions, as well as learning from others.

2 PUBLIC FORUM

There were no speakers at the Public Forum.

3 APOLOGIES

RESOLUTION 2024/78

Moved: Cr Tom O'Connor

Seconded: Cr Rick Stevens

That apologies from Deputy Mayor Sharyn Cain and Cr Colin Pankhurst be received and accepted.

CARRIED

4 VISITORS

11:00am: (via Microsoft teams) Item 16.5: Local Government New Zealand Four Monthly Report.

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 28 MAY 2024

RESOLUTION 2024/79

Moved: Cr Tom O'Connor

Seconded: Cr Peter Collins

That the Minutes of the Council Meeting held on 28 May 2024 be adopted as a true and correct record.

CARRIED

7.2 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 11 JUNE 2024

RESOLUTION 2024/80

Moved: Cr Rick Stevens

Seconded: Cr John Begg

That the Minutes of the Extraordinary Council Meeting held on 11 June 2024 be adopted as a true and correct record.

CARRIED

8 RECEIPT OF MINUTES

8.1 MINUTES OF THE WDC COMMUNITY AND SPORTS GRANTS COMMITTEE MEETING HELD ON 28 MAY 2024

RESOLUTION 2024/81

Moved: Mayor Craig Rowley

Seconded: Cr John Begg

That the unconfirmed Minutes of the WDC Community and Sports Grants Committee Meeting held on 28 May 2024 be received.

CARRIED

8.2 MINUTES OF THE ORARI-TEMUKA-OPIHI-PAREORA ZONE COMMITTEE MEETING HELD ON 6 MAY 2024**RESOLUTION 2024/82**

Moved: Mayor Craig Rowley

Seconded: Cr Peter Collins

That the unconfirmed Minutes of the Orari-Temuka-Opihi-Pareora Zone Committee Meeting held on 6 May 2024 be received.

CARRIED**8.3 MINUTES OF THE LOWER WAITAKI SOUTH COASTAL CANTERBURY ZONE COMMITTEE MEETING HELD ON 8 MAY 2024****RESOLUTION 2024/83**

Moved: Mayor Craig Rowley

Seconded: Cr Sandy McAlwee

That the unconfirmed Minutes of the Lower Waitaki South Coastal Canterbury Zone Committee Meeting held on 8 May 2024 be received.

CARRIED**8.4 MINUTES OF THE DOWNLANDS JOINT STANDING COMMITTEE MEETING HELD ON 10 JUNE 2024****RESOLUTION 2024/84**

Moved: Cr Sandy McAlwee

Seconded: Mayor Craig Rowley

That the unconfirmed Minutes of the Downlands Joint Standing Committee Meeting held on 10 June 2024 be received.

CARRIED**REPORTS****9 MAYOR'S REPORT****9.1 MAYOR'S REPORT****RESOLUTION 2024/85**

Moved: Mayor Craig Rowley

Seconded: Cr Peter Collins

That the Mayor's Report is accepted.

CARRIED

10 DEPUTY MAYOR'S REPORT

10.1 DEPUTY MAYOR'S REPORT

RESOLUTION 2024/86

Moved: Mayor Craig Rowley

Seconded: Cr Tom O'Connor

That the Deputy Mayor's Report is accepted.

CARRIED

11 COUNCILLORS' REPORT

11.1 COUNCILLORS' REPORT

RESOLUTION 2024/87

Moved: Cr Sandy McAlwee

Seconded: Cr John Begg

That the Councillors' Report is accepted.

CARRIED

Note:

Cr John Begg discussed his visit to the Crow's Nest Shop in Timaru where electronic goods are being diverted from the Landfill, either disassembled for recycling materials or fixed for resale.

Cr Tom O'Connor briefed Council on alleged illegal camping on private property at Makikihi, which is being investigated by Council staff. This may be raised at the upcoming Community Chat Forum being held on 22 July in Makikihi.

12 CHIEF EXECUTIVE'S REPORT

12.1 CHIEF EXECUTIVE'S ACTIVITY REPORT

RESOLUTION 2024/88

Moved: Mayor Craig Rowley

Seconded: Cr Tom O'Connor

That the Chief Executive's Activity Report is accepted.

CARRIED

Note:

The Chief Executive updated Council on the LGNZ Sovereign Citizens and Vexatious Requests meeting he attended via zoom. Legal advice has been received, which can be utilised if necessary.

13 COUNCIL ACTIONS REPORT**13.1 OUTSTANDING COUNCIL ACTIONS REPORT - PUBLIC****RESOLUTION 2024/89**

Moved: Mayor Craig Rowley

Seconded: Cr Lisa Small

That the Outstanding Council Actions Report – Public is accepted.

CARRIED**14 HUMAN RESOURCES REPORT****14.1 HUMAN RESOURCES REPORT****RESOLUTION 2024/90**

Moved: Cr Rick Stevens

Seconded: Cr Lisa Small

That the Human Resources Manager's report is accepted.

CARRIED**Note:**

Council discussed the possibility of including staff Full Time Equivalent comparison data in future reports and this will be considered.

15 AUDIT AND RISK COMMITTEE REPORT**15.1 AUDIT AND RISK COMMITTEE CHAIR'S REPORT****RESOLUTION 2024/91**

Moved: Mayor Craig Rowley

Seconded: Cr Tom O'Connor

That the Audit and Risk Committee Chair's Report is accepted.

CARRIED**16 GENERAL REPORTS****16.1 FINANCE REPORT FOR THE 10 MONTHS ENDED 30 APRIL 2024****RESOLUTION 2024/92**

Moved: Cr Rick Stevens

Seconded: Cr John Begg

That the Finance Report for the 10 months ended 30 April 2024 is accepted.

CARRIED

16.2 RISKPOOL: UPDATE ON WINDING UP**RESOLUTION 2024/93**

Moved: Mayor Craig Rowley

Seconded: Cr Lisa Small

That the Riskpool: Update on Winding Up report is received.

CARRIED

Council adjourned the meeting for morning tea at 10.15am.
The meeting was reconvened at 10.30am.

16.3 REQUEST FOR FUNDING - DOG AND AGILITY PARK

Council considered a request from Southern Canterbury Agricultural & Pastoral (A&P) Association Inc. and information relevant to their proposal.

Southern Canterbury A&P Association members and a representative of the informal Dog Park Group were present for the discussion.

RESOLUTION 2024/94

Moved: Mayor Craig Rowley

Seconded: Cr Tom O'Connor

1. That the Request for Funding - Dog and Agility Park report is accepted, and
2. Council considers the request from the Southern Canterbury Agricultural & Pastoral Association Inc, and agrees to provide funding towards the Dog and Agility Park from the Subdivision Fund of \$2,500 plus GST for another 12 months, provided the Agricultural & Pastoral Association Limited agree to an extension of the lease.

CARRIED**Note:**

Council noted that the Dog Park Group are not considering forming an incorporated society and commented they would like to see evidence of usage and community support of the dog park.

16.5 LOCAL GOVERNMENT NEW ZEALAND (LGNZ) FOUR MONTHLY REPORT - 11:00AM

LGNZ National Council Zone 6 Representative Mayor Tim Cadogan and LGNZ Acting Director Marketing and Communications Amanda Wells attended via Microsoft teams.

RESOLUTION 2024/95

Moved: Mayor Craig Rowley

Seconded: Cr Rick Stevens

That the Local Government New Zealand Four Monthly Report is received.

CARRIED

Note:

Council requested LGNZ communicate the restricted timelines given by Government to consult and provide submissions from members are unrealistic and undemocratic, and that in these cases LGNZ consider demanding an extension of time in order to provide feedback. This will be taken to LGNZ National Council for discussion.

16.4 AMENDED SPEED LIMIT FOR ST PATRICKS SCHOOL

Council considered giving approval to restrict the speed limit to 30km/h on Cameron Street outside St Patricks School.

RESOLUTION 2024/96

Moved: Cr Peter Collins

Seconded: Mayor Craig Rowley

1. That the Amended Speed Limit for St Patricks School report be accepted; and
2. That the Council approves a 30km/h speed limit for Cameron Street adjacent to St Patricks School and Rural Scholars Child Care Centre.

CARRIED

Item: 16.5 Local Government New Zealand Four Monthly Report 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 2024/97**

Moved: Cr Rick Stevens

Seconded: Cr Lisa Small

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	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
18.1 - Public Excluded Minutes of the Council Meeting held on 28 May 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

18.2 - Outstanding Council Actions Report - Public Excluded	<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 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>
CARRIED		

19 RE-ADMITTANCE OF THE PUBLIC REPORT

RESOLUTION 2024/98

Moved: Cr John Begg

Seconded: Cr Tom O'Connor

That Council moves out of Closed Council into Open Council.

CARRIED

MEETING CLOSURE

There being no further business, the Chair declared the meeting closed at 11.35am.

The Minutes of this meeting are to be confirmed at the Ordinary Council Meeting scheduled on 23 July 2024.

.....
CHAIRPERSON

7.2 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 27 JUNE 2024

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Tina Stevenson, Corporate Services Group Manager

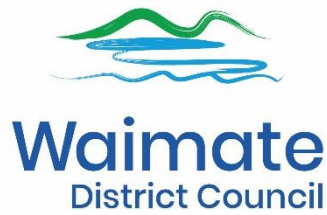
Attachments: 1. Minutes of the Extraordinary Council Meeting held on 27 June 2024

PURPOSE

To present the unconfirmed Minutes of the Extraordinary Council Meeting held on 27 June 2024 for confirmation.

RECOMMENDATION

That the Minutes of the Extraordinary Council Meeting held on 27 June 2024 be adopted as a true and correct record.



MINUTES

Extraordinary Council Meeting

27 June 2024

**MINUTES OF WAIMATE DISTRICT COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE FUNCTION ROOM, WAIMATE EVENT CENTRE, 15 PAUL STREET, WAIMATE
ON THURSDAY, 27 JUNE 2024, COMMENCING AT 2:00PM**

PRESENT: Mayor Craig Rowley, Deputy Mayor Sharyn Cain, Cr John Begg, Cr Peter Collins, Cr Sandy McAlwee, Cr Tom O'Connor, Cr Lisa Small, Cr Rick Stevens

APOLOGY: Cr Colin Pankhurst

IN ATTENDANCE: Stuart Duncan (Chief Executive), Carolyn Johns (Community and Strategy Group Manager), Michelle Jones (Executive Support Manager), Dan Mitchell (Asset Group Manager), Dylan Murray (Regulatory and Compliance Group Manager), Tina Stevenson (Corporate Services Group Manager), Melissa Thomson (Accountant), Karalyn Reid (Committee Secretary)

OPENING

1 OPENING

There was no Opening Ceremony offered at this meeting.

2 PUBLIC FORUM

There was no Public Forum taken at this meeting.

3 APOLOGIES

RESOLUTION 2024/99

Moved: Deputy Mayor Sharyn Cain

Seconded: Cr Tom O'Connor

That apologies from Cr Colin Pankhurst be received and accepted.

CARRIED

4 VISITORS

Nil

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.

REPORTS

7 GENERAL REPORTS

7.1 ADOPTION OF WAIMATE DISTRICT COUNCIL ENHANCED ANNUAL PLAN 2024/25

Council considered the adoption of the Waimate District Council enhanced Annual Plan for the 2024/25 financial year.

RESOLUTION 2024/100

Moved: Mayor Craig Rowley

Seconded: Cr Rick Stevens

1. That the Adoption of the Waimate District Council enhanced Annual Plan 2024/25 report is accepted; and
2. That Council resolves to permit an unbalanced budget in accordance with Section 100 of the Local Government Act 2002 and Schedule 2 Part 8 Section 52 of the Water Services Acts Repeal Bill 2024 for the year 1 July 2024 to 30 June 2025; and
3. That the Annual Plan 2024/25 is adopted in accordance with Section 93 of the Local Government Act 2002 and Schedule 2 Part 8 Sections 48-52 of the Water Services Acts Repeal Bill 2024.

CARRIED**7.2 RESOLUTION TO SET RATES FOR 2024/25**

Council considered setting and assessing rates, and the due dates for payment, for the 2024/25 financial year commencing 1 July 2024 and ending 30 June 2025.

RESOLUTION 2024/101

Moved: Mayor Craig Rowley

Seconded: Cr Tom O'Connor

1. That the Resolution to Set Rates for 2024/25 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 2024 and ending 30 June 2025, as follows; and

District Rates 2024/25

Note:

- a Values (such as Capital Value and units) use estimates for 2024/25 as close as possible to 30 June 2024.
- b All monetary values throughout the tables within this resolution are GST inclusive.

Council is setting rates for the 2024/25 rating year in accordance with the Annual Plan 2024/25 and the Funding Impact Statement as follows:

	Annual Plan 2024/25
General Rates	
1. General Rates	\$2,898,327
	\$2,898,327
Targeted Services	
2. Civic Amenities Rate - Targeted differential	4,533,166
3. Roading and Footpaths	3,735,023
4. Civil Defence	234,587
5. Sewer	976,466
6. St Andrews Sewer	11,013
7. Waste Collection	1,324,666
8. Recycling Drop-off	139,050
9. Rural Water Schemes (excluding Downlands)	2,409,100
10. Urban Water	1,438,386
11. Downlands Rural Water Supply	504,358
	\$15,305,814
Targeted Community Rates	
12. Waimate Event Centre	219,906
13. Community Halls	63,521
	\$283,427
Total Rates	\$18,487,568

Total rates of \$18,487,568 will be payable in four equal instalments.

General Rate

A general rate is set as a rate in the dollar on the capital value of every Urban, Rural 1, Rural 2, Electricity generators and other transmission providers, and Forestry operators and forest blocks rating unit in accordance with the Rating Boundary Map for the Waimate District, assessed on a differential basis. The differential is based on land use for Electricity generators and other transmission providers, and Forestry operators and forest blocks or, for Urban, Rural 1, and Rural 2, where the land is situated and is classified as either Urban, Rural 1, or Rural 2. The Rating Boundary Map is available for inspection at the Council office, 125 Queen Street, Waimate.

Differential

The General Rates required from each differential sector is calculated on an activity-by-activity basis as described in the Funding Needs Analysis.

The object of including a differential in the General Rate is to achieve a fair and equitable distribution of the general rate between categories of land having regard to meeting the current and future needs of the community for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by providing infrastructure, services, and performance that are: efficient, and effective, and appropriate to present and anticipated future circumstances.

A component of the general rate requirement is funded by investment returns. In the case of negative differential, the activities' funding requirement is less than the investment returns applicable to that type of land use.

General Rate	Differential Factor	General Rate Per Dollar of Capital Value for	Revenue 2024/25 (GST Inclusive)
Urban	1.00	\$0.0010441	\$ 994,718
Rural 1	0.41	\$0.0004258	\$ 1,615,614
Rural 2	0.37	\$0.0003869	\$ 261,956
Electricity generators and other transmission providers	0.06	\$0.0000640	\$ 26,039
Total Revenue			\$ 2,898,327

Targeted Rates

Civic Amenities Rate

The Civic Amenities Rate contributes towards the funding of the following activities:

- . Community Representation
- . Community Property (Public Toilets)
- . Library
- . Cemeteries
- . Parks and Public Spaces
- . Swimming
- . Waste Management (Resource Recovery Park Operation)

The Civic Amenities Rate is set and assessed, for Electricity generators and other transmission providers, and Forestry operators and forest blocks, on land use, for Business 1 and Business 2 rating units, as defined in the Waimate District Plan, or for Urban, Rural 1, and Rural 2 on each separately used or inhabited parts of a rating unit (as defined above).

Differential

The Civic Amenities Rate is assessed on a differential basis. The differential is based on land use for Electricity generators and other transmission providers, Large Industrials, and Forestry operators and forest blocks, definition of Business 1 or Business 2 within the Waimate District Plan or, for Urban, Rural 1, and Rural 2, where the land is situated and is classified as either Urban, Rural 1, or Rural 2. The Civic Amenities Rates required from each differential sector is calculated on an activity-by-activity basis as described in the Funding Needs Analysis.

The object of including a differential in the Civic Amenities Rate is to achieve a fair and equitable distribution of the targeted rate between categories of land having regard to meeting the current and future needs of the community for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by providing infrastructure, services, and performance that are: efficient, and effective, and appropriate to present and anticipated future circumstances.

Civic Amenities Rate	Differential Factor	Civic Amenities Rate for 2024/25 (GST)	Revenue 2024/25 (GST Inclusive)
Urban (On SUIP)	1.00	\$ 1,179.50	\$ 2,134,914
Rural 1 (On SUIP)	0.93	\$ 1,095.70	\$ 1,929,479
Rural 2 (On SUIP)	0.89	\$ 1,048.10	\$ 300,796
Business 1 and Business 2 (On per rating unit)	0.34	\$ 396.10	\$ 32,479
Electricity generators and other transmission providers (On capital value)	0.0000002	\$0.0002884	\$ 117,338
Large Industrials (On capital value)	0.0000001	\$0.0001273	\$ 15,366
Forestry operators and forest blocks (On capital value)	0.0000001	\$0.0001073	\$ 2,794
Total Revenue			\$ 4,533,166

Roading and Footpaths Rate

The Roothing and Footpaths targeted rate is set as a rate in the dollar on the capital value of every Urban, Rural 1, Rural 2, Electricity generators and other transmission providers, and Forestry operators and forest blocks rating unit in accordance with the Rating Boundary Map for the Waimate District, assessed on a differential basis. The differential is based on land use for Electricity generators and other transmission providers, and Forestry operators and forest blocks or, for Urban, Rural 1, and Rural 2, where the land is situated and is classified as either Urban, Rural 1, or Rural 2.

Differential

The Targeted Rates required from each differential sector is calculated on an activity-by-activity basis as described in the Funding Needs Analysis.

The object of including a differential in the Roothing and Footpaths Rate is to achieve a fair and equitable distribution of the targeted rate between categories of land having regard to meeting the current and future needs of the community for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by providing infrastructure, services, and performance that are: efficient, and effective, and appropriate to present and anticipated future circumstances.

Roothing and Footpaths Targeted Rate	Differential Factor	Targeted Rate for 2024/25 (GST Inclusive)	Revenue 2024/25 (GST Inclusive)
Urban	1.00	\$0.0003862	\$ 367,938
Rural 1	1.60	\$0.0006172	\$ 2,341,728
Rural 2	1.45	\$0.0005595	\$ 378,771
Electricity generators and other transmission providers	2.93	\$0.0011310	\$ 460,202
Forestry operators and forest blocks	18.54	\$0.0071584	\$ 186,384
Total Revenue			\$ 3,735,023

Civil Defence Rate

The Civil Defence targeted rate is set as a rate in the dollar on the capital value of every Urban, Rural 1, Rural 2, and Electricity generators and other transmission providers rating unit in accordance with the Rating Boundary Map for the Waimate District, assessed on a differential basis. The differential is based on land use for Electricity generators and other transmission providers or, for Urban, Rural 1, and Rural 2, where the land is situated and is classified as either Urban, Rural 1, or Rural 2.

Differential

The Targeted Rates required from each differential sector is calculated on an activity-by-activity basis as described in the Funding Needs Analysis.

The object of including a differential in the Civil Defence Rate is to achieve a fair and equitable distribution of the targeted rate between categories of land having regard to meeting the current and future needs of the community for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by providing infrastructure, services, and performance that are: efficient, and effective, and appropriate to present and anticipated future circumstances.

Civil Defence Targeted Rate	Differential Factor	Rate for 2024/25 (GST Inclusive)	Revenue 2024/25 (GST Inclusive)
Urban	1.00	\$0.0000256	\$ 24,397
Rural 1	1.61	\$0.0000411	\$ 156,000
Rural 2	1.46	\$0.0000374	\$ 25,288
Electricity generators and other transmission providers	2.77	\$0.0000710	\$ 28,901
Total Revenue			\$ 234,587

Sewer Rate

The Sewer targeted rate is set based on the provision or availability of service provided to the rating unit. The Sewer targeted rate is differentiated based on the connection or the number of water closets available and contributes towards the funding of the Sewerage and Sewage activity as follows:

- a) Serviced - The number of connections (within each rating unit) to the Council's sewer reticulation system
- b) Unserviced - Rating units not connected to the Waimate sewer scheme but where the service is available/provided
- c) Number of water closets within a Rating Unit (with more than 2 but less than 11 water closets) per water closet
- d) Number of water closets within a Rating Unit (11 or more water closets) per water closet

Sewer Targeted Rate	Category	Differential Factor	Sewer Rate for 2024/25 (GST Inclusive)	Revenue 2024/25 (GST Inclusive)
Sewer Serviced	a) Serviced - The number of water closets and urinals (for a residential unit or with 2 or less within each rating unit) to the Council's sewer reticulation system	1.00	\$ 469.10	\$ 841,595
Sewer Unserviced	b) Unserviced - Rating units not connected to the Waimate sewer scheme but where the service is available/provided	0.50	\$ 234.60	\$ 27,912
Sewer Multi 1	c) Number of water closets and urinals within a Rating Unit (with more than 2 but less than 11 water closets and urinals) per water closet and urinal	0.80	\$ 375.30	\$ 64,175
Sewer Multi 2	d) Number of water closets and urinals within a Rating Unit (11 or more water closets and urinals) per water closet and urinal	0.60	\$ 281.50	\$ 42,783
Total Revenue				\$ 976,466

St Andrews Sewer Rate

The St Andrews Sewer targeted rate is set based on the service provided to the rating unit and charged per applicable rating unit. A list of applicable rating units is available for inspection at the Council office, 125 Queen Street, Waimate. The St Andrews Sewer targeted rate contributes towards the funding of the Sewerage and Sewage activity as follows:

St Andrews Sewer Rate	Category	Sewer Rate for 2024/25 (GST Inclusive)	Revenue 2024/25 (GST Inclusive)
St Andrews Sewer	Extent of provision of service	\$ 196.70	\$ 11,013
Total Revenue			\$ 11,013

Waste Collection Rate

The Waste Collection targeted rate is set based on the provision of service provided to the rating unit and contributes towards the funding of the Waste Management activity as follows:

- a) Standard set of bins consisting of: 240 litre organics bin collected weekly, 240 litre recycling bin collected fortnightly, 140 litre rubbish bin collected fortnightly and 45 litre glass recycling crate collected weekly to those rating units receiving the service.
- b) Large set of bins consisting of: 240 litre organics bin collected weekly, 240 litre recycling bin collected fortnightly, 240 litre rubbish bin collected fortnightly and 45 litre glass recycling crate collected weekly to those rating units receiving the service.

A map of the mandatory waste collection areas is available for inspection at the Council office, 125 Queen Street, Waimate.

Waste Collection Targeted Rate	Category	Differential Factor	Rate for 2024/25 (GST Inclusive)	Revenue 2024/25 (GST Inclusive)
Waste Collection - Standard	a) Serviced Rating Units	1.00	\$ 458.70	\$ 1,254,086
Waste Collection - Large	b) Serviced Rating Units	1.17	\$ 538.70	\$ 47,406
Additional Organic Bin (240 lt)	Upon request to serviced rating units	0.28	\$ 130.00	\$ 2,470
Additional Recycling Bin (240 lt)	Upon request to serviced rating units	0.13	\$ 60.00	\$ 2,820
Additional Rubbish Bin (140 lt)	Upon request to serviced rating units	0.33	\$ 152.00	\$ 1,824
Additional Glass Recycling Crate (45 lt)	Upon request to serviced rating units	0.06	\$ 27.00	\$ 81
Additional Rubbish Bin (240 lt)	Upon request to serviced rating units	0.51	\$ 232.00	\$ 15,080
Glass Recycling Bin (240 lt)	Upon request to serviced rating units	0.13	\$ 60.00	\$ 900
Total Revenue				\$ 1,324,666

Recycling Drop-off Service Rate

The Recycling targeted rate is set according to the provision or availability of service provided to the rating unit for any SUIPs not receiving a Waste Collection Service and contributes towards the funding of the Waste Management activity as follows:

SUIP not receiving a Waste Collection Service but provided with a recycling drop off point.

Recycling Drop-off Service Rate	Category	Differential Factor	Rate for 2024/25 (GST Inclusive)	Revenue 2024/25 (GST Inclusive)
Recycling Drop-off Service	SUIP not receiving a Waste Collection Service but provided with a recycling drop off point.	1.00	\$ 114.40	\$ 139,050
Total Revenue				\$ 139,050

Rural Water Rate

The Rural Water supply targeted rates are set based on the water allocation provided to each rating unit. The rate is assessed on a per litre of water supplied per day and contributes towards the funding of the water supplied to the Cannington-Motukaika, Hook-Waituna, Lower Waihao, Otaio-Makikihi, Waihaorunga and Waikakahi rural water schemes included in the Rural Water activity as follows:

	Targeted Rate Per Litre for 2024/25 (GST Inclusive)	Revenue 2024/25 (GST Inclusive)
Rural Water Scheme		
Cannington-Motukaika	\$ 0.3268	\$ 130,027
Lower Waihao normal supply	\$ 0.5042	\$ 479,904
Otaio-Makikihi	\$ 0.4181	\$ 427,080
Waihaorunga	\$ 0.7223	\$ 222,706
Waikakahi	\$ 0.5720	\$ 627,545
Hook-Waituna domestic supply	\$ 0.3218	\$ 513,099
Hook-Waituna irrigation supply (55%)	\$ 0.1770	\$ 8,739
Total Revenue		\$ 2,409,100

Urban Water Rate

The Urban Water targeted rate is set based on the provision or availability of service provided to the rating unit in the township of Waimate. The Urban Water targeted rate is differentiated based on the connection and contributes towards the funding of the Urban Water activity as follows:

- a) Serviced - The number of connections (within each rating unit) to the Council's urban water reticulation system
- b) Unserviced - Rating units not connected to the Waimate urban water scheme but where the urban water reticulation is available for connection

Targeted Rate	Category	Differential Factor	Targeted Rate for 2024/25 (GST Inclusive)	Revenue 2024/25 (GST Inclusive)
Water Scheme Urban	a) Serviced - The number of connections (within each rating unit) to the Council's urban water reticulation system	1.00	\$ 690.90	\$ 1,410,752
Water Scheme Urban Vacant	b) Unserviced - Rating units not connected to the Waimate urban water scheme but where the urban water reticulation is available for connection	0.50	\$ 345.40	\$ 27,635
Total Revenue				\$ 1,438,386

Downlands Rural Water Supply Rate

The Downlands water scheme is a Joint Operation between Timaru, MacKenzie and Waimate District Councils. The scheme is managed by Timaru District Council who determine the charge per connection type. Each Council sets the rate for the connections within its district and collects the revenue on behalf of the Joint Operation. The connections are differentiated by location of the rating unit whether within the St Andrews township where a Domestic charge is rated, as opposed to outside the township where a Service charge on the number of connections and Unit/Point charge on the units of water is charged as follows:

	Rate for 2024/25 (GST Inclusive)	Revenue 2024/25 (GST Inclusive)
Targeted Rate		
Domestic	\$ 1,010.00	\$ 69,690
Unit/Point	\$ 289.00	\$ 242,616
Service	\$ 722.00	\$ 192,052
Total Revenue		\$ 504,358

Waimate Event Centre Rate

The Waimate Event Centre targeted rate is set on a uniform basis and is assessed on the district wide number of separately used or inhabited parts of a rating unit (as defined above) and funds principal and interest repayments for the Waimate Event Centre loan as follows:

Targeted Rate	Category	2024/25 (GST Inclusive)	2024/25 (GST Inclusive)
Waimate Event Centre	Charged per separately used or inhabited parts of a rating unit	\$ 57.00	\$ 219,906
Total Revenue			\$ 219,906

NOTE: Refer to Council's Rates Remission Policy, Remission 11 as published in the Long Term Plan 2021-31 for remissions applicable to the Waimate Event Centre targeted rate.

Community Halls Rate

The Hall rates are set on an SUIP basis and are based on where the land is situated in relation to each hall. A map of SUIP's relative to each hall is available for inspection at the Council office, 125 Queen Street, Waimate.

Community Hall	Targeted Rate for 2024/25 (GST)	Revenue 2024/25 (GST Inclusive)
St Andrews Hall	\$ 40.00	\$ 6,440
Ikawai Memorial Hall	\$ 40.30	\$ 4,232
Arno Hall	\$ 28.80	\$ 3,168
Waihaorunga Hall	\$ 51.10	\$ 3,117
Glenavy Hall	\$ 46.00	\$ 10,856
Hunter Hall	\$ 50.00	\$ 4,000
Southburn Hall	\$ 60.00	\$ 4,800
Studholme Hall	\$ 28.80	\$ 1,901
Hook Hall	\$ 57.50	\$ 3,623
Kurow Memorial Hall	\$ 25.00	\$ 3,025
Willowbridge Hall	\$ 34.50	\$ 2,036
Waituna Creek Hall	\$ 35.00	\$ 4,690
Makikihi Hall	\$ 52.00	\$ 2,964
Lyalldale Hall	\$ 35.00	\$ 1,190
Bluecliffs Hall	\$ 46.00	\$ 2,346
Maungati Hall	\$ 45.00	\$ 2,835
Cattle Creek Hall	\$ 50.00	\$ 2,300
Total Revenue		\$ 63,521
Rating Base		
Number of rating units at end of preceding year		4,382
Total capital value of rating units at end of preceding year	\$	5,920,083,750
Total land value of rating units at end of preceding year	\$	3,801,488,000

3. That Council set the following due dates for each instalment, of an equal amount:

	Instalment Period	Instalment Due Date
Instalment 1	1 July 2024 – 30 September 2024	30-Aug-2024
Instalment 2	1 October 2024 – 31 December 2024	29-Nov-2024
Instalment 3	1 January 2025 – 31 March 2025	28-Feb-2025
Instalment 4	1 April 2025 – 30 June 2025	30-May-2025

Payment of Rates

Rates shall be payable by cash, or eftpos at the Local Government Centre, 125 Queen Street, Waimate or electronically via the Council website online payment gateway or through the use of Direct Debit, internet or phone banking facilities.

CARRIED

7.3 2024/25 RATES PENALTIES RESOLUTION

Council considered authorising the Rates Penalties regime for the 2024/25 financial year.

RESOLUTION 2024/102

Moved: Mayor Craig Rowley

Seconded: Cr Rick Stevens

1. That the report 2024/25 Rates Penalties Resolution is accepted; and
2. That Council resolves to authorise the Rates Penalties regime for the 2024/25 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, 2 September 2024, 2 December 2024, 3 March 2025, and 3 June 2025 (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 5 July 2024 and 5 January 2025 if unpaid by then.

CARRIED

MEETING CLOSURE

There being no further business, the Chair declared the meeting closed at 2.09pm.

The Minutes of this Meeting were confirmed at the Extraordinary Council Meeting held on 23 July 2024.

.....
CHAIRPERSON

7.3 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 9 JULY 2024

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Tina Stevenson, Corporate Services Group Manager

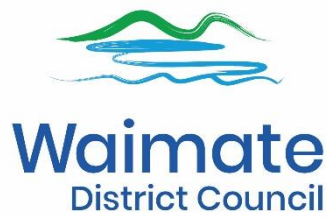
Attachments: 1. Minutes of the Extraordinary Council Meeting held on 9 July 2024

PURPOSE

To present the unconfirmed Minutes of the Extraordinary Council Meeting held on 9 July 2024 for confirmation.

RECOMMENDATION

That the Minutes of the Extraordinary Council Meeting held on 9 July 2024 be adopted as a true and correct record.



MINUTES

Extraordinary Council Meeting

9 July 2024

**MINUTES OF WAIMATE DISTRICT COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE FUNCTION ROOM, WAIMATE EVENT CENTRE, 15 PAUL STREET, WAIMATE
ON TUESDAY, 9 JULY 2024, COMMENCING AT 1:00 PM**

PRESENT: Mayor Craig Rowley, Deputy Mayor Sharyn Cain, Cr John Begg,
Cr Sandy McAlwee, Cr Tom O'Connor, Cr Colin Pankhurst, Cr Lisa Small,
Cr Rick Stevens

APOLOGY: Cr Peter Collins

IN ATTENDANCE: Stuart Duncan (Chief Executive), Carolyn Johns (Community and Strategy
Group Manager), Michelle Jones (Executive Support Manager), Dan Mitchell
(Asset Group Manager), Dylan Murray (Regulatory and Compliance Group
Manager), Tina Stevenson (Corporate Services Group Manager), Shey Taylor
(Strategic Planner / Policy Advisor), Helen Strachan (Committee Secretary)
Via Microsoft Teams: Gus Patterson (Communications Officer)

OPENING

1 OPENING CEREMONY

There was no Opening Ceremony at this Extraordinary Meeting of Council.

2 PUBLIC FORUM

There was no Public Forum offered at this Extraordinary Meeting of Council.

3 APOLOGIES

RESOLUTION 2024/78

Moved: Deputy Mayor Sharyn Cain

Seconded: Cr Rick Stevens

That an apology from Cr Peter Collins be received and accepted.

CARRIED

4 VISITORS

Submission Hearings: 7.1 Draft Waste Management And Minimisation Plan 2024-2030:
Trevor Joyce attended to speak to his submission.

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.

REPORTS

7 GENERAL REPORTS

7.1 DRAFT WASTE MANAGEMENT AND MINIMISATION PLAN 2024-2030

Council considered the final draft Waste Management and Minimisation Plan 2024-2030 (WMMP) for adoption, provided as an attachment under separate cover.

RESOLUTION 2024/79

Moved: Deputy Mayor Sharyn Cain

Seconded: Cr Rick Stevens

1. That the Draft Waste Management and Minimisation Plan 2024-2030 report is accepted; and
2. That Council considers the submissions and adopts the Draft Waste Management and Minimisation Plan 2024-2030, without amendments.

CARRIED

MEETING CLOSURE

There being no further business, the Chair declared the meeting closed at 1:37 pm.

The Minutes of this meeting will be confirmed at the Ordinary Council Meeting to be held on 23 July 2024.

.....
CHAIRPERSON

8 RECEIPT OF MINUTES

Nil

REPORTS

9 MAYOR'S REPORT

9.1 MAYOR'S REPORT

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: Nil

MAYORAL FORUM UPDATE

1. The Mayoral Forum met at Ashburton District Council on 31 May. Significant agenda items are summarised on this page.

Presentation from Ross Copland, Chief Executive NZ Infrastructure Commission-Te Waihangā

2. Mr Copland highlighted the Commission's key focus areas including input into the new government's 30-Year Infrastructure Strategy which will address Infrastructure needs, local government ownership, asset lifespan, future drivers, wastewater treatment, implications of changing demographics, healthcare investment, rising construction costs. Leadership and capability, financing issues and funding tools.
3. Other agenda items included:
 - The Canterbury Water Management Strategy and the future role of freshwater leadership in Canterbury, including the role of Canterbury Mayoral Forum
 - Water reform – options for future delivery models
 - An update on the Canterbury Climate Partnership Plan
 - A discussion on the development of a Canterbury Regional Energy Inventory
 - An update from the Regional Public Service Commissioner
 - A report from the Chief Executives Forum on the activities of the regional forums.

Climate change work top of mind during discussions with Minister Watts

4. Members of the Canterbury Mayoral Forum met with Hon Simon Watts (Minister of Climate Change) in Christchurch on 11 June.



(L-R) Mayor Dan Gordon (Waimakariri); Acting Chair Craig Pauling (Canterbury Regional Council), Mayor Phil Mauger (Christchurch), Hon Simon Watts, Minister of Climate Change, Mayor Nigel Bowen (Chair CMF, Timaru), Mayor Marie Black (Hurunui), Hamish Dobbie (CE Hurunui District).

5. During the meeting, Mayoral Forum members discussed a range of climate initiatives with the Minister.

6. The importance of both food and energy security was discussed, as making progress in these spaces will also make progress with emissions reduction.
7. The work that Canterbury farmers are doing in the innovation and emissions reduction space was acknowledged, noting that markets will pay more for product that can demonstrate reduced carbon footprints.
8. Forum members updated the Minister on the preparation of the Canterbury Climate Partnership Plan and the ambitious programme of works that each council has provided for in their Long-Term Plans to progress the climate plan. The Minister has been invited to the launch of the plan, which is due to be held later in 2024.
9. The Minister was thanked for the Government's funding towards "Beyond the Deluge", but Forum members noted that there is still significant work to do in this space to protect communities and infrastructure from severe weather events. The issue of 'mitigation' or 'managed retreat' was discussed, and Hurunui Council provided examples of work that they are doing with proactive coastal plans and proactive relocation away from sea inundation, noting that this work has won both national and international awards.
10. The Minister thanked the Forum members for meeting with him and advised that he would appreciate the opportunity to meet on a more regular basis.

Minister Mitchell praises Canterbury's Civil Defence Leadership

11. Members of the Canterbury Mayoral Forum met with Hon Mark Mitchell (Minister of Police, Minister of Corrections and Minister for Emergency Management and Recovery) in Christchurch on 13 June.



(L-R) Mayor Marie Black (Hurunui), Mayor Nigel Bowen (Timaru), Mayor Phil Mauger (Christchurch), Acting Chair Craig Pauling, Canterbury Regional Council), Mayor Dan Gordon (Waimakariri), Mayor Neil Brown (Ashburton), Councillor John Sunckell (Canterbury Regional Council), Hon Mark Mitchell, Minister of Police, Minister of Corrections, Minister for Emergency Management and Recovery), Mayor Gary Kircher (Waitaki)

12. The meeting focused on Emergency Management and Recovery, with the Minister making special mention of the leadership in Canterbury shown through recent States of Emergency following the Port Hills Fire.
13. The impact and human cost to civil defence personnel were noted and how critical it is that the system support them.
14. The Minister advised Forum members that he is focused on two things in particular in the Emergency Management space:
 - (a) world class emergency management legislation
 - (b) common operating systems and processes throughout the country, building on the South Island system.
15. Forum members noted that they have significant emergency management and recovery experience in Canterbury and want to see this local skill and experience accessed to help shape the new legislation, which the Minister was supportive of, noting that the drafting of the new legislation was an opportunity for local leadership.

16. Forum members thanked the Minister for the Government's funding towards "Beyond the Deluge" but noted that there is still significant work to do in this space to protect communities and infrastructure from severe weather events. The issue of 'mitigation' or 'managed retreat' was discussed, and Hurunui Council provided examples of work that they are doing with proactive coastal plans and proactive relocation away from sea inundation, noting that this work has won both national and international awards.
17. The Minister thanked the Forum members for meeting with him and advised that he would appreciate the opportunity to meet on a more regular basis.

EXTERNAL MEETINGS & FUNCTIONS ATTENDED BY THE MAYOR

18. To present for the information of Council a register of external meetings and functions attended as an appointed (or invited) elected member outside of Waimate District Council meetings and general business from Saturday 15 June to Friday 12 July.

Date	Meetings and Functions
17 June 2024	Mayor's Taskforce for Jobs (MTFJ) update with Coordinator – Council
17 June 2024	Monday Morning Meeting with Chief Executive and Deputy Mayor – Council
21 June 2024	Mayoral Musings with OJ of Mediaworks – via cell phone
21 June 2024	Climate Change Information Booklet Mayoral Photo Opportunity with Mayor Nigel Bowen – Timaru
24 June 2024	Discussion with ratepayer over proposed Learn to Ride Park – Council
24 June 2024	Mayor's Taskforce for Jobs (MTFJ) update with Coordinator – Council
24 June 2024	Monday Morning Meeting with Chief Executive and Deputy Mayor – Council
25 June 2024	Climate Resilience Strategy Action Plan Workshop: Land Use and Built Environment – Waimate
5 July 2024	Meeting with Waitaki MP Miles Anderson, Deputy Mayor and Chief Executive – Waimate
6 July 2024	Waimate Matariki Celebration – Whitehorse
8 July 2024	Mayor's Taskforce for Jobs (MTFJ) update with Coordinator – Council
8 July 2024	Monday Morning Meeting with Chief Executive and Deputy Mayor – Council

RECOMMENDATION

That the Mayor's Report is accepted.

10 DEPUTY MAYOR'S REPORT**10.1 DEPUTY MAYOR'S REPORT**

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: Nil



Waimate Childcare Opening of Whare and Matariki Performance



Matariki Celebration at Whitehorse



Glenavy Volunteer Fire Brigade 50th Jubilee and Honours Night

**EXTERNAL MEETINGS & FUNCTIONS ATTENDED BY THE DEPUTY MAYOR**

To present for the information of Council a register of external meetings and functions attended as an appointed (or invited) elected member outside of Waimate District Council meetings and general business from 15 June to Friday 12 July.

Date	Meetings and Functions
17 June 2024	Monday Morning Meeting with Chief Executive and Mayor – Council
24 June 2024	Monday Morning Meeting with Chief Executive and Mayor – Council
27 June 2024	Opening of new Whare (supported by a Creative Community NZ Grant) and Matariki performance at Waimate Childcare Centre – Waimate
29 June 2024	Glenavy Volunteer Fire Brigade 50 th Jubilee and Honours Night (on behalf of Mayor) – Glenavy

5 July 2024	Meeting with Waitaki MP Miles Anderson, Mayor and Chief Executive – Council
6 July 2024	Waimate Matariki Celebration – White Horse
8 July 2024	Monday Morning Meeting with Chief Executive and Mayor – Council
8 July 2024	Waihao Wainono Community Catchment Group Meeting – Waihao Marae
10 July 2024	Lower Waitaki South Coastal Canterbury Zone Committee Meeting – Waimate
12 July 2024	Zone Committee Drop In Briefing with Environment Canterbury re the Draft Regional Policy Statement – Microsoft teams

RECOMMENDATION

That the Deputy Mayor's Report is accepted.

11 COUNCILLORS' REPORT**11.1 COUNCILLORS' REPORT**

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: Nil

PURPOSE

To present for the information of Council a register of external meetings and functions attended as an appointed (or invited) elected member outside of Waimate District Council meetings and general business from Saturday 15 June to Friday 12 July.

Cr John Begg	
Date	Meetings and Functions
25 June 2024	Climate Resilience Strategy Action Plan Workshop: Land Use and Built Environment – Waimate
30 July 2024	Total Mobility Meeting – Waimate

Cr Sandy McAlwee	
Date	Meetings and Functions
25 June 2024	Climate Resilience Strategy Action Plan Workshop: Land Use and Built Environment – Waimate

Cr Tom O'Connor	
Date	Meetings and Functions
15 June 2024	St Andrews Hall Committee AGM – St Andrews
25 June 2024	Climate Resilience Strategy Action Plan Workshop: Land Use and Built Environment – Waimate
4 July 2024	Waimate Grey Power Meeting – Waimate
4 July 2024	Lifeboat Shed Fundraising Launch – Timaru
11 July 2024	Waimate Signage Options Poll for St Andrews residents – via telephone

Cr Lisa Small	
Date	Meetings and Functions
25 June 2024	Climate Resilience Strategy Action Plan Workshop: Land Use and Built Environment – Waimate
29 June 2024	Glenavy Fire Brigade 50 th Jubilee Open Day – Glenavy
1 July 2024	Canterbury Biodiversity Champions Group Meeting – via Microsoft teams
10 July 2024	Biodiversity Role Meeting with Council's Regulatory and Compliance Group Manager and Biodiversity Officer – Waimate

Cr Rick Stevens	
Date	Meetings and Functions
25 June 2024	Climate Resilience Strategy Action Plan Workshop: Land Use and Built Environment – Waimate
26 June 2024	Waimate Historical Society Annual General Meeting – Waimate
30 June 2024	Waimate Historical Society Emergency Meeting – Waimate
9 July 2024	Waimate Historical Society Meeting – Waimate

RECOMMENDATION

That the Councillors' Report is accepted.

12 CHIEF EXECUTIVE'S REPORT**12.1 COMMON SEAL REPORT**

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments:

1. Deed of Grant for Stock Underpass on Ikawai Middle Road [!\[\]\(a870788d6ed9b8fd294b7654a8c8526b_img.jpg\)](#) [!\[\]\(18065afa4ef6662bca9f3f6088f7de30_img.jpg\)](#)
2. Warrant of Appointment Animal Control and Noise Control Officer [!\[\]\(b985170eefb48b9b3ef593e79310e8f5_img.jpg\)](#) [!\[\]\(65defa7fe6c24be84c2514c965593962_img.jpg\)](#)

PURPOSE

1. The following documents have been prepared in accordance with previous resolutions of the Council and/or the provisions of the Local Government Act 2002 and other relevant statutes.
2. It is now proposed that the Council authorise the signing and sealing of the below documents as attached:
 - a. Deed of Grant for Stock Underpass on Ikawai Middle Road; and
 - b. Warrant of Appointment – Animal Control and Noise Control Officer

RECOMMENDATION

That the following documents be executed under the Common Seal of the Council:

- a. Deed of Grant for Stock Underpass on Ikawai Middle Road;
- b. Warrant of Appointment – Animal Control and Noise Control Officer

Dated 31 Day of May 2024

**DEED OF GRANT FOR STOCK
UNDERPASS ON IKAWAI MIDDLE
ROAD**

WAIMATE DISTRICT COUNCIL
the Council

Doug McIntyre
the Grantee

DEED OF GRANT

DATED

31st of May 2024

PARTIES

- (1) WAIMATE DISTRICT COUNCIL ("the Council")
- (2) DOUG MCINTYRE. ("the Grantee")

BACKGROUND

Pursuant to Section 341 of the Local Government Act 1974, the Council has agreed to grant to the Company rights use a Stock Underpass across **IKAWAI MIDDLE ROAD** at Route Position 1120

TERMS OF THIS DEED

1. Definitions:

1.1 Where the context requires or admits in this Deed:

"Annual Charge" means an annual charge of \$Nil plus GST payable by the Grantee pursuant to clause 4.

"Default Interest Rate" means a rate of interest equal to the Bank of New Zealand Base Rate at the date of default, plus 5%.

"Roads" means the roads within the Council's district.

"Stock Underpass" means a concrete structure installed under and across the road for the specific purpose on giving access to stock moving across the road.

"Working Day" means any day of the week other than:

- (a) Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, Labour Day, New Zealand's anniversary day and Canterbury Anniversary Day; and
- (b) A day in the period commencing with the 24th day of December in any year and ending with the 5th day of January in the following year.

1.2 Interpretations

- (a) Words importing the singular shall include the plural. Words importing the masculine gender shall include the feminine or neuter and vice versa. Words importing persons shall include companies.
- (b) Any covenant or agreement on the part of two or more persons shall be deemed to bind them jointly and severally.
- (c) Any reference to the Grantee in this Deed includes any receiver, liquidator, statutory manager, assignee in bankruptcy or successor in title of the Grantee and includes the Grantee's employees, workmen, contractors, invitees, agents and inspectors.

- (d) Any covenant or agreement on the part of the Grantee includes a covenant to also ensure compliance by the Grantee's servants, agents, visitors and other permitted invitees, workmen and contractors.
- (e) The Table of Contents and any headings and marginal notations in this Deed have been inserted for convenience only and shall not limit or govern the construction of the terms of this Deed.
- (f) Any reference in this Deed to any statute or regulation is deemed to include all amendments and revisions made from time to time to that statute or regulation and any re-enactments thereof.
- (g) Where the Council's consent or approval is required pursuant to any provision of this Deed such consent or approval shall be required for each separate occasion notwithstanding any prior consent or approval obtained for the like purpose on a prior occasion.

2. Grant

- 2.1 In consideration of the payment of the Annual Charge to the Council and subject to always complying with the covenants set out in this Deed the Council grants to the Grantee pursuant to section 341 of the Local Government Act 1974, the right to install, use and maintain a Stock Underpass under the Road for the purposes of giving access to stock moving across the Road.

3. Term

- 3.1 **Initial Term:** The term of this Deed will commence on 1 June 2024 and expire on 30 May 2074.

4. Charges

- 4.1 **Initial Fee.** The Grantee agrees to pay \$Nil plus GST and thereafter an annual charge of Nil.

5. Council's Covenants:

- 5.1 The Council covenants with the Grantee that it will permit the Grantee
- (a) To convey stock under the Road by way of the Stock Underpass in a free and unimpeded manner for farming purposes.
 - (b) With or without workmen, vehicles or equipment to have access to the Roads for the purposes of installing the Stock Underpass or inspecting, maintaining, repairing, or renewing the Stock Underpass.
 - (c) For the purposes of performing any duty or in the exercise of any of the rights conferred under this Deed, the Company may enter upon and remain on the Roads for a reasonable time for the sole purpose of completing any such work.
- 5.2 For the purposes of clause 5.1, the words "convey stock" includes the right for the Grantee at all times to lead and convey stock without interruption or impediment through the Stock Underpass under the Road with or without vehicles, tools, equipment, machinery or materials. The right to

lead and convey stock without interruption or impediment is limited to the extent required by any period necessary for cleaning, maintaining and repairing of the Stock Underpass.

6. Grantees Covenants:

6.1 The Grantee will keep and maintain the Stock Underpass in good serviceable repair and will not permit the same to fall into disrepair, do damage of any kind nor becomes a nuisance by any other cause.

6.2 In performing any duty or in the exercise of any rights conferred by this Deed, the Grantee will:

- (a) Give the Council 10 working days written notice prior to commencing any works, such notice to specify the location, scope and time period for the completion of the works.
- (b) Ensure temporary traffic control is approved by Council.
- (c) Ensure all work is performed in an approved and workmanlike manner.
- (d) Ensure that all work is completed promptly.
- (e) Liaise with service authorities to determine service locations and relocations.
- (f) Comply with the Building Act 2004 and the Building regulations 1992.
- (g) Ensure the structure is assembled and installed according to the manufacturer's specification, under the supervision of a registered engineer.
- (h) Ensure that reinstatement of the pavement, road markings, and signs shall be to National Code of Practice for Utility Operators access to Transport Corridors.
- (i) Be responsible for the structural integrity of the underpass and any damage which it may cause to public utilities or the road pavement.
- (j) The work shall be carried out by a competent Contractor, experienced in the type of work being undertaken. The Contractor shall meet all their obligations under the current version of the Health and Safety in Employment Act. All underground services shall be located before any excavation commences. Any work on the road will require an approved Temporary Traffic Management Plan.
- (k) The contractor shall submit a Corridor Access Request (CAR) to Council's Roding Unit for approval.

6.3 The Grantee will be responsible for and will keep the Council indemnified against any damage or injury that may occur to the Roads or any person using the Roads or to the property of any person using the Roads arising directly or indirectly as a consequence of the existence of the Stock Underpass on the Road or the exercise by the Grantee of any of its rights under this Deed. The grantee will hold public liability insurance for an amount of **\$1,000,000** to indemnify the Council from any claim against the Council arising directly or indirectly as a result of the Grantees actions.

6.4 The Grantee will comply with all statutes, regulations and bylaws affecting the installing and use of the Stock Underpass made or imposed on it by any Authority. Without limiting the generality of the

foregoing, the Grantee will ensure that it complies with the provisions of the Health and Safety at Work Act 2015 and that it has a Health and Safety Management Plan in place at all times during the term of this Deed.

- 6.5 It is acknowledged by the Grantee that any laying, inspecting, cleansing, repairing, maintaining, renewing and use of the Stock Underpass will be at the Grantee's sole risk in all respects, including without limitation.

- (a) any risk of contamination arising from any contaminant or hazardous substances present on the Roads; and
- (b) any contaminants or hazardous substances entering the Stock Underpass as a consequence directly or indirectly of any works undertaken by the Council on the Roads.

And that the Grantee shall not be entitled to make any claims against the Council in respect of such matters.

- 6.6 The Stock Underpass or any other structures, plant or equipment erected or installed by the Grantee near or on the Stock Underpass shall be the property of the Grantee.

7. Default

7.1 If:

- (a) Any Annual Charges or other money payable by the Grantee under this Deed is in arrears for 10 Working Days after the same has become due or demanded: or
- (b) The Grantee defaults in the performance or observance of any of the covenants or conditions contained in this Deed and the Council has given notice to the Grantee specifying the particulars of the alleged default and requiring the Grantee to remedy the same and the alleged default has not been remedied by the Grantee within a reasonable time having due regard to the nature of the default after the notice has been given;

then notwithstanding any prior waiver or failure to take action by the Council or indulgence granted by the Council to the Grantee in respect of any such matter or default whether past or continuing the Council may cancel this Deed but such cancellation shall not release the Grantee from any liability in respect of any antecedent breach of this Deed.

8. Removal of Stock Underpass

- 8.1 Upon the expiry or earlier termination of this Deed or in the event that the Stock Underpass is no longer in use and required by the Grantee, the Grantee will at its own cost in all respects remove the Stock Underpass and following such removal works restore the surface of the Roads as nearly as possible to their former condition.

9. Miscellaneous

- 9.1 **No Partnership:** Nothing in this Deed shall create or be deemed to create the relationship of partnership between the parties.

- 9.2 **Waiver:** No waiver of any breach of any term of this Deed shall be effective unless in writing signed by the Council and no such waiver shall be construed as a waiver of any subsequent breach.
- 9.3 **Variation of agreement:** This Deed shall not be cancelled, nullified, amended or modified by any means, unless the fact of cancellation, nullification, amendment or modification as the case may be is expressed in writing signed by duly authorised representatives of the parties, or occurs in accordance with express provisions of this Deed.
- 9.4 **Non reliance:** The Grantee acknowledges that it has relied on its own judgment in respect of all matters under this Deed.
- 9.5 **Force majeure:** No party shall be liable for any delay or default due to natural calamities, acts or demands of governments or any government agency, wars, riots, strikes, fires, floods, accidents or other unforeseen causes beyond its control and not due to its fault or neglect.
- 9.6 **Severance:** If any provision of this Deed, or part thereof, is rendered void, illegal or unenforceable by any legislation or law to which it is subject, it shall be rendered void, illegal or unenforceable to that extent and no further.
- 9.7 **Release and indulgence:** Any liability to any of the parties hereunder may in whole or in part be released, compounded or compromised by time or indulgence given by the other parties in their absolute discretion without in any way prejudicing or affecting their rights against that party.
- 9.8 **Council acting as territorial authority:** The Grantee acknowledges that:
- (a) The Council, in its capacity as a territorial authority, is required to carry out its statutory consent functions under the Resource Management Act 1991 in accordance with the provisions of that statute.
 - (b) The granting by the Council of any consent or approval by the Council as territorial authority under that Act shall not of itself be deemed to be a consent or approval by the Council under this Deed.
 - (c) The Council is bound by statutory obligations to exercise its powers, including discretionary powers, and duties under that Act without regard to any relationship it may have with the Company under this Deed.
- 9.9 **Access Restriction:** The Grantee acknowledges that the permission to install a Stock Underpass revokes any previous licences issued by the Council for a Stock crossing at the same location and that Council will not issue a Stock crossing licence for any other site on **IKAWAI MIDDLE ROAD** or in the near vicinity.
10. **Mediation and Arbitration**
- 10.1 All disputes and questions relating to or arising from the interpretation and implementation of the terms of this Deed shall, if they cannot be resolved by the parties, be referred to mediation and failing resolution to a single arbitrator agreed upon by the parties within 10 Working Days and if one cannot be agreed upon then by a single arbitrator appointed by the President of the Otago District Law Society in accordance with and subject to the provisions of the Arbitration Act 1996 or any

statutory modification thereof for the time being in force. The decision of the arbitrator to whom any dispute or question is referred shall be final and binding.

11 **Assignment.** The rights of the Grantee shall not be assigned under this agreement without prior written consent of the Council which shall not be unreasonably held.

11. **Notices**

11.1 Any notice under this Deed may be given as provided in the Property Law Act 1952 and in any event shall be deemed sufficiently served if:

- (a) It is actually received by the addressee or its authorised representative; or
- (b) sent by post or fax to the addressee's last known service address in New Zealand; or
- (c) in the case of a body corporate, sent to its registered office.

Any notice sent by post shall be deemed to have been served three days following the posting.

12. **Location**

12.1 The Stock Underpass is located on **IKAWAI MIDDLE ROAD** at Route Position 1120

THE COMMON SEAL of THE
WAIMATE DISTRICT COUNCIL
was hereto affixed by and in the
presence of:

)
)
)
)



Chawley

Mayor/Councillor

Stuart Duncan
Chief Executive

[Signature]

Authorised Officer

SIGNED
DOUG MCINTYRE

in the presence of

Witness signature

Amanda Tiffen

Full name

6 Grandvue drive, Twizel

Address

Office Manager

Occupation

Note: If two directors sign, no witness is necessary. If a director and authorised signatory sign, both signatures are to be witnessed. If the director and authorised signatory are not signing together, a separate witness will be necessary for each signature.



Waimate
District Council

Warrant of Appointment

Name: Rebecca Farrant
Designation: Animal Control and Noise Control Officer
Dated at Waimate: 1 July 2024

This is to certify that the above officer is hereby appointed by the Waimate District Council under the Dog Control Act 1996, Impounding Act 1955, Resource Management Act 1991, and an Authorised Officer pursuant to the Bylaws of the Waimate District Council, to carry out the following functions and powers of an Authorised Officer, Dog Control Officer, Ranger, Poundkeeper or Deputy Pound Keeper under those Acts:

Dog Control Act 1996

1. Section 14 Power of entry
2. Section 15 Power of entry to supply dogs with food, water or shelter and/or seizethe dog
3. Section 17 Powers of warranted officers
4. Section 19 Power to request information about owner
5. Section 25 Disqualification of owners
6. Section 28 Powers of entry to seize dog where person fails to comply– AnimalControl Officer
7. Section 31 Power to classify dangerous dogs
8. Section 33A Power to classify dogs as menacing
9. Section 50 Power to seize and impound dog not wearing proper collar or disc
10. Section 55 Barking dogs – power of entry, issue written notice or remove the dog
11. Section 56 Barking dogs causing distress – power to remove the dog
12. Section 57 Dogs attacking – liability for fine on summary conviction
13. Section 59 Power to seize and destroy dog at large in vicinity of protected wildlife
14. Section 60 Power to destroy dog running at large among stock or poultry (note thispower may not be exercised without written authority from Council's Chief Executive)
15. Section 64 Power to destroy dog where order made for destruction (note this powermay not be exercised without written authority from Council's Chief Executive)
16. Section 65 Infringement offence for the purposes of enforcement of this Act.
17. Section 66 Infringement notice for the purposes of issuing infringement notices.
18. Section 69 Power to impound and subsequently dispose of dog

WAIMATE DISTRICT COUNCIL
125 Queen Street, Waimate 7924
PO Box 122, Waimate 7960, New Zealand

P. +64 3 689 0000
E. council@waimatedc.govt.nz
W. waimatedc.govt.nz

19. Section 70 Custody of dog removed for barking
20. Section 71 Retention of dog threatening public safety

Impounding Act 1955

1. Section 32 Power to declare specified fenced paddock or yard adjacent to a road to be a temporary pound and appoint a keeper of the pound
2. Section 35 Stock straying on roads – power to impound
3. Section 36 Recovery of stock – power of entry to recover escaped stock while being taken to a pound
4. Section 42 Disposal of wild stock – power to impound and destroy wild stock straying on roads
5. Section 44 Provisionary pound is of insufficient size – power to extend the size of a temporary pound
6. Section 47 Pound keeper to detain stock until charges paid
7. Section 49 Stock not claimed to be sold at auction
8. Section 50 Sales of impounded stock
9. Section 52 Destruction of suffering or worthless stock
10. Section 53 Disposal of unsold stock

Resource Management Act 1991

1. Section 22 Power to direct any person to supply information relating to noise control
2. Section 322 Issue and serve any person an abatement notice with regard to noise control
3. Section 327 Issue an excessive noise direction
4. Section 328 Compliance with excessive noise direction - powers of entry and seizure
5. Section 332 Power of entry for inspection

Waimate District Council Bylaws

1. An Authorised Officer pursuant to the Bylaws of the Waimate District Council.

Dated at Waimate this 1 July 2024.

The Common Seal of the Waimate District Council was hereto affixed in the presence of:

Craig Rowley
MAYOR



Craig Rowley
MAYOR

MAYOR



Stuart Duncan
CHIEF EXECUTIVE

Stuart Duncan
Chief Executive



Provided that this warrant is only valid while the officer is employed by Waimate District Council and the officer meets the criteria of section 38 of the Resource Management Act.

Page 2 of 2

12.2 CHIEF EXECUTIVE'S ACTIVITY REPORT

Author: Stuart Duncan, Chief Executive
Authoriser: Stuart Duncan, Chief Executive
Attachments: Nil

PURPOSE

1. To inform the Council of the Chief Executive's activities.

MEETINGS AND FUNCTIONS ATTENDED

2. Meetings and functions attended by the Chief Executive from 15 June to 12 July:

Date	Meetings and Functions
17 June 2024	Alpine Energy Shareholder Officers Meeting – Waimate
18 June 2024	Meeting with Whitestone Contracting Chief Executive – Waimate
24 June 2024	Operations Forum – via Microsoft teams
5 July 2024	Meeting with Waitaki MP Miles Anderson – Council
5 July 2024	Civil Contractors NZ Waitaki/South Canterbury Contractors Evening with Waitaki MP Miles Anderson – Oamaru
9 July 2024	Alpine Energy Quarterly Shareholder Meeting – via Microsoft Teams

RECOMMENDATION

That the Chief Executive's Activity Report is accepted

13 COUNCIL ACTIONS REPORT**13.1 OUTSTANDING COUNCIL ACTIONS REPORT - PUBLIC**

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: 1. Outstanding Actions Report - Public [↓](#) 

PURPOSE

For the Outstanding Council Actions Report – Public to be presented for the information of Council.

RECOMMENDATION

That the Outstanding Council Actions Report – Public is accepted.

Meeting	Officer/Director	Section	Subject
Council 25-Jun-24	Murray, Dylan	General Reports	Request for Funding - Dog and Agility Park
RESOLUTION 2024/94			
<ol style="list-style-type: none"> 1. That the Request for Funding - Dog and Agility Park report is accepted, and 2. Council considers the request from the Southern Canterbury Agricultural & Pastoral Association Inc, and agrees to provide funding towards the Dog and Agility Park from the Subdivision Fund of \$2,500 plus GST for another 12 months, provided the Agricultural & Pastoral Association Limited agree to an extension of the lease. 			
CARRIED			
Note:			
15 Jul 2024: Council initially decided to offer \$2500(+GST) for one year. Out of Council, there has been a re-think and \$2000(+GST) on an enduring basis will be offered. Informal approach to SCA&P Ass Inc was positive. Draft letter formalising offer has been completed. If accepted, Council will need to ratify.			

Meeting	Officer/Director	Section	Subject
Council 23-Apr-24	Mitchell, Dan	General Reports	Licence to use Response Assets (Fire and Emergency New Zealand)
RESOLUTION 2024/52			
<ol style="list-style-type: none"> 1. That the License to Use Response Assets (Fire and Emergency New Zealand) report is accepted; and 2. That Council recommends that the Chief Executive negotiate the transfer of debt and that the appliance remains in community if possible; and 3. That Council delegates the Chief Executive to negotiate directly with Fire and Emergency New Zealand. 			
CARRIED			
Note:			
15 Jul 2024: No contact from FENZ as at 15 July 2024.			

14 HUMAN RESOURCES REPORT**14.1 HUMAN RESOURCES REPORT**

Author: Rachel Holley-Dellow, Human Resources Manager

Authoriser: Stuart Duncan, Chief Executive

Attachments: Nil

PURPOSE

1. For the Human Resources Manager to update Council.

RECRUITMENT

2. Since 1 July 2024, we have two new employees who have begun work with us: a Three Waters Technician, and a Senior Planner.
3. The above staff have been invited to attend the Council meeting, and if available, will be presented to the Elected Members.
4. The following staff headcount is based on currently employed staff and does not include any vacancies we are or will be recruiting for.

Staff Headcount

Date	Total Headcount	Permanent Full Time*	Permanent Part Time**	Fixed Term	Casual
As at 20/1/23	84	50	20	10	4
As at 13/3/23	84	48	21	8	7
As at 16/10/23	80	49	20	8	3
As at 4/12/23	87	52	20	7	8
As at 17/4/24	80	51	20	6	3
As at 18/6/24	80	50	21	5	4

* 37.5 hours per week or more

** Less than 37.5 hours per week

FULL TIME EQUIVALENT STATISTICS

5. At the last Council meeting, the Elected Members requested statistics for Full Time Equivalents. The following information has been taken from the LTP 2021-31 which has been updated with the Annual Plan 2025 information.

Summary of Full Time Equivalents						
Activity	LTP Year 1 2021/22	LTP Year 2 2022/23	Annual Plan 2022/23	LTP Year 3 2023/24	Annual Plan 2023/24	Annual Plan 2024/25
Library	2.6	2.6	2.9	2.6	2.6	2.6
Event Centre	1.8	1.8	1.8	1.8	1.6	1.6
Building Control	4.0	4.0	4.2	4.0	5.0	4.0
Regulatory	4.4	3.4	5.4	3.4	5.0	5.0

Animal Control	1.2	1.2	1.2	1.2	1.3	1.3
Cleaning	2.7	2.7	2.7	2.7	2.8	2.8
Corporate Services	7.0	7.0	7.0	7.0	5.8	5.8
IT Department	2.0	2.0	2.0	2.0	4.0	5.0
Governance	1.0	1.0	1.0	1.0	1.0	1.0
Strategy	2.0	2.0	1.5	2.0	1.5	1.5
Utilities	6.0	6.0	6.0	6.0	6.0	7.5
Roading	4.5	4.5	5.5	4.5	4.5	5.5
Asset Administration	5.6	5.6	7.1	5.6	6.2	6.1
Parks and Reserves	8.7	8.7	8.7	8.7	7.5	7.5
Camping	2.8	2.8	2.7	2.8	2.6	2.6
Pool	3.6	3.6	3.9	3.6	3.7	3.7
Economic Development and Promotions/Comms	1.7	1.7	2.5	1.7	2.9	2.9
Leadership Team	6.8	6.8	7.0	6.8	7.0	7.0
	68.4	67.4	73.0	67.4	71.0	73.4
Externally funded – Mayors Taskforce for Jobs / Library	3.0	-	1.0	-	1.0	1.4
Externally funded - 3 Waters	2.0	-	-	-	2.0	2.0
	73.4	67.4	74.0	67.4	74.0	76.8

UPDATE ON POLICY AND PROCEDURE WORK FOR THE CHIEF EXECUTIVE'S PERFORMANCE REVIEW COMMITTEE

6. Last year, the Human Resource Manager was tasked by the Chief Executive's Performance Review Committee to create a policy and procedure for the recruitment and performance reviews of the Chief Executive's position.
7. A final review will occur with input required by the Chairperson of the Chief Executive's Performance Review Committee before presentation to Council.

RECOMMENDATION

That the Human Resources Manager's report is accepted.

15 AUDIT AND RISK COMMITTEE REPORT

Nil

16 GENERAL REPORTS

16.1 FINANCE REPORT FOR THE 11 MONTHS ENDED 31 MAY 2024

Author: Jacqueline Michael, Accounting Assistant

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: Nil

PURPOSE

- To present the Finance Report to Council.

Waimate District Council
Statement of Financial Performance
For the 11 months ended 31 May 2024

	Variance Note	Actual \$000	Year to date Budget \$000	Variance \$000	% Var.	Full Year Budget Including carry forwards
Operating Revenue						
Rates (net of remissions)		\$ 13,691	\$ 13,709	\$ (18)	(0%)	\$ 14,119
Development and Financial Contributions	3	329	61	269	441%	66
Waka Kotahi NZ Transport Agency Subsidy	4	3,833	3,349	484	14%	3,625
Fees and Charges	5	1,166	1,346	(180)	(13%)	1,506
Interest Revenue	6	136	37	99	268%	43
Transitional & Better Off Funding - 3Waters	7	540	113	427	380%	263
Other Revenue	8	1,972	1,397	576	41%	1,747
Total Operating Revenue		21,667	20,011	1,657	8%	21,368
Operating Expenditure						
Employment Benefit Expenses	9	5,363	5,811	448	8%	6,331
Depreciation and Amortisation	10	6,054	6,410	356	6%	6,993
Roading Expenses		2,984	2,950	(34)	(1%)	3,202
Finance Costs	6	153	196	43	22%	390
Other Expenses	11	6,132	6,419	287	4%	7,271
Total Operating Expenditure		20,686	21,786	1,100	5%	24,187
Total Surplus/(Deficit)		\$ 981	\$ (1,775)	\$ 2,757	(155%)	\$ (2,819)

- For the 11 months ended 31 May 2024, Council recorded a surplus of \$0.981M, compared to a budgeted deficit of \$1.775M; therefore, Council is tracking \$2.758M favourable to budget.

MAJOR VARIANCES TO BUDGET

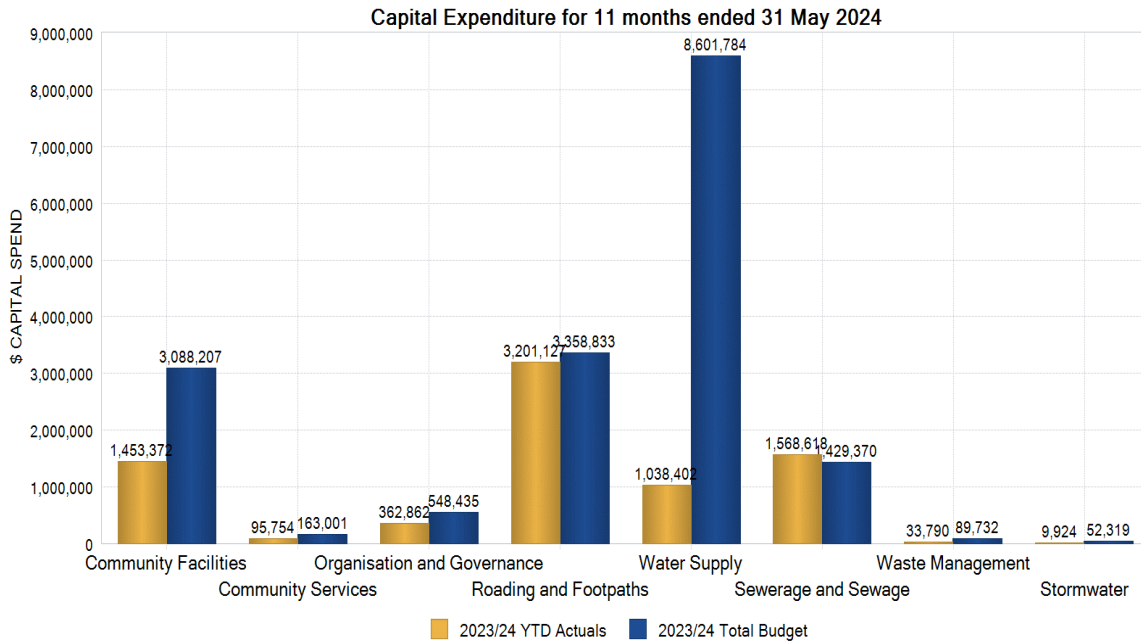
- A large contribution towards Water and Sewer activities has been recognised this financial year for subdivisions, which is now overdue for payment.
- Subsidies from Waka Kotahi NZ Transport Agency are above budget due to the timing of actual spends and the approved carry forward budgets.
- Fees and charges are unfavourable to budget mainly in relation to reduced Building Control activity below budget by \$170,165. The decrease in building consent income is the result of increased building material costs, increased interest costs, and changes to the insulation requirements under the Acceptable Solutions H1 that require additional insulation and glazing to be installed. Across all building types there has been a decrease of approximately \$14 million dollars in the estimated value of building work for the 2023/24 financial year. Cemetery income is also below budget by \$26,444.
- Increased cash in the bank, mainly due to the of timing of capital spends, has resulted in interest revenue above budget. Due to increased cash in the bank additional borrowings anticipated as required this year have not been drawn, resulting in less finance costs than budgeted.

7. Three Waters transitional funding has been received, along with Better Off Funding income.
8. Other revenue includes rates penalties income with revenue above budget by \$49,738, general recoveries above budget by \$20,244 and Community housing rental income above budget by \$15,188.
9. Employment benefit expenses remain below budget overall due to some staff vacancies, however this has been offset partially by annual remuneration reviews above budget. In addition, there has been some increased expenditure due to overtime (which is paid at a higher hourly rate) being performed during periods of notable short staffing in some teams, and some higher than anticipated recruitment costs to secure appropriate candidates in a tight labour market which we were unable to meet within the original budgeted salary.
10. Depreciation and amortisation expenses are below budget mainly in the area of Three Waters due to the timing and deferral of capital projects.
11. Other expenses include Waste Management contract and disposal costs which have exceeded the budget by \$181,456 which is partly offset by RRP fees and charges which have exceeded budget by \$2,805. Expenditure of \$144,577 for operational backfill and compliance support for the Asset Group has been incurred due to staff shortages, which is partially funded from the Transitional Funding and staff vacancies as noted above.

Waimate District Council
Statement of Financial Position
As at 31 May 2024

	Movement Note	Actual 31 May 2024 \$000	Actual 30 June 2023 \$000	Movement \$000
Assets				
Current Assets				
Cash and cash equivalents		3,788	4,050	(262)
Trade and other receivables		2,458	1,910	548
Inventories		234	180	54
Other financial assets		-	-	-
Total Current Assets		6,481	6,140	341
Non Current Assets				
Property, plant and equipment		500,561	499,696	864
Forestry assets		1,815	1,815	-
Intangible assets		1,380	1,390	(10)
Other financial assets		21,429	21,431	(2)
Total Non Current Assets		525,185	524,333	852
Total Assets		531,666	530,473	1,193
Liabilities				
Current Liabilities				
Trade and other payables		3,194	2,860	334
Borrowings		-	420	(420)
Provisions		7	7	-
Employment Benefit Expenses		677	620	57
Derivative financial instruments		-	-	-
Total Current Liabilities		3,877	3,906	(30)
Non Current Liabilities				
Provisions		67	67	-
Borrowings		5,390	4,970	420
Total Non Current Liabilities		5,457	5,037	420
Equity				
Public Equity		93,966	93,064	902
Reserves		428,367	428,467	(100)
Total Equity		522,333	521,530	802
Total Liabilities and Equity		531,666	530,473	1,193

TOTAL CAPITAL EXPENDITURE BY GROUP



Note: Year to date Actuals (yellow) includes capital work in progress at 30 June 2023.

The Total Budget (blue) includes Downlands Rural Water Scheme 14% share of capital projects \$798,117.

12. Totals:	Spend to date (including WIP at 30 June 2023)	\$	7,763,850
	WIP carried forward from 30 June 2023 (Water Supply)	\$	-175,427
	WIP carried forward from 30 June 2023 (Sewerage)	\$	-380,403
	WIP carried forward from 30 June 2023 (Stormwater)	\$	-9,924
	WIP carried forward from 30 June 2023 (Rooding)	\$	-9,338
	WIP carried forward from 30 June 2023 (Operational)	\$	<u>-113,424</u>
	Total spend to 30 April 2024	\$	7,075,334
	Total 2023/24 Annual Plan Budget (excluding carry forwards)	\$	7,834,013
	% of total budget available spent		90%
	Total 2023/24 Budget (including carry forwards)	\$	17,331,678
	% of total budget available spent		41%

A high-level review for Cash flow purposes informs the forecast spend to 30th June 2024 which allows for Projects identified as re-budgeted for the annual plan 2025 and Projects signalled to be re-budgeted in the LTP 2025-34 and includes Projects likely to be incomplete at year end to be carried forward.

Forecast Spend to 30th June 2024	\$	9,969,130
% of total budget available spent		58%

Further detail on capital spends are as follows:

Project	2023/24 YTD Actuals	2023/24 Total Budget	Remaining Budget	2023/24 Annual Plan
Community Facilities				
Local Govt Centre - Library / LGC Extension	578,370	1,672,930	1,094,560	-
Local Govt Centre - Heatpumps	-	49,068	49,068	10,568
Community Housing - Roof replacement BOF*	320,447	-	(320,447)	-
Public toilets - Waimate Town (New Toilets)*	101,063	445,150	344,087	-
Cemetery - Repurpose Queen Street toilets (and pump station)	-	61,294	61,294	61,294
Morven Reserve - Irrigation upgrade (non rate funded)	-	350,000	350,000	350,000
Boland Park - New learn to ride area	560	49,400	48,840	-
Swimming Pool - PVC membrane lining	170,292	213,000	42,708	213,000
Other Projects	282,639	247,364	(35,275)	103,775
Grand Total	1,453,372	3,088,206	1,634,834	738,637
Community Services				
Econ Dev & Promotions - Vehicle (Mayors Taskforce)	3,565	-	(3,565)	-
Promotions - Community Xmas Tree	-	31,000	31,000	31,000
Promotions - District signage	-	77,000	77,000	-
Emergency Management - Generator - BOF	42,093	-	(42,093)	-
Library - Books/furniture/shelving	50,096	55,000	4,904	55,000
Grand Total	95,754	163,000	67,246	86,000
Organisation and Governance				
Investment - Gorge Road Premises	118,713	84,544	(34,169)	84,544
Governance - AV Conferencing system for Council Chambers*	-	20,600	20,600	-
Corporate Services - Public security cameras	49,819	38,988	(10,831)	36,988
Corporate Services - Magiq Upgrades*	-	73,140	73,140	52,840
Chief Executive - Vehicle replacement	34,343	38,000	3,657	38,000
Utilities - Vehicle Replacement*	-	53,000	53,000	53,000
Roading - Vehicle Replacement	48,776	41,200	(7,576)	-
Other Projects	111,212	198,963	87,751	149,691
Grand Total	362,862	548,435	185,573	415,063
Roading and Footpaths				
Resealing	1,180,963	1,150,000	(30,963)	1,107,600
Drainage Construction	182,140	210,000	27,860	266,378
Culvert Replacement	172,441	135,000	(37,441)	212,013
Kerb and Channel Renewal	232,053	160,000	(72,053)	114,400
Concrete Ford Renewal	-	15,000	15,000	-
Pavement Rehabilitation	544,271	450,000	(94,271)	315,198
Structures Component Rep	99,206	300,000	200,794	178,115
Sign Renewal	60,553	63,000	2,447	54,761
Lighting Renewal	-	2,669	2,669	-
Minor Improvements	257,436	433,390	175,954	330,000
Footpath Renewal	219,802	156,000	(63,802)	182,348
Minor Improvements	241,241	117,790	(123,451)	47,790
Seal Extensions	-	83,720	83,720	63,720
Development	-	82,264	82,264	53,100
Dust Suppression	11,020	-	(11,020)	-
Grand Total	3,201,127	3,358,833	157,706	2,925,423

Projects	2023/24 YTD Actuals	2023/24 Total Budget	Remaining Budget	2023/24 Annual Plan
Water Supply				
Cannington - Drinking Water Compliance Upgrade**	-	700,000	700,000	700,000
Hook/Waituna - Drinking Water Intake/Plant Compliance Upgrade*/**	140,045	784,500	644,455	-
Lower Waihao - Glenavy Chlorine Monitoring Station	11,210	57,008	45,799	57,008
Lower Waihao - Denitrification	22,627	700,000	677,374	700,000
Otaio / Makikihi - New Bore Redundancy	144,239	127,182	(17,057)	-
Otaio / Makikihi - Makikihi Chlorine Monitoring Station	10,482	58,000	47,519	58,000
Waihaorunga - Drink Water Intake/Plant Compliance Upgrade**	-	470,470	470,470	-
Waikakahi - Drinking Water Intake/Plant Compliance Upgrade**	12,285	2,910,200	2,897,915	-
Urban Water - Rising Main Renew als**	8,631	112,000	103,369	-
Waikakahi - Chlorine monitoring station	20,230	58,000	37,770	58,000
Urban Water - Lateral Renew als	74,257	191,342	117,085	63,342
Urban Water - AC Water Main Renew als*/**	47,275	179,127	131,852	116,127
Urban Water - CI Water Main Renew als**	265,569	248,912	(16,657)	168,912
Urban Water - Pressure Management	-	77,100	77,100	-
Urban Water - Booster Bakers/Court/Hunts/Fitzmaurice Roads	4,860	315,596	310,736	295,596
Urban Water - Te Kiteroa Main, Booster and Reservoir*/**	7,655	799,568	791,913	30,468
Urban Water - Bond Street Subdivision	-	74,800	74,800	-
Urban Water - Manchester's treatment plant generator	33,100	40,000	6,900	40,000
Other Projects	235,939	697,979	462,704	518,702
Grand Total	1,038,402	8,601,784	7,563,382	2,806,155
Sewerage and Sewage				
Sewer - Waimate Urban Renew als*/**	135,848	674,446	538,598	332,546
Sewer - Edward Street Upgrade (Renew al)	551,414	-	(551,414)	-
Sewer - Edward Street reticulation SF	653,049	291,600	(361,449)	-
Sewer - Garlands Road low pressure sewer extension	-	198,255	198,255	198,255
Sewer - Montgomery Street low pressure sewer extension	178,394	155,000	(23,394)	155,000
Other Projects	49,914	110,069	60,155	53,085
Grand Total	1,568,618	1,429,370	-139,248	738,886
Waste Management				
Waste Management - Extend seal at RRP	-	76,090	76,090	76,090
Other Projects	33,790	13,642	(20,148)	7,642
Grand Total	33,790	89,732	55,942	83,732
Stormwater				
Stormwater - Manse Street crossing renewal	-	40,117	40,117	40,117
Stormwater - Consent & Management Plan	9,924	-	(9,924)	-
Stormwater - Rapid soakage devices	-	-	-	-
Other Projects	-	12,201	12,201	-
Grand Total	9,924	52,318	42,394	40,117
Total	7,763,850	17,331,678	9,567,828	7,834,013

*Note: Project has been rebudgeted for the Annual Plan 2025

**Note: Project has been signalled to be rebudgeted in the LTP 2025-34

*/**Note : Project has been rebudgeted for the Annual Plan 2025 and progress into LTP 2025-34

13. The majority of rural water main renewals are complete with remaining urban renewals either complete or in design stages. The Edward Street Wastewater Renewal has achieved practical completion as has the Montgomery Street Low Pressure Sewer extension project. The Garlands Road Low Pressure Sewer Extension is anticipated to commence soon (budget \$198,000). Staff vacancies will no doubt impact future capital delivery.
14. Optioneering for the upgrade of the Cannington, Waihaorunga and Waikakahi Rural Water supplies is complete with the projects being re-budgeted in the 2024-34 enhanced Annual Plan/Long Term Plan. The consenting options report for the Lower Waihao Denitrification Plant is now complete and has been circulated to various stakeholders as part of early consultation. We are awaiting a report from Aukaha (Waihao Consultant). Obtaining a resource consent to discharge is a critical path item.

RECOMMENDATION

That the Finance Report for the 11 months ended 31 May 2024 is accepted

16.2 ELECTED MEMBERS MEETING ATTENDANCES REPORT 2023-2024

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: 1. WDC Elected Member Attendance Data 2023-2024 [↓](#) 

PURPOSE

1. In the interests of transparency and public interest, Council are being provided with a report on Elected Member attendances to the below meetings from 1 July 2023 to 30 June 2024, being:
 - a. Council (ordinary and extraordinary); and
 - b. Workshops (open and closed)

BACKGROUND

2. Elected members of Council are expected to attend scheduled Council meetings and workshops to exercise their duties and responsibilities. Unless otherwise engaged in other Council related business or on a leave of absence, an expectation is placed on each member to attend the meetings and workshops.
3. Apologies may be tendered when a member is otherwise unable to attend a meeting. The meeting may accept or decline apologies.
4. There was only one instance of an absent elected member failing to submit an apology during this period.
5. Data from the Audit and Risk Committee Meetings and Chief Executive's Performance Review Committee has not been included in this report, as these committees do not include all elected members.
6. The attendance register will also provide information to be able to respond to requests for such information under the Local Government Official Information and Meetings Act 1987.

RECOMMENDATION

That the Elected Member Attendances Report be accepted.

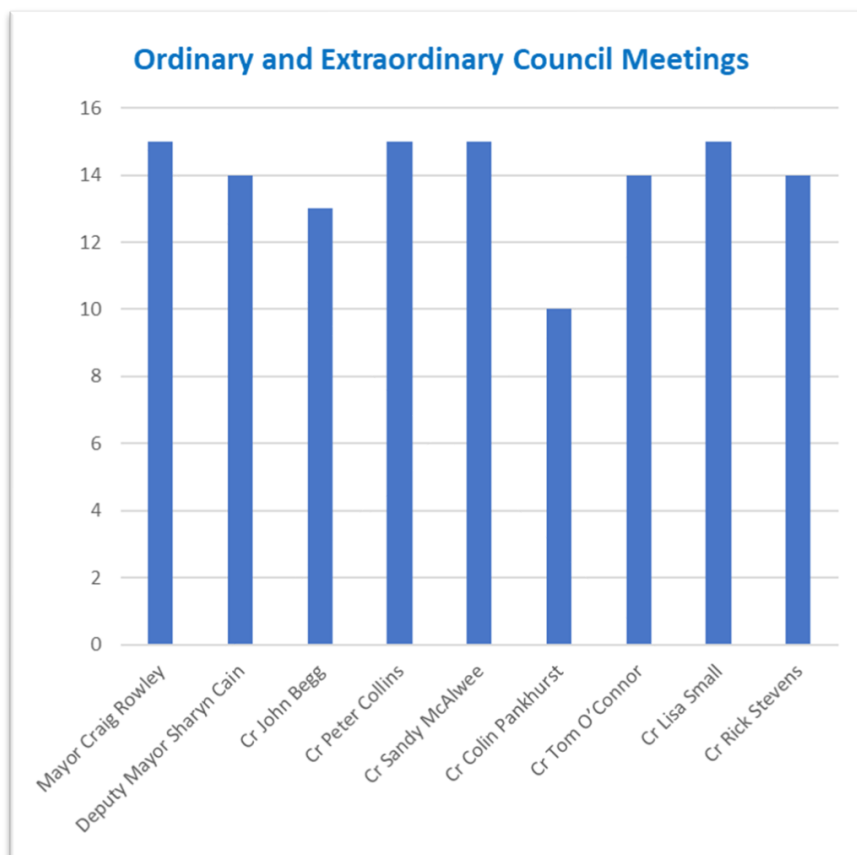
Elected Members Attendance

The below information shows Elected Member attendance of Ordinary and Extraordinary meetings of the Waimate District Council, and Open and Closed Workshops from 1 July 2023 to 30 June 2024.

This data is a summary of publicly available information collated from meeting minutes and workshop notes.

Number of meetings attended by Elected Members: 1 July 2023 to 30 June 2024

	Ordinary and Extraordinary Meetings	Open Workshops	Closed Workshops
Number of meetings held	15	17	3
Mayor Craig Rowley	15	17	3
Deputy Mayor Sharyn Cain	14	17	3
Cr John Begg	13	16	3
Cr Peter Collins	15	16	3
Cr Sandy McAlwee	15	17	3
Cr Colin Pankhurst	10	14	2
Cr Tom O'Connor	14	14	2
Cr Lisa Small	15	16	3
Cr Rick Stevens	14	14	3





16.3 LOCAL GOVERNMENT NEW ZEALAND (ANNUAL GENERAL MEETING) REMITS

Author: Karalyn Reid, Committee Secretary and PA to the Mayor
Authoriser: Tina Stevenson, Corporate Services Group Manager
Attachments: 1. LGNZ AGM Remits (under separate cover) 

PURPOSE

1. For Council to consider and give guidance to Mayor Craig Rowley as delegate at the Local Government New Zealand (LGNZ) Annual General Meeting (AGM), being held in Wellington on Wednesday 21 August 2024.

BACKGROUND

2. The remits are attached for the consideration of Council.
3. Mayor Craig Rowley and Cr Tom O'Connor will be attending on behalf of Council, and according to LGNZ's constitution, Council is entitled to 2 votes at the AGM, and represented by up to 2 delegates (this number is determined by population).
4. Mayor Craig Rowley has been appointed presiding delegate who votes on behalf of Council with express authority, and if he by any reason is not able to attend the AGM, Cr Tom O'Connor has been appointed alternate presiding delegate.

RECOMMENDATION

That Council considers the remits and gives guidance to their presiding delegate, Mayor Craig Rowley.

16.4 326 PROTECTED DISCLOSURES POLICY

Author: Shey Taylor, Strategic Planner/Policy Advisor

Authoriser: Rachel Holley-Dellow, Human Resources Manager

Attachments: 1. Draft 326 Protected Disclosures Policy [!\[\]\(74d4806277d7e73349d8e8c0897931e9_img.jpg\)](#) [!\[\]\(5f42d2cd7ad901bc24e5d35a38c777fd_img.jpg\)](#)
2. Current 326 Protected Disclosures Policy [!\[\]\(628bc0b1ef2b63d1fc4442fb794e3e78_img.jpg\)](#) [!\[\]\(210e01d0c2c300cf4405442bfd570b4e_img.jpg\)](#)

PURPOSE

1. For Council to approve the draft Protected Disclosures Policy 326 which outlines Council's procedures when making a disclosure, the protections available to those who make a disclosure, and the responsibilities Council has in receiving and responding to a disclosure.

BACKGROUND

2. This policy is required by the Protected Disclosures (Protection of Whistleblowers) Act 2022.
3. The introduction of the Protected Disclosures (Protection of Whistleblowers) Act 2022, as a replacement to the Protected Disclosures Act 2000, instituted several changes that necessitated a review of Council's previous policy.
4. As a public entity Waimate District Council must produce a policy that establishes appropriate internal procedures for receiving and dealing with information about serious wrongdoing. These procedures must:
 - a. Comply with the principals of natural justice,
 - b. Set out what the receiver should do on the receipt of a disclosure,
 - c. Identify who in the organisation a protected disclosure can be made to,
 - d. Include reference to the requirement not to retaliate, or threaten to retaliate, against the discloser or treat them less favourably than others,
 - e. Describe the circumstances when a disclosure might be referred by the organisation to an appropriate authority,
 - f. Describe how the organisation will provide practical assistance and advice to disclosers (such as a support person), and
 - g. Describe how the organisation will meet the duty of confidentiality.
5. While this policy has been substantially revised to improve clarity for readers, it still retains many of the same internal procedures in receiving, investigating, and reporting protected disclosures.

PROPOSAL

6. That the following changes be made to facilitate requirements of the Protected Disclosures (Protection of Whistleblowers) Act 2022:
 - a. Include a statement that disclosers may, at any time, make a protected disclosure to an appropriate authority.
7. That the following changes be made to maintain adequate impartiality in the internal investigation of a received disclosure:
 - a. The Audit & Risk Committee Chair be responsible for investigating disclosures when the CE is suspected/alleged to be involved in serious wrongdoing.

Options

8. Council may adopt the 326 Protected Disclosures Policy as presented; or
9. Adopt the 326 Protected Disclosures Policy with amendments.

ASSESSMENT OF SIGNIFICANCE

10. 326 Protected Disclosures Policy is not deemed significant under the Council's Significance and Engagement Policy.

LEGISLATION

11. Employment Relations Act 2000.
12. Human Rights Act 1993.
13. Protected Disclosures Act 2022.

FINANCIAL

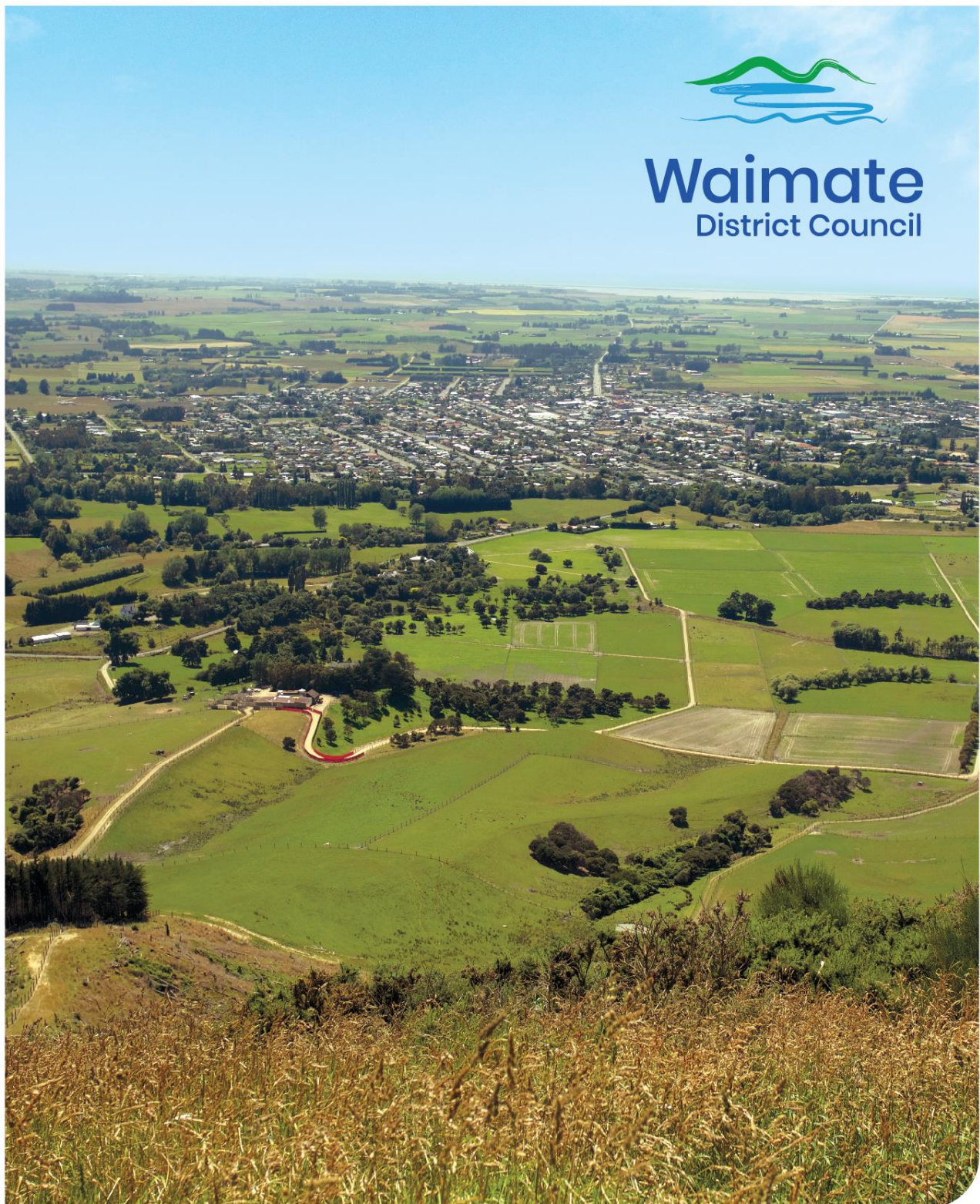
14. There are no financial implications to this policy.

Cost-effectiveness

15. Cost-effectiveness is not applicable.

RECOMMENDATION

1. That the 326 Protected Disclosures Policy Report is accepted; and
2. That Council adopts the 326 Protected Disclosures Policy as presented, or with amendments.



23/07/2024

326 Protected Disclosures for Employees, Contractors, and Volunteers

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PREFACE

This protected disclosure policy embodies Council's commitment to the fundamental principles of transparency, accountability, and integrity. It provides a clear framework that enables individuals to report serious concerns without fear of retaliation. Through this policy we aim to cultivate a culture where these guiding principles are not only encouraged but expected.

We affirm our dedication to creating a safe and supportive environment for all workers of Council – past and present – so that their voices can be heard, and their concerns addressed with the seriousness that is warranted in public service.

We understand that navigating policies, particularly those related to protected disclosures, can sometimes be challenging. If you find any part of this policy confusing or need further clarification, we strongly encourage you to reach out for help; you can speak to any Protected Disclosure Act Coordinators, as provided for in this policy, or if you would prefer to, you can contact the Ombudsman to discuss anything related to making a protected disclosure. Your inquiries will be treated with the utmost confidentiality and respect, ensuring that you receive the support you need.

[Ombudsman: Guide to making a protected disclosure](#)

[Ombudsman: Checklist for making a protected disclosure](#)

POLICY OVERVIEW

1. Policy Objectives

To provide current or former workers at Waimate District Council with guidance on understanding the definitions, regulations, and procedures regarding protected disclosures. This includes:

- How to determine if a complaint qualifies for protected disclosure.
- How to properly submit a protected disclosure.
- What assistance and protections are provided to disclosers.
- The responsibility that council has in receiving and investigating protected disclosures.
- To express the Council's support and commitment to high standards of ethical and accountable conduct.

2. Definitions

The Act

Refers to the Protected Disclosures (Protection of Whistleblowers) Act 2022

Serious Wrongdoing

Includes any act, omission, or course of conduct in (or by) any organisation that is 1 or more of the following:

- conduct that is oppressive, unlawfully discriminatory, or grossly negligent, or that is gross mismanagement, by a public sector employee or a person performing a function or duty or exercising a power on behalf of a public sector organisation
- an unlawful, corrupt or irregular use of public funds or public resource
- a serious risk to the maintenance of the law, including the prevention, investigation and detection of offences and the right to a fair trial
- an offence; and
- a serious risk to public health, public safety, the health or safety of any individual, or the environment.

Discloser

An individual who is (or was formerly):

- employees (i.e., a salary or wage earner) of the organisation
- people seconded to the organisation
- individuals contracted to do work for the organisation
- volunteers to the organisation

Appropriate Authority

Refers to the definition outlined in the Protected Disclosures Act 2022 and includes but is not limited to:

- the head of any public sector organisation; and
- any officer of Parliament; and
- the persons or bodies listed in the second column of Appendix A; and
- does not include
 - a Minister; or
 - a member of Parliament.

3. Policy Principles

The following principles underpin the intent and implementation of the Protected Disclosure Policy:

- Council has a statutory and contractual obligation to develop and maintain a safe workplace for all disclosers as defined by this policy and the Act, and a duty to protect the public interest.
- All disclosers as defined by this policy and the Act, are encouraged to report serious wrongdoing in their workplace if they are concerned that it may be occurring, to help prevent the Council from being brought into disrepute.

PROCEDURES**4. Determining what qualifies as a protected disclosure**

4.1 For a complaint to be considered protected the following conditions apply

Disclosures are protected if:

- The discloser believes on reasonable grounds that there is, or has been, serious wrongdoing by any or all of the following: Council elected members, Mayor, Chief Executive, staff, contractors, and volunteers;
- Information regarding the wrongdoing is disclosed in accordance with the Act;

Disclosures are NOT protected if

- The complaint comes from an individual who is not considered a discloser under the definition provided by the Act;
- The complaint is made in bad faith;
- The complaint is made knowing the information provided is false;
- The information provided is protected by legal professional privilege.

5. Making a protected disclosure

- 5.1 If an employee believes, on reasonable grounds, that anyone at Council, such as a staff member, elected member, volunteer, or contractor is involved in any serious wrongdoing, the employee has two courses of action they can take:
- Make the disclosure to an Appropriate Authority (see Appendix A)
 - Notify a Protected Disclosures Act Coordinator.
- 5.2 Disclosures must be made in writing.
- 5.3 Disclosures must be made to a Protected Disclosures Act Coordinator
- Asset Group Manager
 - Community & Strategy Manager
 - Regulatory & Compliance Group Manager
- 5.4 Disclosures can be made to the Chief Executive if it is believed on reasonable grounds that one or any of the Protected Disclosures Act Coordinators is involved in or may be in a relationship or associated with a person who is involved in the alleged serious wrongdoing.
- 5.5 Alternatively, a disclosure can be made to an appropriate authority, found in this policy's Appendix A, at any time. If a disclosure is made to someone on the list who is not the subject matter expert for the disclosure, they will refer it to the correct appropriate authority.
- 5.6 If there are reasonable concerns that a protected disclosure made to an internal party is not being addressed, the same disclosure may be made to a Minister of the Crown or relevant appropriate authority. This action may be taken if:

6. Responding to protected disclosures

- 6.1 When a disclosure has been submitted, the receiving Protected Disclosure Act Coordinator and subsequent parties to the procedure must, within 20 working days of receiving the disclosure:

Protected Disclosure Act Coordinator

- Must not refer to or disclose information that may identify the person who has made the disclosure. (Refer to Section 7.1 for exceptions)
- Acknowledge receipt of the complaint in writing.
- Record the date the disclosure was received.
- Consider the need for assistance from qualified third parties such as legal advice or other specialist independent advice.
- Provide the discloser with information and guidance on
 - What constitutes a protected disclosure in accordance with the Act and this policy; and
 - The protections and remedies available under the Act, the Employment

Relations Act 2000, and the Human Rights Act 1993; and

- Appropriate external authorities the employee may refer the disclosure to, should they see necessary in accordance with the Act and this policy (Appendix A); and
- A likely timeframe for the investigation and, when the time comes, the outcome.
- Interview the discloser, keeping detailed notes of the discussion. This should include the signature of the disclosure to verify the accuracy and completeness of the notes as well as acceptance of the procedures to be followed.
- Keep all relevant documentation of the disclosure and proceedings strictly confidential. Notes and documentation should never be kept on shared or networked drives that can be accessed by others.
- Advise the Chief Executive (or in their absence, the acting Chief Executive) of the disclosure and provide the interview notes and any other relevant information. If the Chief Executive is involved, or suspected/alleged to be involved, in any serious wrongdoing, the Protected Disclosures Act Coordinator will inform the Chair of the Audit and Risk Committee or an appropriate authority, as defined in this policy. The Chair of the Audit and Risk Committee or appropriate authority will oversee any such investigation.

Chief Executive

- 6.2 The Chief Executive is responsible for commissioning whatever investigation, or restorative, or disciplinary actions necessary to deal with the alleged wrongdoing. The Chief Executive may appoint an Investigating Officer (IO) to oversee any ensuing investigation on their behalf.

If the Chief Executive is involved or implicated in serious wrongdoing, then the Chair of the Audit and Risk Committee will fulfil these responsibilities.

The Chief Executive (or, on his behalf, the IO, or the Chair of the Audit and Risk Committee) will:

- Investigate the allegation.
- Keep a detailed file note recording the interview notes received from the Protected Disclosures Act Coordinator, the investigation, and the explanation given to the complainant about procedures to be followed.
- Ensure that the Protected Disclosures Act Coordinator is advised how the matter is being dealt with or how it has been resolved, so that the complainant may be advised within 20 working days from the date that the disclosure was made.
- Where applicable, ensure that the investigation is conducted in accordance with the Waimate District Council Fraud Policy.
- Inform Council's Audit & Risk Committee of the outcome of any investigation.
- Deal with the matter by doing one or more of the following:
 - Address the serious wrongdoing by acting or recommending action.
 - Referring the disclosure to an appropriate authority in accordance with the Act.

- Decide that no action is required.
- 6.3 The Chief Executive (or the Chair of the Audit and Risk Committee), with assistance from the Human Resources Manager (if applicable), is responsible for ensuring that any employee who makes a protected disclosure is immune from disciplinary proceedings and is protected from retaliatory action and victimisation.

7. Protections provided under the Act

If a complaint qualifies for protection, disclosers are afforded the following protections:

- A discloser's identity will be confidential unless certain exceptions apply (see Confidentiality below)
- Disclosers will be protected from civil, criminal, and disciplinary proceeding that might otherwise arise 'because of making the disclosure'.
- Disclosers will be protected from retaliatory action or unfavourable treatment by Council
- Disclosers will be protected by the anti-victimisation provisions of the Human Rights Act 1993.

7.1 Confidentiality

The Protected Disclosures Act 2022 sets a high threshold for when information that identifies or risks identifying the employee who made the disclosure may be disclosed—it must be essential to disclose the particular information, including any of the following reasons:

- disclosers consenting to the release of their identifying information;
- there are reasonable grounds that the identifying information is crucial to the effective investigation of the disclosure;
- to comply with the principles of natural justice;
- to prevent a serious risk to public health, public safety, the health or safety of any individual, or the environment; or
- to cooperate with an investigation by a law enforcement or regulatory agency for the purpose of law enforcement.

7.2 Immunity for civil, criminal, and disciplinary proceedings

Individuals making a protected disclosure are not liable for and civil, criminal, or disciplinary proceeding resulting from the submission of the complaint. This includes protections from internal procedures that limit or prohibit the disclosure of information.

This protection does NOT extend to information protected by legal professional privileges.

7.3 Protection from retaliatory action or unfavourable treatment

Waimate District Council must not retaliate or threaten to retaliate against disclosers because they have made or intend to make a protected disclosure.

Employees, as defined by the Employment Relations Act 2000, are protected from

threatening or retaliatory behaviour. Disclosers may file a personal grievance if they believe that:

- they have been unjustly dismissed; or
- their employment or working environment have been affected or they have been disadvantaged as a result of their disclosure; or
- they have been required to retire or resign.

7.4 **Volunteering supporting information**

The protections offered under the Act also apply to a person who volunteers supporting information as if the information were a protected disclosure of information.

A person volunteers supporting information if the person:

- provides information, in support of a protected disclosure of information made by another person, to:
- a person investigating the disclosure; or
- the person who made the disclosure; and
- is an employee of the organisation in respect of which the disclosure was made; and
- wishes to provide the supporting information so that the serious wrongdoing can be investigated.

However, a person does not volunteer supporting information if the person provides the supporting information only after being:

- required to do so under any enactment, rule of law, or contract for the purposes of the investigation; or
- approached during the investigation by, or on behalf of, the person investigating the matter.

8. Document Control

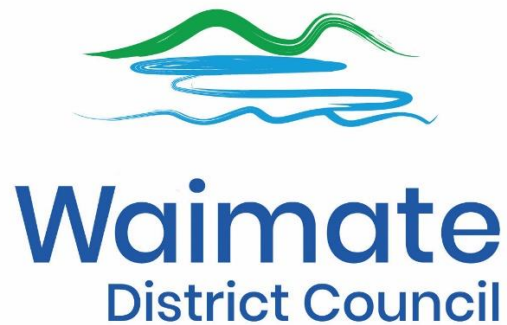
Document owner:	Human Resources Group Manager
Effective:	23/07/2024
Previous review date(s):	8 October 2019 13 September 2016
Next review date:	May 2028
Policy can only be amended by:	Resolution of Council
Council resolution number:	[Enter resolution number]

Appendix A: Examples of concerns and appropriate authorities

Nature of concerns	Appropriate authority
Anticompetitive conduct	Commerce Commission
Bullying or harassment, including sexual harassment	WorkSafe New Zealand (where work-related) Human Rights Commission
Charities	Department of Internal Affairs Solicitor-General
Child welfare and child protection	Oranga Tamariki—Ministry for Children
Consumer protection	Commerce Commission
Crime	Commissioner of Police Director of the Serious Fraud Office
Discrimination	Human Rights Commission
Education service	Ministry of Education Education Review Office
Energy safety	WorkSafe New Zealand (where work-related)
Environment	Ministry for the Environment Department of Conservation
Financial reporting (private sector)	Financial Markets Authority
Financial reporting (public sector)	Controller and Auditor-General
Financial service providers' conduct	Financial Markets Authority
Health	Ministry of Health Health and Disability Commissioner
Health and safety (work-related)	Ministry of Business, Innovation, and Employment WorkSafe New Zealand
Housing	Ministry of Housing and Urban Development
Insurers (licensed insurers)	Reserve Bank of New Zealand
Intelligence and security or classified information	Inspector-General of Intelligence and Security only
International relations	Ombudsman only
Local Government	Ombudsman Controller and Auditor-General Department of Internal Affairs
Police	Commissioner of Police Independent Police Conduct Authority
Privacy of individuals or security of personal information	Privacy Commissioner
Professional or trade conduct	Ministry of Business, Innovation, and Employment
Public sector	Ombudsman Controller and Auditor-General
Public service	Public Service Commission
Racism	Human Rights Commission
Sector regulation	Commerce Commission
Social support or benefits	Ombudsman
State services	Public Service Commission The Treasury
Transport and transport safety issues	Ministry of Transport
Whistleblowing and protected disclosures	Ombudsman

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PART ONE: PROTECTED DISCLOSURES POLICY

1. PURPOSE

Aligning with the Protected Disclosures Act 2000 (the Act), the purpose of the policy is:

- facilitating the disclosure and investigation of matters of serious wrongdoing in, or by, the Waimate District Council (Council); and
- protecting employees who, in accordance with the Act and this policy, make disclosures of information about serious wrongdoing in, or by, Council; and
- outlining the internal procedures for receiving and dealing with information about serious wrongdoing in, or by, Council to assist employees who believe they have discovered serious wrongdoing.

2. APPLICABILITY

The policy applies to all Council staff (past and present), elected members, and all consultants, vendors, contractors, volunteers, and agencies with business relationships with Council.

3. RELATED LEGISLATION/DOCUMENTS

This policy should be read in direct reference to the Act, and operates in conjunction with the related legislation and internal documents listed below:

- Protected Disclosures Act 2000
- Employment Relations Act 2000
- Human Rights Act 1993
- Waimate District Council Fraud Policy
- Waimate District Council Staff Manual;
- Waimate District Council Code of Conduct
- Waimate District Council Audit & Risk Committee Terms of Reference.

Where the suspected serious wrongdoing involves fraud of any kind, the employee should follow the Waimate District Council Fraud Policy.

4. DEFINITIONS

a) 'Employee', without limiting the meaning of that term, includes:

- a former employee;
- a homemaker within the meaning of Section 5 of the Employment Relations Act 2000;
- a person seconded to the organisation;
- an individual who is engaged or contracted under a contract for services to do work for the organisation;
- a person concerned in the management of the organisation, including a person who is a member of the board or governing body of the organisation (e.g. the Mayor, the Councillors, etc.);

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- a person who works for the organisation as a volunteer without reward, or without expectation of reward, for that work.

b) 'Serious Wrongdoing' includes any serious wrongdoing of any of the following types:

- an unlawful, corrupt, or irregular use of funds or resources of a public sector organisation; or
- an act, omission, or course of conduct that constitutes a serious risk to public health or public safety or the environment; or
- an act, omission or course of conduct that constitutes a serious risk to the maintenance of law, including the prevention, investigation, and detection of offences and the right to a fair trial; or
- an act, omission, or course of conduct that constitutes an offence; or
- an act, omission, or course of conduct by a public official that is oppressive, unlawfully discriminatory, or grossly negligent, or that constitutes gross mismanagement; but does not include:
 - something that is not unlawful or offensive but which one may not approve of.

c) 'Appropriate Authority', without limiting the meaning of that term, includes:

- the Commissioner of Police
- the Controller and Auditor-General
- the Director of the Serious Fraud Office
- the Inspector-General of Intelligence and Security
- an Ombudsman
- the Parliamentary Commissioner
- the Parliamentary Commissioner of the Environment
- the Solicitor-General
- the State Services Commissioner
- the Health and Disability Commissioner; and
- the head of every public sector organisation, whether or not mentioned above; and
- a private sector body which comprises members of a particular profession or calling and which has the power to discipline its members; but does not include :
 - a Minister of the Crown or a Member of Parliament.

d) in relations to 'protected disclosure', an employee (as defined above) of Council wishing to disclose information is protected under this policy and the Act if:

- the information is about serious wrongdoing in, or by, Council; and
- the employee believes on reasonable grounds that the information is true or likely to be true; and
- the employee wishes to disclose the information so that the serious wrongdoing can be investigated; and
- the employee wishes the disclosure to be protected.

In accordance with the Act, any disclosure made on these above terms is considered a protected disclosure.

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A disclosure is not protected if the information disclosed is subject to legal professional privilege. This includes information prepared by, or for, lawyers for the purpose of giving or receiving legal advice and also includes documents prepared as to enable lawyers to conduct or advise on litigation.

To be afforded the protections of this policy and the Act, an employee must disclose information in the manner outlined in the 'Protected Disclosures Procedures' section of the present policy.

5. INTERNAL PROCEDURES

Council complies with the Act by ensuring it has in operation appropriate internal procedures for receiving and dealing with information about serious wrongdoing. In accordance with the Act, such procedures:

- comply with the principles of natural justice; and
- identify the persons in the organisation to whom a disclosure may be made; and
- provide details of additional persons whom a disclosure may be made to, and the circumstances necessary for such a disclosure; and
- are published widely within the organisation, and are republished at regular intervals.

6. PROTECTION UNDER THE ACT

The disclosing party has the right to be protected from any civil, criminal, or disciplinary proceedings by reason of having made, or referred, a protected disclosure of information. This includes being subjected to harassment, discrimination, or victimisation for exercising their rights under the Act.

Related to the ability to claim personal grievance, an employee who makes, or refers, a protected disclosure in accordance with the Act and this policy, and subsequently suffers dismissal or unfair disadvantage as the result, may have a personal grievance for the purposes of the Employment Relation Act 2000, Section 103.

Related to the immunity from civil and criminal proceedings, no person who makes, or refers, a protected disclosure in accordance with the Act and this policy is liable to any civil or criminal proceedings or to a disciplinary proceeding.

Related to confidentiality, every person to whom a protected disclosure is made, or referred, must keep the identity of the disclosing party confidential unless:

- those investigating the disclosure reasonably believe that disclosure of identifying information:
 - is essential to the effective investigation of allegations in the protected disclosure; or
 - is essential to prevent serious risk to public health or public safety or the environment; or
 - is essential having regard to the principles of natural justice.

The protections offered under the Act also apply to a person who volunteers supporting information as if the information were a protected disclosure of information.

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A person volunteers supporting information if the person:

- provides information, in support of a protected disclosure of information made by another person, to:
 - a person investigating the disclosure; or
 - the person who made the disclosure; and
- is an employee of the organisation in respect of which the disclosure was made; and
- wishes to provide the supporting information so that the serious wrongdoing can be investigated.

However, a person does not volunteer supporting information if the person provides the supporting information only after being:

- required to do so under any enactment, rule of law, or contract for the purposes of the investigation; or
- approached during the course of the investigation by, or on behalf of, the person investigating the matter.

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PART 2: PROTECTED DISCLOSURES PROCEDURES

7. MAKING A DISCLOSURE

Protected Disclosures Act Co-ordinator

If an employee believes, on reasonable grounds, that anyone at Council, such as a staff member, elected member, volunteer, or contractor is involved in any serious wrongdoing, the employee should notify a Protected Disclosures Act Co-ordinator.

Council Protected Disclosures Act Co-ordinators are:

- Asset Group Manager
- Community & Strategy Group Manager
- Regulatory & Compliance Group Manager

Chief Executive

Disclosures may be made to the Chief Executive if the employee making the disclosure believes on reasonable grounds:

- that the person to whom the wrongdoing should be reported (i.e. one of the Protected Disclosures Act Co-ordinators listed above) is, or may be, involved in the serious wrongdoing alleged in the disclosure; or
- that the person to whom the wrongdoing should be reported is, by reason of any relationship or association with a person who is or may be involved in the serious wrongdoing, not a person to whom it is appropriate to make the disclosure.

Appropriate Authority

Disclosures may be made to an “appropriate authority”, as defined in this policy, if the employee making the disclosure believes on reasonable grounds that:

- the Chief Executive is, or may be involved, in the serious wrongdoing alleged in the disclosure;¹ or
- immediate reference to an appropriate authority is justified by reason of the urgency of the matter to which the disclosure relates, or some other exceptional circumstance; or
- there has been no action or recommended action on the matter to which the disclosure relates within 20 working days after the date on which the disclosure was made.

Minister of the Crown or an Ombudsman

Disclosures may be made to a Minister of the Crown or an Ombudsman if the employee making the disclosure:

- has already made substantially the same disclosure in accordance with the above requirements; and

¹ N.b.: specific to instances of suspected/alleged fraud involving the Chief Executive, the immediate appropriate authority is the Mayor. For further information see: Waimate District Council Fraud Policy.

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- believes on reasonable grounds that the person, or appropriate authority to whom the disclosure was made had decided not to investigate the matter; or has decided to investigate the matter but has not made progress with the investigation within a reasonable timeframe; or has investigated the matter but has not taken any action in respect of the matter nor recommended the taking of action in respect to the matter; and
- continues to believe on reasonable grounds that the information disclosed is true or likely to be true.

A disclosure may be made to an Ombudsman only if it is in respect of a public sector organisation and it has not already been made to an Ombudsman in any of the above instances.

Form of the Disclosure

Disclosures may be made either verbally or in writing, including by email. Disclosures will be accepted from an employee's representative where they are communicating the disclosure on behalf of the employee. The disclosure must still meet the requirements of the Act and this policy.

Anonymous Disclosure

Persons wishing to make an anonymous disclosure should note that the protections of the Act are only available to employees making protected disclosures within the definitions provided by the Act. Employees retain their right under the Act regardless of whether they identify themselves or not at the time of the disclosure. But if an employee who makes an anonymous disclosure wishes to obtain protection under the Act, the onus will be on them to prove that:

- it was they who made the disclosure; and
- they are, or were, employees when they made the disclosure; and
- the disclosure was made in accordance with the Act and this policy.

8. RESPONSIBILITY

Protected Disclosures Act Co-Ordinator

Upon the receipt of a disclosure under this policy, a Protected Disclosures Act Co-ordinator will:

- acknowledge receipt of the complaint in writing; and
- record the date the notification was received; and
- interview the complainant (if applicable), recording pertinent notes; and
- advise the Chief Executive (or in his or her absence, the acting Chief Executive) of the disclosure and provide the interview notes and any other relevant information.

The Chief Executive is responsible for any ensuing investigation.

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If the Chief Executive is involved, or believed to be involved, in any serious wrong doing, the Protected Disclosures Act Co-ordinator will inform the Mayor or an appropriate authority, as defined in this policy. The Mayor or appropriate authority will oversee any such investigation.

The Protected Disclosures Act Co-ordinator receiving a protected disclosure will provide information and guidance to the employee making the disclosure on:

- what constitutes a protected disclosure in accordance with the Act and this policy; and
- the protections and remedies available under the Act, the Employment Relations Act 2000, and the Human Rights Act 1993; and
- appropriate external authorities the employee may refer the disclosure to, should they see necessary in accordance with the Act and this policy; and
- a likely timeframe for the investigation and, when the time comes, the outcome.

Every person to whom a protected disclosure of information is made or referred must not disclose information that might identify the person who made the disclosure unless:

- person making the disclosure consents in writing to the disclosure of their identity; or
- those investigating the disclosure reasonably believe that disclosure of identifying information:
 - is essential to the effective investigation of allegations in the protected disclosure; or
 - is essential to prevent serious risk to public health or public safety, or to the environment; or
 - is essential having regard to the principles of natural justice.

Chief Executive

The Chief Executive is responsible for commissioning whatever investigation, or restorative, or disciplinary actions necessary to deal with the alleged wrongdoing. The Chief Executive may appoint an Investigating Officer (IO) to oversee any ensuing investigation on their behalf.

If the Chief Executive is involved or implicated in serious wrongdoing, then the Mayor will fulfil these responsibilities.

The Chief Executive (or, on his behalf, the IO, or the Mayor) will:

- investigate the allegation; and
- keep a detailed file note recording the interview notes received from the Protected Disclosures Act Co-ordinator, the investigation, and the explanation given to the complainant about procedures to be followed; and
- have the file note signed by the complainant to verify the accuracy and completeness of the interview notes, and record the complainant's acceptance of the procedures to be followed;
- ensure that the Protected Disclosures Act Co-ordinator is advised how the matter is being dealt with or how it has been resolved, so that the complainant may be advised within 20 working days from the date that the disclosure was made; and
- where applicable, ensure that the investigation is conducted in accordance with the Waimate District Council Fraud Policy; and

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- Inform Council's Audit & Risk Committee of the outcome of any investigation.

If these procedures are not followed, the complainant may refer the matter to some other appropriate authority as defined in this policy and the Act.

The Chief Executive (or the Mayor), with assistance from the Human Resources Manager (if applicable), is responsible for ensuring that any employee who makes a protected disclosure is immune from disciplinary proceedings, and is protected from retaliatory action and victimisation.

9. DISCIPLINE AND VICTIMISATION

No person who makes, or refers, a protected disclosure of information in accordance with the Act and this policy is liable to any disciplinary proceeding by reason of having made or referred that protected disclosure of information.

The employer of an employee who makes a protected disclosure of information under this policy and the Act may not take any action against the employee in retaliation for a protected disclosure of information.

The employer of an employee, and any other employee, must not treat or threaten to treat any employee less favourably than he or she would treat other employees in the same or similar circumstances on the ground that the employee, or any relative or associate of the employee,:

- intends to make a protected disclosure of information; or
- has made a protected disclosure of information, or has encouraged the making of a protected disclosure of information by some other employee; or
- has given information or evidence in relation to any complaint, investigation, or proceeding arising out of a protected disclosure of information under the Act and this policy.

10. FURTHER INFORMATION

If you require any further information or have any questions regarding the interpretation or application of this policy please contact the Human Recourses Manager at the Waimate District Council.

11. DOCUMENT CONTROL

Queries:

Policy Analyst

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Effective:	8 October 2019
Previous Review Date(s):	13 September 2016
Next Review Date:	8 October 2022
Document Owner:	Human Resources Manager
To be only amended by:	Resolution of Council

**16.5 WAIMATE DISTRICT COUNCIL REPRESENTATION REVIEW 2024
INITIAL PROPOSAL SUBMISSION**

Author: Carol Cross, Administration Support Officer

Authoriser: Carolyn Johns, Community and Strategy Group Manager

Attachments: 1. **Submission Representation Review 2024 Initial Proposal**  
2. **Representation Review Consultation Document 2024**  

PURPOSE

1. The purpose of this report is to provide Council with the submission on the initial proposal and for Council to decide on the Final Proposal, to be publicly notified.

BACKGROUND

2. The Local Electoral Act 2001 requires all local authorities to determine their representation arrangements every six years. Waimate District Council last carried out a representation review in 2018, and those arrangements applied for the 2019 and 2022 Council elections.
3. Council is required to undertake a representation review for the 2025 and 2028 elections. Representation reviews are reviews of representation arrangements for a local authority. As part of this review Council must determine:
 - a. the number of wards (if any)
 - b. their boundaries, names, and number of members
 - c. whether members are elected at large (over the whole district), by wards, or a mixture of both; and
 - d. the establishment of community boards (if any).
4. Council must complete the initial proposal for the Representation Review no earlier than 20 December 2023, and be publicly notified within 14 days of the resolution and no later than 31 July 2024.

Representation Review

5. If Council wishes to retain the existing wards and/or establish any new wards, it must also resolve to determine the ward boundaries and names. Council may also resolve to change ward boundaries.
6. The review also decides on the number of councillors to be elected.
7. As part of the process, Council must review how the existing community boards (if any) are operating, decide whether to retain them, and/or whether community boards should be established.
8. In reviewing Council's representation arrangements, Council must carefully consider:
 - a. communities of interest.
 - b. effective representation of communities of interest; and
 - c. fair representation of electors.

Defining Communities of Interest

9. The term 'Communities of Interest' is not defined in the Local Electoral Act 2001 and may mean different things to different people. One definition could be "the area to which one feels a sense of belonging and to which one looks for social, service and economic support". Another maybe "that a line can be drawn around specific communities of interest, i.e., they can be geographically identified".

Effective Representation of Communities of Interest

10. Achieving effective representation firstly requires identifying communities of interest. Legislation allows for between 5 and 29 members (excluding the Mayor) for territorial authorities. Effective representation for communities is the determinant in selecting the overall representation arrangements of the local authority – i.e., being elected at large, by ward, or partially by ward and partially at large (mix).

Fair Representation of Electors

11. Legislation states “that the population of each ward or constituency or subdivision, divided by the number of members to be elected by that ward, constituency or subdivision, produces a figure of no more than 10% greater or smaller than the population of the district or region or community divided by the total number of electors”. This does not include the Mayor.
12. The table below is an example using the 30 June 2023 population statistics for each Ward and the current 8 elected members:

Wards	Estimated Residential Population *	Current No. of Councillors per Ward	Population per Councillor	Deviation from district average population per Councillor	Percentage deviation from district average population per Councillor
Hakataramea-Waihaorunga Ward	1,050	1	1,050	0	0%
Pareora-Otaio-Makikihi Ward	2,040	2	1,020	-30	-2.86%
Lower Waihao Ward	1,090	1	1,090	40	3.81%
Waimate Ward	4,220	4	1,055	5	0.48%
Total	8,400	8	1,050**		

Estimated Resident Population at 30 June 2023, based on 2018 census usually resident population counts (Source: Statistics New Zealand).

Population per Councillor, based on estimated residential population divided by 8 members

Population per Councillor: 1,050

13. The Waimate District current ward boundaries map and a guide for elected members produced by Local Government New Zealand (LGNZ) are attached for your information.

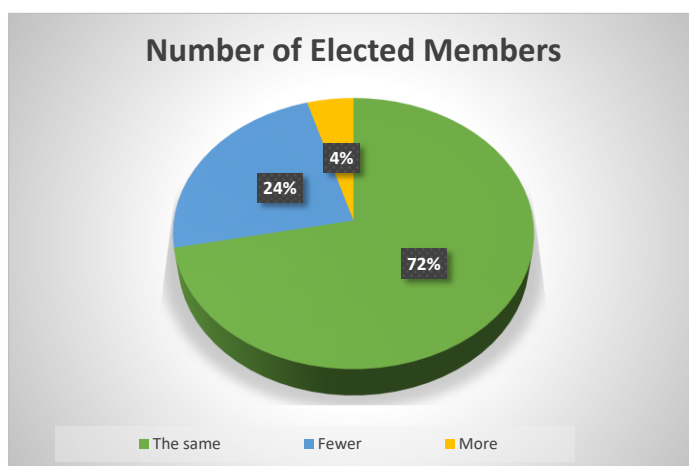
2024 Representation Review Timelines

14. At a minimum, the 2024 review must include the following:

Resolve Initial Proposal for public notice	No earlier than 20 December 2023 No later than 31 July 2024
Public Notice of Initial Proposal	Within 14 days of resolution No later than 8 August 2024
Submission Period	One month (minimum) No later than 8 September 2024
Approve and give public notice of Final Proposal	Within 8 weeks of close of submissions No later than 3 November 2024
Final Proposal available for Appeals or Objections	One month after publication Closes no later than 03 December 2024
Final Proposal	No Appeals or Objections, proposal approved If Appeals or Objections lodged or if Council decides not to comply with +/- 10% rule, Final Proposal must be forwarded to Local Government Commission.
Local Government Commission determination	Determination provided by 10 April 2025
Appeals to LGC on matter of law	Within 1 month of determination

2024 Representation Review to Date

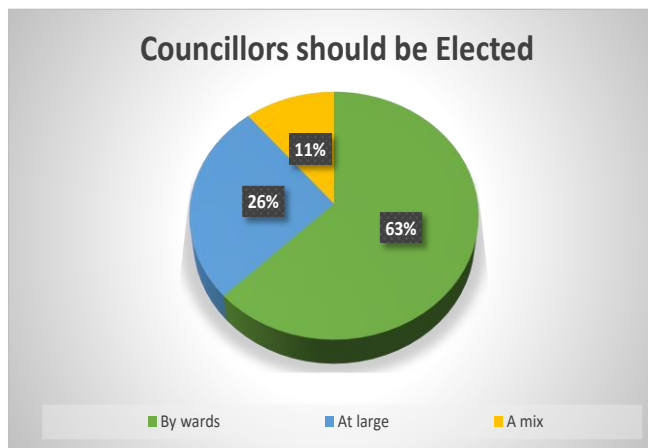
15. On 27 February 2024 a report on the Initial Proposal was provided to Council. Prior to a decision being made, Council wanted to know what the community thought of the number of elected members and how they are elected. An electronic survey through the platform SurveyMonkey was designed and promoted via social media as well as a paper copy printed and delivered to all households in the Waimate district.
16. The community survey results are as follows:
- a. Total number of surveys received = 225



- b. 158 people indicated they wish to see the same number of Councillors
52 people indicated they wish to see fewer
10 people indicated they wish to see more

The results of where people indicated more or fewer Councillors:

27 people = 5 Councillors, 19 people = 6 Councillors, 2 people = 7 Councillors, 1 person = 9 Councillors, 2 people = 10 Councillors, 3 people = 12 Councillors.



- c. 136 people indicated they wish to stay with the current ward system
57 people indicated they wish to have at large, one electorate for the whole district
24 people indicated they wish to have a mix, for example all rural as one ward and urban as another ward
- 17. On 28 May 2024 Council considered the results of the survey to assist in setting the Initial Proposal which was open for public consultation from 10 June 2024 until 10 July 2024.
- 18. One submission was received which is attached for your reading.

2024 Representation Review Next Steps

- 19. If there were no submissions, then the Initial Proposal would become the Final Proposal. As Council received one submission, they now must consider the submission and decide if an amendment to the Initial Proposal is to be made or adopt it without changes.
- 20. The Public Notice will explain the Council's Final Proposal, informing the public of the right to make appeals and objections to the Local Government Commission.

ASSESSMENT OF SIGNIFICANCE

- 21. The decision regarding the process for the representation review is not deemed significant under the Council's Significance and Engagement Policy. The decision itself is significant and must follow legislative requirements which at the minimum requires community input at the draft stage. It also provides opportunity for appeal of Council's final decision to the Local Government Commission.

CONSIDERATIONS

- 22. The six yearly Representation Review process is an important opportunity for the Council and community to consider the appropriate representation model for the Waimate District Council for the next six years. It covers the basis of election, and the nature and approach to representation, including consideration of community boards.
- 23. Legislation sets out a minimum process that must be followed. Council needs to determine the approach it wishes to take to the review to enable the detailed planning to occur.

Legislation

- 24. Local Electoral Act 2001.
- 25. Local Government Act 2002.

Risk

- 26. The risk is minor if legislative timeframes are met.

FINANCIAL

27. Council staff carry out the Representation Review process. Community engagement and advertising costs are approximately \$600, plus the unbudgeted cost for the survey of approximately \$2,000.

Cost-effectiveness

28. This project is considered cost effective, considering the work is undertaken by staff.

RECOMMENDATION

1. That the Waimate District Council Representation Review 2024 Initial Proposal Submission report is accepted, and
2. That Council considers the submission and decides if the initial proposal is to be amended or adopted without changes; and
3. That the Final Proposal is publicly notified.

Representation Review Initial Proposal

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started:
Last Modified:
Time Spent:
IP Address:

Page 1: Submission form

Q1

First name
Tina

Q2

Last name
Stevenson

Q3

Respondent skipped this question

Organisation

Q4

Postal address

Q5

Respondent skipped this question

Home phone

Q6

Respondent skipped this question

Mobile

Q7

Email

Q8

Yes

A full copy of all submissions will be made publicly available. Would you like your contact details withheld?

Representation Review Initial Proposal

Q9

Do you support the initial proposal for representation arrangements for the 2025 and 2028 local elections?

No,

Tell us why:

I advocate for the same number of Councillors to be elected, at large, as I believe this is most likely to facilitate the election of the best quality candidates to represent our District and the community, challenging the Council (and each other) to perform efficiently and effectively - making the best decisions and achieving the best outcomes for the entire district.

Representation Review Initial Proposal

Q10

Do you have any other comments on the initial proposal for representation arrangements for the 2025 and 2028 local elections?

I believe:

- We are one District – and a comparatively small one at that.
- Our District can fairly be described as a rural community, no matter whether you live within the town of Waimate, in one of the smaller townships, on a farm or in the furthest corners of our District.
- All elected members take an oath to work for the entire district. Being elected at large for one district will help reinforce the philosophy that decisions are to be made in the best interests of the entire district.
- The representation review guide describes the concept of “community of interest” which I would ask Council to reflect on.
- The Waimate District as a whole is the single community of interest – we are not large or varied enough for many of these factors to dictate otherwise – we have relatively homogenous communities. The current ward system attempts to provide a distinction by area, but does not address the key factors to determine a community of interest.
- The representation review guide states the general characteristics of territorial authorities that have opted for elections at large have included:

- the district has a relatively compact geographic area, and/or
- a shared common community of interest at the district level, and/or
- communities of interest that are spread across the district rather than being geographically distinct.

I would ask Council to reflect on these characteristics and how they apply to our small, rural District.

- Electing at large is simpler and easier for voters to understand. This could encourage greater voter participation.
- Voting from one pool allows voters to consider diversity and strategise their votes to suit, whereas they have limited control of this when they are only voting for a small portion of the total representation.
- Some voters are presently not afforded the opportunity to vote at all, due to limited candidates standing in some wards.
- There have been a number of occasions in recent Waimate District Council elections where wards have had few candidates - or only the minimum number of candidates, with no election required and the candidates being elected unopposed. Conversely, some wards have had numerous candidates stand for election. Competition between a number of candidates for the entire district would be healthy to help ensure the best quality candidates are elected, to most effectively represent our District.
- In instances where candidates have been elected unopposed, this is not clear to your average voter for other wards. I would question how many urban voters knew that 3 councillors were elected unopposed at the last election, and if those voters then tailored their selections to try and achieve diversity of knowledge, experience, skill sets, ethnicity, age, gender etc. Electing at large is more transparent as to the pool of candidates that can make up the elected membership in its entirety. Also of interest is that candidates who were elected unopposed at the last election did not speak at the meet the candidate evenings, so voters of other wards did not hear ‘their pitch’ in order to vote accordingly to complement their skills and attributes.
- Voting at large, voters would have the opportunity to select what they view as the best candidates to represent our district.

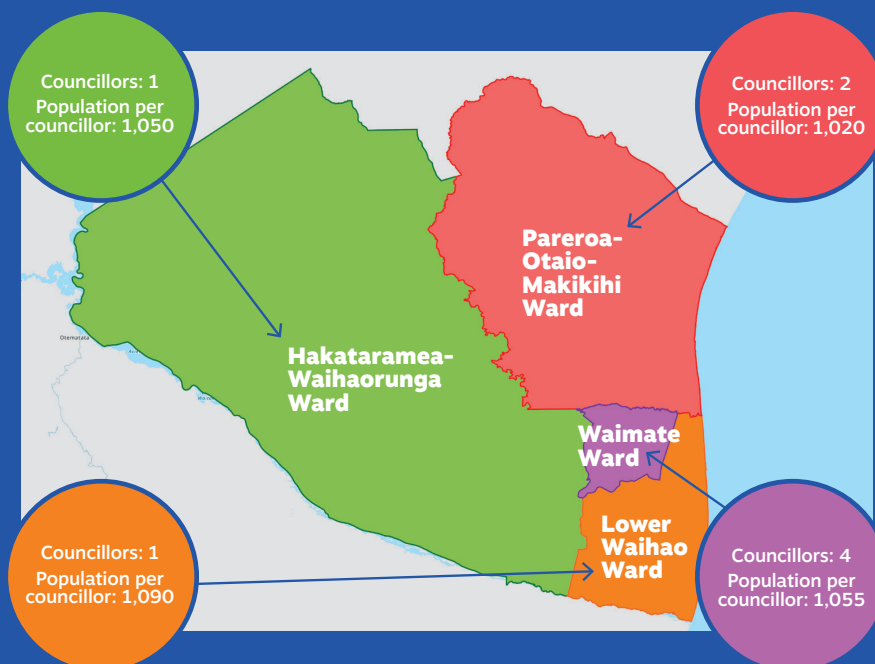
As a current urban ward voter, I would be absolutely happy with all 9 elected members living outside of the town of Waimate, if that’s who the community decided were the best qualified candidates to become our Councillors.

- We have seen candidates with significant rural backgrounds stand in the urban ward and some with little rural experience (aside from living in the area) stand rurally. The current ward system does not guarantee a ‘rural experienced person’ will be elected to a rural ward, and similarly for the urban ward.
- The accessibility, size, and configuration of the council’s geographic area should be considered, including how easy it is likely to be for the population to have reasonable access to elected members and vice versa. I do not believe electing at large would hinder the communities access to elected members... we are just not big enough for that to be an issue. It does not matter where an elected member lives within our district for them to effectively work for and represent our entire District.
- The breaking down of any perceived ‘urban/rural divide’ can be encouraged by abolishing wards and electing elected members from our entire ‘Waimate District’. I see this as a significantly positive outcome from electing at large.
- I note the recent survey showed 37% of survey respondents wanted change in how councillors are elected – i.e. at large, or a mix of at large and wards. This is an indication that a reasonable proportion are seeking change.

- Regarding the number of elected members, the status quo is sufficient to provide effective representation and meet community expectations and challenges. There are sufficient Councillors to keep in touch with the community. The number allows for sufficient diversity to be achieved if electing from one pool of candidates. I do not advocate for a reduction in the number of Councillors, nor do I believe an increase in elected members is required.

Initial proposal for representation arrangements for the 2025 and 2028 local elections

Consultation Document



Waimate
District Council

Initial proposal for representation arrangements for the 2025 and 2028 local elections

Council wishes to thank the community for their response to the pre-engagement survey. Results of the survey can be found on Council's website waimatedc.govt.nz/repreview

On 28 May 2024 the Waimate District Council reviewed its representation arrangements, pursuant to section 19H of the Local Electoral Act 2001, and resolved that the following proposal applies for the elections to be held in 2025 and 2028.

Council representation

It is proposed that the Council comprise eight (8) members elected from the four (4) wards, and the Mayor elected at large. (Status quo)

The four wards reflect the following communities of interest. (Status quo)

Wards	Plan Numbers*	Population**	Councillors	Population per Councillor
Hakataramea Waihaorunga Ward	SO Plan 19416	1,050	1	1,050
Pareora-Otaio-Makikihi Ward	SO Plan 301222	2,040	2	1,020
Lower Waihao Ward	SO Plan 386465	1,090	1	1,090
Waimate Ward	SO Plan 386466	4,220	4	1,055
Total		8,400	8	1,050 average

*Communities of interest are the areas delineated on the plan numbers above and deposited with Land Information New Zealand

**Statistics NZ population estimates as at 30 June 2023.

In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each member represents must be within the range of 1,050 +/- 10%, unless particular community of interest considerations justify otherwise. All four wards are within the stipulated range.

Reasons

- Overwhelming results from our pre-engagement community survey.
- All wards comply with the legislative requirements and provide for fair representation.
- The existing ward structure is well understood by the electors.
- Council is satisfied that the existing structure will continue to provide effective representation for the district's communities of interest.
- No significant changes have occurred since 2018 to indicate that the Council should be proposing changes to the representation arrangements at this time.

Submissions invited

Persons with an interest in the proposed representation arrangements are invited to make written submissions.

- Online at waimatedc.govt.nz/repreview
- Email to submission@waimatedc.govt.nz
- Post to Representation Review 2024 Submission, Waimate District Council, PO Box 122, Waimate 7960
- Deliver to Council reception, 125 Queen Street, Waimate

Further information

An information pack is available online at waimatedc.govt.nz/repreview and at Council reception, 125 Queen Street, Waimate

All submissions must be received by 12pm on Wednesday 10 July 2024

Stuart Duncan
Chief Executive
10 June 2024



Waimate
District Council

Representation Review Initial Proposal

SUBMISSION FORM

Personal details

First name _____ Last name _____

Organisation _____

Postal address _____

Home phone _____ Mobile _____

Email _____

Privacy

A full copy of all submissions will be made publicly available.
Would you like your contact details withheld?

☐ Yes

☐ No

Your feedback

1. Do you support the initial proposal for representation arrangements for the 2025 and 2028 local elections?

☐ Yes

☐ No

Tell us why _____

2. Do you have any other comments on the initial proposal for representation arrangements for the 2025 and 2028 local elections?

Need more room? You can add extra pages if there's not enough space on this form.



Waimate
District Council

125 Queen Street, Waimate 7924
PO Box 122, Waimate 7960
Phone: 03 689 0000
E-mail: council@waimatedc.govt.nz
Web: waimatedc.govt.nz



16.6 WAIMATE LAKES 2023/24 CAMPING REPORT & PROPOSED FEE INCREASE

Author: Alison Banks, Parks and Reserves Manager

Authoriser: Dan Mitchell, Asset Group Manager

Attachments: Nil

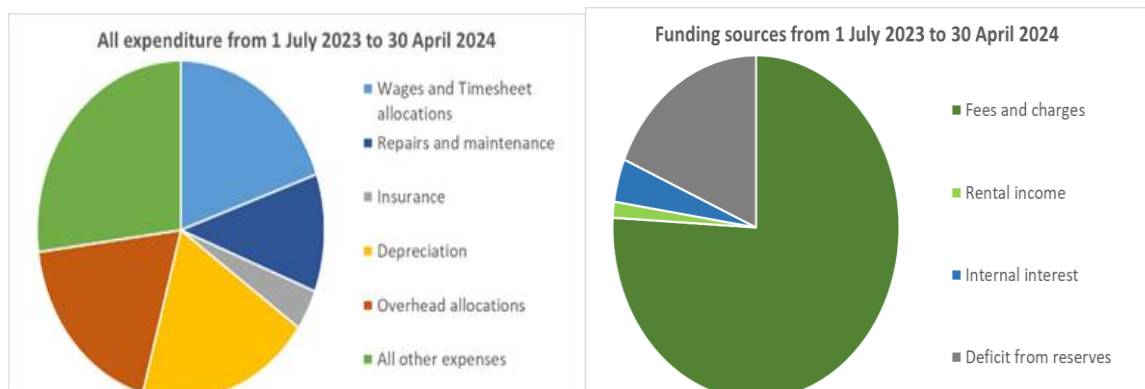
PURPOSE

1. The purpose of this report is to update Council on the 2023/24 camping season and recommend improvements to how the activity operates following the outcome of the Satisfaction Survey and operational review. Additionally, Council will need to consider a revised fee and charge for the 2024/25 season.

BACKGROUND

2. Council received a report on 7 May 2024 giving an overview of tickets sold for the season, where guests were from, and the Satisfaction Survey results.
3. The results for the survey were extremely pleasing with the overall camping experience rating the highest at 89%.
4. The season tickets were down by 51 from the previous year at 523 sold, however the casual ticket sales were up over 410 from the previous year at 1120 sold.
5. Waitaki and South Canterbury residents continue to be the biggest users with only 14% coming from the Waimate district, a 1% increase from the previous year.
6. The main concerns from the survey were tree maintenance, perceived issues regarding vehicles parking up on the side of the road leading up to opening day, regular seasonal campers being allowed entrance and access to 'their' campsite before allowing new campers on site, and a possible increase in fees.
7. Positives included the cleaning team, maintenance of the toilets, maintenance of the grounds and comments such as "what a great place to camp - don't change anything".
8. Recycling improved over time, however with the noticeable size of some camper vans and caravans and the number of overnights passing through, the costs to empty and maintain the black and grey water tanks continues to climb.
9. There was a noticeable decline in cyclists using the camping facilities since the new dry vault toilet block was built. There was plenty of toilet paper for our campers.
10. Implementing a family pass and decreasing the single/couple casual pass proved popular where income was up by \$20,501 from the previous season at \$268,743.
11. Council officers worked diligently to source better deals on and management of supplies, which has contributed to a \$7,631 decrease in expenses from the previous year.
12. Overall, the camping activity continues to run at a loss, however the deficit to 30 June 2024 is estimated at \$96,645 which is an improvement of \$28,402 from the previous year deficit of \$125,047. The reduced deficit compared to the prior year is a direct result of increased fees and charges, and reduced expenditure as noted above.
13. As of 30 April 2024, operations costs such as maintenance, wages etc was 66% of expenses, and the remaining 34% were corporate costs such as insurance, depreciation, etc.
14. As of 30 April 2024, Income mainly came from fees with \$96,645 forecast to be funded from the reserve to cover the estimated deficit to 30 June 2024. It is important to note that the reserve is funded by historic users, many returning year after year and 86% of which are coming from outside the Waimate district. The combined reserves (special and depreciation) have a combined balance of \$400,755.

15. It was proposed in the July 2023 report to Council that the methodology for distributing corporate overhead will be reviewed as part of the next LTP process taking effect in July 2024. Due to the new LTP timeline, this may not occur until the 2025/26 financial year.



PROPOSAL

16. For the 2023/24 season, prices for a season pass increased from \$380.00 to \$450.00 and the overnight ticket for a single person or couple decreased to \$15.00 per night. Council introduced a family pass at \$25.00 per night (family of 4) which proved to be extremely popular.
17. To achieve a break-even point for the Lakes Camping activity, a 55% increase in season pass sales would have been necessary based on the 2022/23 season ticket sales. However, the Council decided against raising season pass prices to the break-even amount of \$580.00. Instead, they opted for gradual increases over the coming years. Council officers are actively monitoring expenses and seeking camper feedback regarding service levels. This will enable an iterative process to occur, utilising a combination of reserve funding, pricing structure and a review of operational costs.
18. Council officers continue to explore options to ensure that all facility users pay appropriately for the privilege. Measures include deploying additional staff during busy periods (such as Christmas and long weekends) and investigating and implementing electronic payment and monitoring systems.
19. For the 2024/25 season, Council has agreed to a fee increase, in line with inflation, of 4% (equivalent to \$20.00). Based on the number of season passes sold during the 2023/24 season, this adjustment would result in increased income of approximately \$10,000.
20. The family casual pass rate is proposed to increase from \$25.00 per day to \$30.00, resulting in an estimated additional income of approximately \$3,000.
21. While predicting income from non-paying customers who have camped is challenging, it is anticipated that there will still be an overall increase in income.

Options

22. Council can review the Lakes Camping activities and decide to increase the family casual pass fees as recommended, or
23. Council can review the Lakes Camping activities and not make any changes at this time, or
24. Council can review the Lakes Camping activities and decide on what the fees will be for the 2024/25 camping season.

ASSESSMENT OF SIGNIFICANCE

25. This is considered of minor significance under Council's Significance and Engagement Policy.

CONSIDERATIONS

26. Council has a statutory role under the Local Government Act 2002 to promote 'the social, economic, environmental, and cultural well-being of communities in the present and for the future (Section 10, 1b)'.
27. Local Government is an essential partner for the tourism sector by playing a critical role in providing visitor services and infrastructure, as well as organising and running events and investing in destination promotion.
28. The Waimate District Council is already heavily invested in the provision of campgrounds throughout the district. This investment is primarily due to the land comprising campgrounds being administered by Council under the Reserves Act 1977, with obligations for public use and enjoyment or through the land being of strategic importance and inappropriate for divestment.
29. Council's current management approach is to keep the business in-house with the expectation to build on current assets, grow the business and enhance visitor experience, while ensuring that the Waimate District continues to be a destination for short and long term stays and recreational activity.
30. The Waimate District Council is actively engaged in promoting community wellbeing, supporting tourism and having available and managing an affordable kiwi camping experience in an amazing environment.
31. However, due to its location there are many passing through, using the facilities at no cost, contractors are required to travel a distance to get onsite for maintenance and the 22 kilometres of shoreline is difficult to manage by one person, especially around fee collecting.
32. Council officers are investigating management systems that could improve current practices such as payment options, accessing facilities and up-to-date data.

Legislation

- a. Camping-Ground Regulations 1985.
- b. Freedom Camping Act 2011.
- c. Building Act 2004.
- d. Conservation Act 1987.
- e. Health Act 1956.
- f. Local Government Act 2002 (LGA) and subsequent amendments.
- g. Reserves Act 1977.
- h. Resource Management Act 1991 (RMA).
- a. Health and Safety at Work Act 2015.

Territorial or Regional Council Regulations, Plans or Bylaws

- i. Cultural and Recreation Facilities Bylaw.
- j. Parks and Reserves, Beaches and Tracks Bylaw.
- k. General Reserves Policies for Waimate 2019.
- l. Long Term Plan (LTP).
- b. Parks and Recreation Asset Management Plan (AMP).

Risk

33. If the reserve continues to cover the shortfall at current levels, the reserve will be reduced to a nil balance in less than 5 years.

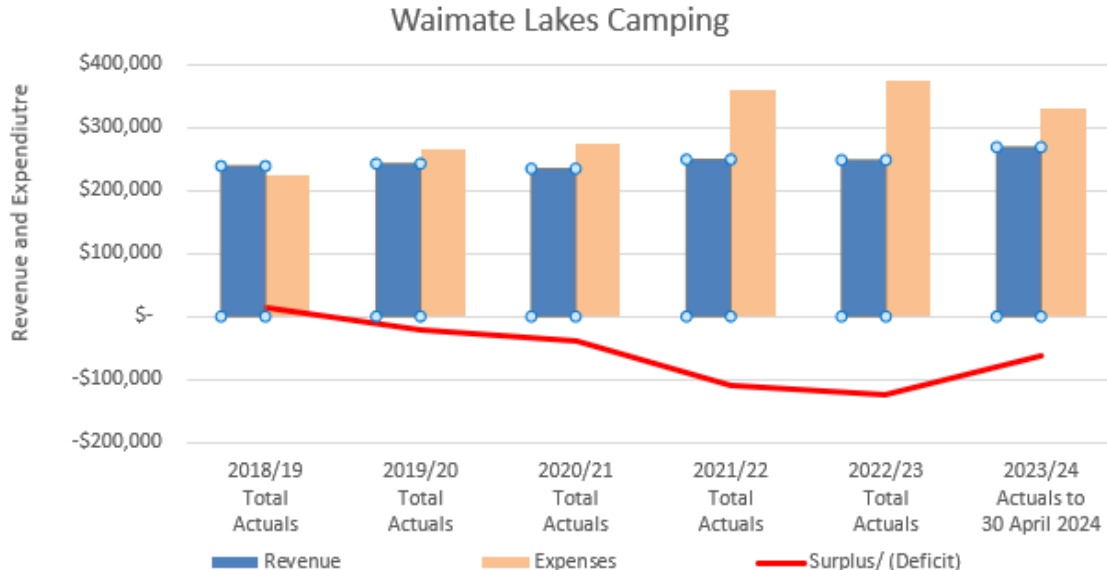
34. Due to the level of use, facilities need to be maintained at a high level and have relied on the reserve to carry out capital works. The infrastructure is classified as critical due to the impact on the health of individuals if it fails.
35. A reduction of users or sales on season passes, however fees still remain relatively cheaper than neighbouring camping grounds and commercial camping grounds.

Other

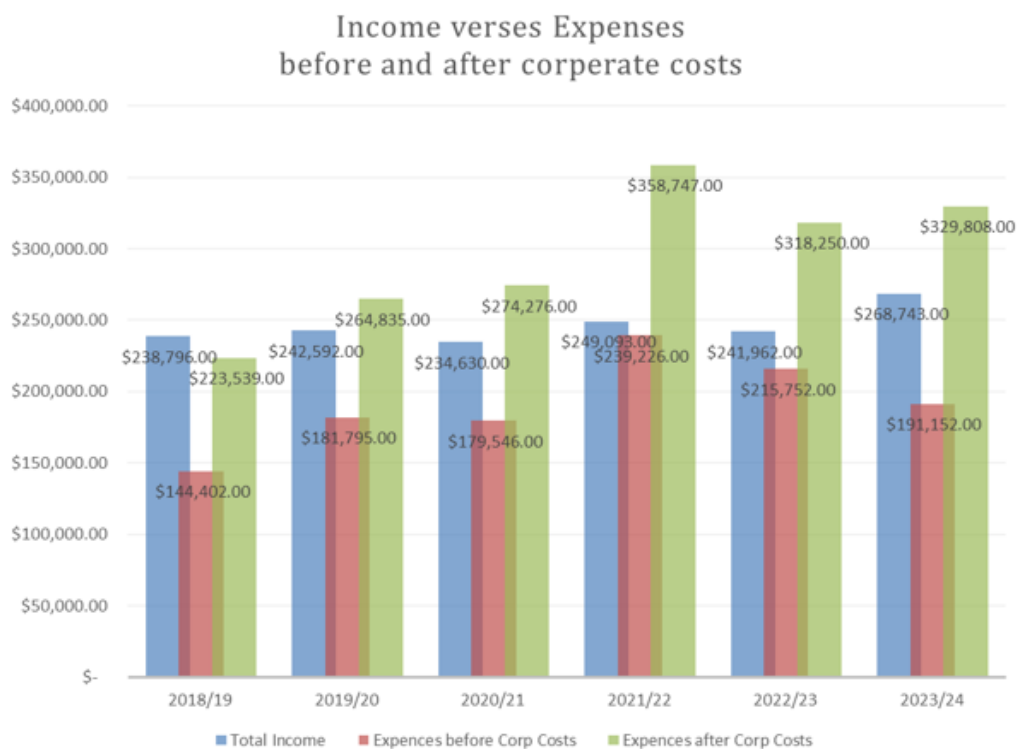
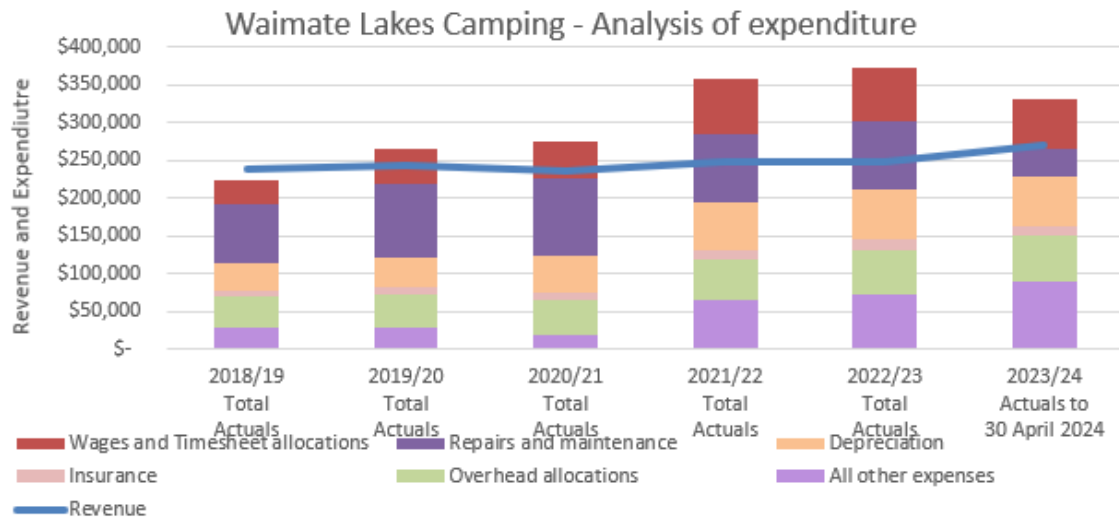
36. From an operational perspective opening day will be managed slightly differently with spaces available for those wanting to park up overnight and the gates will open later in the day. There will be a large tree maintenance programme being carried out during the off season, maintenance works on some of the facilities and reviewing staffing options.

FINANCIAL

37. Council received \$148,913 from Meridian for recreational reserves back in 2012, but part of these reserve's funds has been used on the caretaker's facility, pump station, walking track development and Fisherman's Bend track development. There is currently a balance of \$80,009 in the recreational reserve.
38. On 23 May 2024, Council received approval to change the Deed in relation to Te Akatarawa Road and the Recreational Reserve Fund to Tree Management and Maintenance. This has allowed Council staff to address concerns raised (from the satisfaction survey) around tree maintenance with significant work being carried out between July and August 2024 and again in August 2025.
39. The Waimate Lakes camping activity continues to run at a loss, however the deficit to 30 June 2024 is estimated at \$96,645 which is an improvement of \$28,402 from the previous year of a \$125,047 deficit.



40. Operations costs such as maintenance, wages etc was 66% of expenses and the remaining 34% were corporate costs such as insurance, depreciation etc.
41. Operations costs before corporate costs, have been less than income generated for the past six years but once corporate overheads are added, shows a deficit, relying on the camping reserve to make up the difference. This season \$96,645 is forecast to be funded from the reserve to cover the estimated deficit to 30 June 2024.



Budget

42. The proposal could see an increase of income. With options being currently investigated and a review of corporate costs as part of the LTP process, it is hoped that the activity could break even within the next two to three years.

Cost-effectiveness

43. Consideration has been given to cost-effectiveness and it recommended that an increase in fees are required, whilst being mindful of maintaining affordability.

RECOMMENDATION

1. That the Waimate Lakes 2023/24 Season report be received; and
2. That Council agrees to increase the family casual pass to \$30.00 (GST inclusive) per night, effective immediately.

16.7 WAIMATE TO WAIHAO FORKS CYCLE TRAIL - FUNDING REQUEST

Author: Stuart Duncan, Chief Executive

Authoriser: Stuart Duncan, Chief Executive

Attachments: 1. The Waimate Trail Business Case V1 (under separate cover) 

PURPOSE

1. To consider the Waimate2gether request for \$500,000 from the Waimate District Council (WDC) Subdivision Contribution Reserve Fund.

BACKGROUND

2. Detailed information on the proposal is disclosed under separate cover titled 'The Waimate Trail Business Case V1'.

PROPOSAL

3. Waimate2gether wishes to apply to the WDC Subdivision Contribution Reserve Fund for Stage 1 of the 13km Waimate Trail from Waimate to the Waihao Forks. Should Council agree to this request it would represent approximately 25% of the estimated \$2M budget to complete stage one.

Options

4. That Council considers the request from Waimate2gether for \$500,000 from the Subdivision Contribution Reserve Fund, subject to the reserve balance, or
5. Council decides to offer a different set level of funding, or
6. Council publicly consults on the proposal to fund this project as part of the Long Term Plan 2025-2034, or
7. Council declines the request.

ASSESSMENT OF SIGNIFICANCE

8. This is not deemed significant under Council's Significance and Engagement Policy.

CONSIDERATIONS

9. Section 10 Objective 5 of the WDC District Plan – Financial Contributions and Subdivision provides guidance on the establishment and distribution of funds from the Subdivision Contribution Reserve Fund.
10. The available balance of the Subdivision Contribution Reserve Fund is \$457,420 (balance date with current commitments as at 11 July 2024).
11. The Subdivision Contribution Reserve Fund balance fluctuates with deposits and withdrawals. The following table highlights these balance amounts and the time it has taken to build the reserve.

Subdivision Contribution Reserve Fund history

Year Ended:	Opening balance \$000	Deposits \$000	Withdrawals \$000	Closing balance \$000
30 June 2025 Committed	615	-	(46)	570
30 June 2024 interim	615	25	(25)	615
30 June 2023	589	110	(84)	615
30 June 2022	516	138	(65)	589
30 June 2021	477	64	(25)	516
30 June 2020	536	34	(93)	477
30 June 2019	442	119	(25)	536
30 June 2018	406	36	-	442
30 June 2017	587	46	(227)	406
30 June 2016	430	161	(4)	587
30 June 2015	403	27	-	430
30 June 2014	332	71	-	403

12. Balance as calculated: \$569,720 less committed funds as follows:

- Dog and Agility Park (\$2,500)
- Waimate Tennis court resurface (\$52,000)
- Waimate Bowls artificial turf (\$50,000)
- Kurow Island Boat Ramp (\$7,800) *Completed last financial year – journal to fund from reserve to be done.*

Territorial or Regional Council Regulations, Plans or Bylaws

13. Waimate District Council – District Plan Objective 5 – Recreation, Open Space and Reserves

Objective 5 – Recreation, Open Space and Reserves

A conveniently distributed and accessible range of public open space and recreational areas and facilities to meet the diverse needs of residents and visitors to the district.

Policies

- 5A To encourage and, where possible, provide for a range of recreation opportunities within the district.
- 5B To ensure the provision of open spaces and recreational facilities and areas within or in reasonable proximity to new residential subdivisions to meet the future needs of the community.
- 5C To require contributions towards public open space and recreation facilities and areas from residential subdivision and development to provide for:
 - i. additional parks, walkways and cycleways needed as a result of additional household and/or visitor growth;
 - ii. additional open space needed for visual relief or enhancement;

- iii. development and maintenance of neighbourhood parks and local open space to a level at which they are useable and enjoyable
 - iv. development and maintenance of recreational facilities which serve the local and district community.
- 5D To require financial contributions for the provision and maintenance of open space and recreation facilities where the construction or operation of larger developments, including utilities:
- i. involves permanent on-site staff; or
 - ii. attracts visitors directly or indirectly, or
 - iii. results in the loss of actual or potential open space quality or recreational opportunities;
- and there is a connection between the development and the need for the provision and maintenance of open space and recreation facilities.

Contributions will not be required where sufficient alternative provision has been made.

Explanation and Reasons

The use of contributions by way of land or cash at the time of subdivision or development will assist the Council in acquiring further reserves to improve the availability of these or to improve and maintain the quality and facilities of existing recreation and open space areas. These new or improved recreation areas and facilities will serve the people who will be housed or work in or near the new subdivisions or developments. The basis for the contribution is the additional, actual, or potential demand anticipated for recreational and open space land consequent to subdivision and development, that is, its "effects" in terms of land use intensification. Contributions are not to be imposed as a tax on development but can be in the form of land (where provision is practicable such as from larger "green field" sites) or cash.

With regard to recreation and open space contributions payable by developments, their purpose is:

- To provide conveniently located open space and recreation facilities for construction and permanent workers/staff associated with developments/utilities.
- To provide open space and recreation facilities for visitors to an area where the development/utility is related to the attraction of those visitors.
- To mitigate or off-set the effects of development/utility on the quality and amenity values of existing open space or recreation values, whether temporary or permanent.
- To provide open space and recreation facilities to compensate for the loss of actual or potential recreational and open space opportunities resulting from the development/utility which loss cannot be dealt with satisfactorily by conditions relating to the development site.

Construction workers accommodation camps or similar (e.g. to construct utilities) are subject to the recreation and open space contributions.

Open space and recreation contribution requirements in the Plan apply across the full spectrum of development, except network utilities. The nature of some developments however will be such that they do not result in any adverse effects on recreation and open space provision and values or generate demand for additional facilities. This is particularly the case with some utilities which do not have permanent on-site staff, generate little visitor demand, and do not result in the loss of open space quality or recreational opportunities. Mitigation of any effects may be by alternative means provided as part of a development, negating the need for a contribution. The level of contribution required for a development will

be dependent on such factors in considering resource consent applications to reduce or waive any contribution required.

Risk

14. There are always risks with projects of this nature and Council can mitigate its risk by offering a set amount (or not) subject to Waimate2gether securing the full budget and completing the project. This is similar to the commitments made from this reserve for the Waimate Bowls Club and Waimate Tennis Club.

Other

15. WDC has already committed to a level of support for this project by agreeing to hold the land easements titles for the track/s where it crosses private land (report to Council 28 June 2022 – Proposed Waihao walking and cycling track – draft easement and instrument report).

Budget

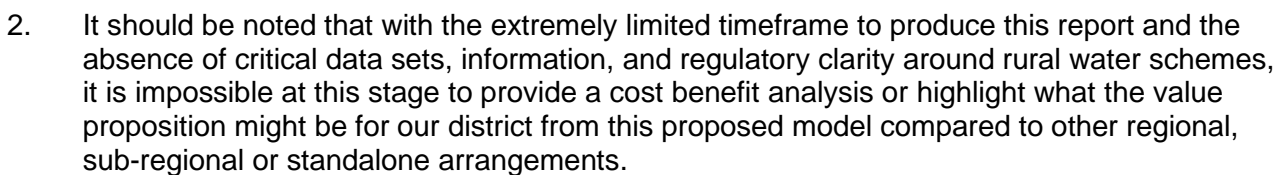
16. This is an unbudgeted request from Council's Subdivision Contribution Reserve Fund.

RECOMMENDATION

1. That the Waimate to Waihao Forks Cycle Trail - Funding Request report be received; and
2. That Council considers the funding request from Waimate2gether for \$500,000; and
 - a) Agrees to a level of funding commitment from the Subdivision Contribution Reserve Fund; or
 - b) Agrees to a level of funding commitment from the Subdivision Contribution Reserve Fund, subject to Waimate2gether securing the total estimated budget and completing the project; or
 - c) Council defers the funding request subject to the outcome of public consultation as part of the Long Term Plan 2025-2034; or
 - d) Council declines the request for funding.

Author: Stuart Duncan, Chief Executive
Authoriser: Stuart Duncan, Chief Executive
Attachments: Nil

1. Following discussions from Tuesday's Council governance workshop, the Chief Executive was asked to draft a report for the next Council meeting on the proposal by Selwyn District Council for South Island councils to indicate an interest in forming an asset owning council-controlled organisation (CCO) across the geographical area of the Ngāi Tahu Takiwa (*emailed to all Councillors 08/07/2024*). This is similar in size to the previous government's Entity D area highlighted in the below picture in green.



3. The Selwyn District Council proposal is one of many options available to councils. We anticipate the Local Government (Water Services Preliminary Arrangements) Bill to reach ascension within the next three weeks and once enacted will trigger the 12-month timeframe for councils to prepare and submit a Water Services Delivery Plan. The overarching purpose of the Plans is for councils, individually or jointly, to publicly demonstrate their intention and commitment to deliver water services in ways that are financially sustainable, meet regulatory quality standards for water network infrastructure and water quality, and unlock housing growth.

4. **Key areas** of the Local Water Done Well: (Water Services Preliminary Arrangements) Bill are:
- Requirements for councils to develop Water Services Delivery Plans (within 12 months of enactment).
 - Requirements for councils to include in those Plans baseline information about their water services operations, assets, revenue, expenditure, pricing, and projected capital expenditure, as well as necessary financing arrangements, as a first step towards future economic regulation.
 - Streamlined consultation and decision-making processes for setting up water services council-controlled organisations (water services CCOs).
 - Provisions that enable a new, financially sustainable model for Watercare (*not an issue for WDC*).
5. **The principles** of the Coalition Government Local Water Done Well are:
- Introducing greater central government oversight, economic and quality regulation.
 - Fit-for-purpose service delivery models and financing tools, such as improving the current CCO model and developing a new class of financially separate council-owned organisation.
 - Setting rules for water services and infrastructure investment.
 - Ensuring water services are financially sustainable. Financial sustainability means revenue sufficiency, balance sheet separation, ring-fencing, and funding for growth.
6. Council is reminded about the information delivered as part of the Yule Alexander presentation at Timaru District Council on 15 July 2024 which highlighted to attendees that each council will have 12 months and get two opportunities to present a Water Services Delivery Plan for approval by the Department of Internal Affairs (DIA). Should both plans be rejected, the back stop provisions of the Bill will be activated which gives DIA, through the Minister of Local Government, the power to appoint a Crown Officer to complete the Water Service Delivery Plan on behalf of Waimate District Council (WDC).

OPTIONS

7. Council supports the proposal by Selwyn District Council for a Canterbury-wide CCO with a geographical area of the Ngāi Tahu Takiwa and instructs the Chief Executive to engage with the process and begin to submit the request for information (RFI) data as requested by Selwyn District Council; or
8. Council declines the proposal by Selwyn District Council for a Canterbury-wide CCO, or
9. Council investigates other regional, sub-regional, or standalone three waters models.

ASSESSMENT OF SIGNIFICANCE

10. This matter is not deemed significant under Council's Significance and Engagement Policy.

Risk

11. Council has 12 months from the enactment of the Local Government (Water Services Preliminary Arrangements) Bill to submit and get approval for a Water Service Delivery Plan. Council will need to work at pace to individually or jointly identify our preferred three waters model (including partner councils) to prevent the triggering of the legislative back-stop provisions.

FINANCIAL

12. Management is currently developing a draft budget and exploring all opportunities to fund elevated costs and mitigate rates increases.

RECOMMENDATION

1. That the Local Water Done Well - Selwyn Takiwa Council-Controlled Organisation Proposal report be received; and
2. That Council considers the proposal; and
 - (a) Supports the proposal by Selwyn District Council for a Canterbury-wide council-controlled organisation with a geographical area of the Ngāi Tahu Takiwa, or
 - (b) Declines to engage with the proposal by Selwyn District Council for a Canterbury-wide council-controlled organisation.

16.9 DOG CONTROL ANNUAL REPORT 2023-2024

Author: Dylan Murray, Regulatory and Compliance Group Manager

Authoriser: Dylan Murray, Regulatory and Compliance Group Manager

Attachments: Nil

PURPOSE

1. The purpose of this report is to inform the Council of dog control activities during the period 1 July 2023 to 30 June 2024.

BACKGROUND

2. Section 10A of the Dog Control Act 1996 (the Act) requires that Waimate District Council provides specific information publically by way of an annual report each financial year (within one month of the Council adopting this report). This report is provided to satisfy that requirement.

PROPOSAL

3. The following dog control data relates to the 12-month period ending 30 June 2024.

Number of registered dogs in the district:

Class	2022/23	2023/24
Pet, Working, and Rural Pet	2821	2842
Dangerous	4	5
Menacing	17	19
Total	2842	2866

Number of disqualified/probationary owners in the district:

Class	2022/23	2023/24
Disqualified Owners	Nil	1
Probationary Owners	1	3
Total	1	4

Number of dogs classified as dangerous during the reporting year:

Dangerous	2022/23	2023/24
Total	2	2

Number of dogs classified as menacing during the reporting year:

Menacing	2022/23	2023/24
Total	3	3

Number of infringement notices issued:

Infringement	Section	2022/23	2023/24
Failure to keep dog under control or confined on owners' property	s52A	Nil	6
Failure to keep dog under control	s53(1)	6	1
Failure to microchip dog	s36A(6)	9	17
Failure to register dog	s42	44	30
Failure to comply with classification	s33EC	Nil	1
Failure to comply with any bylaw authorised by the section	s20(5)	1	2
Total		60	57

Note: The total number of infringement notices served excludes cancellations.

Number and nature of dog related service requests received:

Service request	2022/23	2023/24
Wandering dogs	121	150
Barking dogs	54	66
Rushing dogs	10	13
Animal attacks	6	9
Person attacks	2	4
Total	193	242

Number of prosecutions undertaken:

Prosecutions	2022/23	2023/24
Total	Nil	Nil

4. It is a statutory requirement for Waimate District Council to provide an annual report each financial year, which must be publicly notified.

ASSESSMENT OF SIGNIFICANCE

5. This matter is not deemed significant under the Council's Significance and Engagement Policy.

CONSIDERATIONS

6. The animal control data identifies an increase of 24 registered dogs throughout the Waimate District, compared to 2022/23. 100% of known dogs in the Waimate District were registered for the 2023/24 year.
7. There was a decrease in wandering dogs, down 9 on the previous year. There were 33 dogs impounded with 30 being reclaimed by their owners and 3 being re-homed.
8. Dangerous and Menacing dogs are 100% compliant with all specified requirements.
9. The dog behaviour/safety programme was completed for 2023/24 and it was very successful. 'Wolfie' the retired greyhound is still proving very successful within the community providing education around dog safety.

10. The report meets the reporting requirements of section 10A of the Act, once adopted by the Council.

Legislation

11. Dog Control Act 1996.

Territorial or Regional Council Regulations, Plans or Bylaws

12. Waimate District Council Bylaw Chapter 6 – Control of Dogs
13. Waimate District Council Policy Document – Dog Control

RECOMMENDATION

1. That the Dog Control Annual Report 2023/24 be accepted; and
2. That, as required by the Act, Council adopts and publicly notifies the report.

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

Nil

PUBLIC EXCLUDED

18 EXCLUSION OF THE PUBLIC REPORT

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
18.1 - Public Excluded Minutes of the Council Meeting held on 25 June 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
18.2 - Outstanding Council Actions Report - Public Excluded	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 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
18.3 - Appointment of Alpine Energy Board Members	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
18.4 - Alpine Energy Statement of Corporate Intent FY2025-2027 and Annual Report FY2024	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)(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

19 RE-ADMITTANCE OF THE PUBLIC REPORT
MEETING CLOSURE