

Urgent Reports Agenda

**Notice is hereby given of
Council's Swearing in Ceremony and
Inaugural Council Meeting (continued from
Tuesday 28 October 2025)**

Friday 31 October 2025

11:00am

**Council Chamber
Waimate District Council
Queen Street
Waimate**

www.waimatedc.govt.nz

Order Of Business

Reports	3
16 General Reports	3
16.1 Legislative Advice for the Incoming Council	3
16.2 Appointment of Deputy Mayor and Council Committee Members 2025-2028	13
16.3 Appointment of Council Representatives to External Groups and Organisations 2025-2028	17
16.4 Adoption of Waimate District Council Schedule of Meetings 2026	20
16.5 Councillor Remuneration Pool Allocation	23
16.6 Adoption of Annual Report for Year Ended 30 June 2025	27

REPORTS

16 GENERAL REPORTS

16.1 LEGISLATIVE ADVICE FOR THE INCOMING COUNCIL

Author: Nicole Timney, Community Services and Strategy Group Manager

Authoriser: Stuart Duncan, Chief Executive

Attachments: Nil

PURPOSE

1. The purpose of this report is to provide a summary of the key pieces of legislation that are of importance to elected members as required by the Local Government Act 2002 (LGA).

REQUIREMENTS FOR FIRST MEETING

2. The newly elected Mayor (or, in the absence of the Mayor, their nominee) will chair the first meeting having made their declaration, along with elected Councillors on Tuesday 28 October 2025.

The business to be conducted at the first meeting following a general election and official declarations must include the following:

- (a) *A general explanation, given or arranged by the chief executive, of:*
 - i. *LGOIMA; and*
 - ii. *Other laws affecting members, including the appropriate provisions of the Local Authorities (Members Interests) Act 1968; and sections 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013.*
- (b) *The fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings; and*
- (c) *The election of the deputy Mayor or deputy Chairperson in accordance with cl.17 Schedule 7, (LGA 2002). Please note that the election of a deputy mayor is not required if the Mayor has already made the appointment under s. 41A (3)(a) of the LGA 2002 prior to the meeting. Nothing limits a territorial authority from removing a deputy Mayor from office in accordance with cl.18 of Schedule 7 LGA 2002.*

BACKGROUND

3. Clause 21(4) Schedule 7 of the LGA requires that at the first meeting of Council following the triennial general election, a general explanation must be given of the Local Government Official Information and Meetings Act 1987 and other laws affecting elected members including:
 - i. the appropriate provisions of the Local Authorities (Members' Interests) Act 1968;
 - ii. sections 99, 105 and 105A of the Crimes Act 1961;
 - iii. the Secret Commissions Act 1910; and
 - iv. the Financial Markets Conduct Act 2013.
4. An explanation of the Health and Safety at Work Act 2015 and the Public Records Act 2005 as it applies to Council and elected members has also been provided.

LOCAL GOVERNMENT ACT 2002 (LGA)

5. The LGA spells out local government's purpose, its general powers, specific bylaw making powers and the principles and processes that councils must abide by when making decisions.
6. The purpose of local government is defined in section 10 of the LGA as:
 - a. to enable democratic local decision-making and action by, and on behalf of, communities; and
 - b. to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.
7. Although couched as a single purpose, there are clearly two purposes to local government: the enabling of community democracy and addressing the four broad areas of community wellbeing.
8. The role of a local authority is to:
 - a. give effect, in relation to its district or region, to the purpose of local government; and
 - b. perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment.
9. The LGA is based on the principle of general competence that enables a council to do whatever is necessary to fulfil its role and achieve its purpose. Within this framework, there is a considerable degree of flexibility in deciding what activities are undertaken and how they are carried out.
10. As elected members, you are responsible for making key policy decisions that guide the Council's activities and provide the direction for the district's future.
11. In performing its role, a council must act in accordance with the key principles set out in s14 of the LGA (refer Attachment 1).
12. If any of these principles, or any aspects of wellbeing referred to in section 10 are in conflict in any particular case, then the Council should resolve the conflict in accordance with the first key principle – by conducting its business in an open, transparent, and democratically accountable manner.

Personal Liability of Elected Members

13. Section 43 of the LGA provides an indemnity (by the Council) for elected members in relation to:
 - a. civil liability (both for costs and damages) if the member is acting in good faith and in pursuance of the responsibilities or powers of the Council;
 - b. costs arising from any successfully defended criminal action relating to acts or omissions in his or her capacity as an elected member.
14. The LGA provides for a theoretical personal exposure for elected members in certain circumstances if the Council has incurred loss due to actions of the Council. The loss must arise out of one of the following situations:
 - a. the Council unlawfully spends money;
 - b. the Council unlawfully sells or disposes of an asset;
 - c. the Council unlawfully incurs a liability; or
 - d. the Council intentionally or negligently fails to enforce the collection of money it is lawfully entitled to receive.
15. The loss is recoverable as a debt due to the Crown and must be paid back to the Council from each elected member jointly and severally.

16. However, as a member of the Council, you have a defence if you can prove that the act or failure which led to the loss occurred:
 - a. without your knowledge; or
 - b. with your knowledge but against your protest made at or before the time when the loss occurred; or
 - c. contrary to the manner in which you voted on the issue at a meeting of the Council; or
 - d. in circumstances where you acted in good faith and relied on information, or professional or expert advice given by a Council officer or professional advisor on matters which you reasonably believed were within that person's competency.

LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987 (LGOIMA)

17. LGOIMA provides for all local government activities to take place in an open and transparent environment. It also specifies that, generally, all information held by a local authority in any form should be available to the public.
18. The purpose of LGOIMA is to enable the public to have progressively increased access to any official information held by local authorities. However, official information and Council deliberations are to be protected to the extent consistent with public interest and personal privacy.
19. There are two aspects to LGOIMA:
 - a. Access to information held by a local authority; and
 - b. Local authority meetings.
20. A brief overview of these provisions is provided below.

Access to Local Authority Information

21. Generally, all information held by a local authority in any form should be available to the public. This is not limited to written documents (reports, emails, letters, notes etc) but extends to non-written material on computers, recordings etc held by an officer or member in their official capacity.
22. This last point is important – information held by elected members in their official capacity is deemed to be held by the Council itself. This will include emails, texts etc regardless of the device on which this information is held, provided the member is acting in their official capacity.
23. However, LGOIMA does provide certain reasons that a council might rely on to withhold information, such as the protection of privacy, commercial advantage, protection of negotiations and so on. The withholding reasons are relatively narrow and are subject to an overriding public interest test, i.e. is the reason(s) for withholding that information outweighed by other considerations which render it desirable, in the public interest, to make that information available? Highly contentious matters may have a high public interest component favouring release so always be conscious of this in your communications.
24. Under LGOIMA, the authority to make decisions regarding whether information should be released is delegated to the Chief Executive.
25. Members are not automatically entitled to access all information held by the Council. Members are entitled to information that is reasonably necessary to enable them to perform their duties as elected members. Access to any information to which their position as an elected member does not entitle them will be governed by LGOIMA.

26. As a general rule, any information contained in the open section of any agenda is already in the public domain. However, any information marked “Public Excluded” or “Confidential” should not be released to the public or discussed outside the meeting concerned. Elected members must keep to the law. A member cannot choose when to obey rules regarding confidentiality, and when to breach them. The constant and consistent observance of the rules regarding confidentiality is critical to the delivery of good governance to the community.
27. If, as an elected member, you are asked to provide any such information to a third party, you should refer the request to the Chief Executive in the first instance. Should an elected member release confidential information and should the Council suffer any loss as a result, the member may become personally liable for the Council’s loss if it can be shown that the member was not acting in good faith.

Local Authority Meetings and Confidentiality

28. LGOIMA provides that all meetings of Council, which includes meetings of its committees, shall be open to the public unless certain specified reasons can be satisfied for excluding them.
29. These reasons are basically the same as for withholding information and are set out within section 48 of LGOIMA. It is necessary for the meeting to be satisfied that any one or more of these reasons exist before the public is excluded. Staff will provide guidance where it might be appropriate for the Council or for one of its committees to meet with the public excluded.
30. When the public is excluded by due resolution of the Council, and when the Council holds information confidentially, then it is critical that the rules of confidentiality are strictly observed and maintained by the members of the Council.
31. The current Standing Orders include a provision to the effect that no member or officer may disclose to any person, other than another member, officer or person authorised by the Chief Executive, any information that has been, or will be, presented to any meeting from which the public is excluded, or proposed to be excluded.
32. The obligation to comply with this confidentiality obligation is reinforced by clause 16(1) of Schedule 7 to the Local Government Act 2002 which provides that “A member of a local authority must abide by the standing orders adopted under clause 27”.
33. Section 238(1) of the Local Government Act makes it an offence for a member to fail to comply with a direction or prohibition given under the Act. Accordingly, a breach of the confidentiality provisions within Standing Orders may be an offence that might lead to a prosecution and a fine.
34. Breaching confidentiality is dealt with seriously because the obligation of confidence and the obligation for open government must be observed with equal assurance. Actions which involve “going public” are akin to public self-promotion and are dishonourable (and potentially illegal). If good governance and good decision-making is to be delivered, then members must maintain a high standard of personal integrity.

Workshops

35. You will be invited to a number of workshops that are not subject to the formal meeting requirements in LGOIMA. As such, decisions and resolutions cannot be lawfully made at a workshop.
36. Staff are acutely aware that holding workshops can create a perception that an issue has been predetermined when it is subsequently brought to an open meeting for deliberation and a decision. Accordingly, workshops are most commonly used to provide members with detailed and complex information that would be impractical to run through at a formal meeting.
37. While the default position is to have these workshops open to the public, there may be occasions where the subject matter is of a sensitive nature. In this case, the withholding grounds in LGOIMA are used as a guide when assessing whether a workshop should be closed to the public.

Qualified Privilege

38. LGOIMA provides that written or oral statements of any matter before a meeting of the Council or Committee are privileged unless the statement is provided or motivated by ill will. This type of privilege is known as qualified privilege.
39. Qualified privilege is a protection afforded by the law on certain occasions to a person acting in good faith and without any improper motive who makes a statement defamatory of another person. It is established law that meetings of local authorities constitute a privileged occasion. The reason given by the courts is that those who represent local government electors should be able to speak freely on any matter they believe affects the interests of their residents. The situation regarding statements made outside a formal meeting is not so clear. Certainly the statutory protection of LGOIMA (sections 52 and 53) would not necessarily extend outside a meeting. What is required for qualified privilege to apply is a positive belief in the truth of what is said, and that there is no suggestion of personal spite or ill-will by the maker.

LOCAL AUTHORITY (MEMBERS' INTERESTS) ACT 1968

40. The Local Authorities (Members' Interests) Act 1968 (LAMIA) helps protect the integrity of local government by ensuring that local authority members cannot take advantage of their official position for personal financial gain. Members need to understand LAMIA because breaching its rules can lead to a criminal conviction and automatic disqualification from office.
41. Note that LAMIA covers only the *financial* interests of members. Your induction programme includes guidance about non-financial interests and predetermination that might affect a member's ability to participate in decision-making.
42. LAMIA has two main rules:
 - a. The first rule (known as **the contracting rule**) is that members cannot benefit from contracts with the Council they are "concerned or interested in" if payments made under those contracts are more than \$25,000 (exclusive of GST) in any financial year (1 July – 30 June).
 - i. A member is "concerned or interested" in a contract if:
 - they are a party to the contract;
 - the contract is between the Council and another person or organisation, and:
 - a. the member benefits financially from the contract; or
 - b. LAMIA deems the member to be concerned or interested in the contract.
 - ii. LAMIA deems an interest if:
 - a. The member's spouse or partner is concerned or interested in a contract (unless the member and their spouse or partner are living apart, or the member did not know, or have a reasonable opportunity of knowing, that they were concerned or interested in the relevant contract); or
 - b. If the Council enters into a contract with a company in which the member or their spouse or partner have some interest or involvement, if the member or their spouse or partner:
 - i. singly or together, own 10% or more of the shares in the company or another company that controls it;
 - ii. is a shareholder of the company, or another company that controls it, and one of them is the managing director or general manager of the company or the controlling company; or
 - iii. is the managing director or general manager of the company and one of them is a shareholder of another company that controls it.

- iii. Members are responsible for letting their council know about any interests they have that might result in them benefitting from contracts, either directly or indirectly (for example, through their spouse or partner or through a business they are involved in).
 - iv. Although it is not a legal requirement, we have a Register of Members' Interests (which you will have already completed) to support compliance with LAMIA. Members should ensure that any business interests that they or their spouse or partner have that might result in contracts with the local authority are recorded in the Register. This helps ensure that members have been transparent about their interests, and that staff who need to know can monitor contracts or contracting processes in which members might have an interest.
- b. The second rule (known as **the non-participation rule**) is that members cannot participate (discuss or vote) in matters before the Council in which they have a financial interest, other than an interest in common with the public.
- i. LAMIA doesn't define a "financial interest". The Office of the Auditor-General says that a financial interest is "a reasonable expectation of financial loss or gain" from the particular decision.
 - ii. A financial interest may be direct or indirect, e.g.
 - be a quantifiable dollar amount;
 - involve cash changing hands;
 - relate to an increase or decrease in the value of something (for example, property or shares); or
 - be an effect on the turnover of a business.
 - iii. While a direct financial interest is relatively easy to identify (being a direct financial gain or loss to a member) an indirect financial interest can be harder to identify. However, LAMIA does identify two common scenarios that are a deemed financial interest:
 - a. **Deemed interest through your spouse or partner** e.g. if your spouse or partner has a financial interest in a matter before the Council, you are deemed, for the purposes of LAMIA, to have the same interest unless the two of you are living apart at the time of the discussion or vote;
 - b. **Deemed interest through company** e.g. If you or your spouse or partner is involved in a company that has a financial interest in a matter before the local authority, you are deemed, for the purposes of the Act, to have the same interest if you, or your spouse or partner:
 - i. singly or together, own 10% or more of the shares in the company or another company that controls it;
 - ii. is a shareholder of the company, or another company that controls it, and one of you is the managing director or general manager of the company or the controlling company; or
 - iii. is the managing director or general manager of the company, and one of you is a shareholder of another company that controls it.
 - iv. Note that there are other ways you can have an indirect financial interest in a matter before the Council. For example, you might have an indirect financial interest in a matter if you are a beneficiary of a family trust that has a financial interest in that matter.

43. LAMIA provides some exceptions and exemptions to these rules, e.g. the Council can apply to the Auditor-General for *prior* approval of a contract (and retrospective approval in limited circumstances) and members can apply to the Auditor-General for approval to participate in decision-making that might otherwise be prohibited by the Act.
44. If a person breaches the \$25,000 limit that person is disqualified from holding office and an extraordinary vacancy arises. The disqualification remains until the next triennial election. Where a disqualified person act as a member an offence is committed with a maximum fine of \$200.
45. If in doubt, members should refer to the wording in LAMIA, seek advice from Council staff, or seek legal advice, either through the Council's legal team or through your own lawyer.

Pecuniary Interest

46. The Act provides that no elected member shall vote on, or take part in the discussion of any matter in which that person has, directly or indirectly, any "pecuniary interest" other than an interest in common with the public.
47. The prohibition includes where the member's spouse has a pecuniary interest and where the member or their spouse holds 10% or more shares in a company or a controlling company, which has a pecuniary interest, or either person is a shareholder and is managing director or general manager of the company.
48. Members who are prohibited under the Act from voting on or discussing a matter are under a duty to declare to the meeting their pecuniary interest and their abstention from discussing or voting must be recorded in the minutes.
49. The prohibition against discussing or voting on a matter does not apply in certain situations, such as:
 - a. members' remuneration where the maximum rate has already been fixed;
 - b. election or appointment of any member to a Council office, notwithstanding that remuneration is payable; and
 - c. the preparation, approval, or review of a district scheme or district plan, unless the matter relates to any variation or change or departure from a district scheme or district plan or to the conditional use of land.
50. The Auditor-General has the power to declare the prohibition shall not apply in respect of any particular matter if the Auditor General is satisfied the prohibition would impede the business of the Council or that it is in the interest of the electors that the prohibition not be applied.
51. Any member who contravenes the prohibition commits an offence liable to a fine of \$100. Upon conviction the member vacates office and an extraordinary vacancy is created.

Non-Pecuniary Interest

52. Although not covered by this Act, non-pecuniary interests are covered by common law.
53. The most common risk of non-pecuniary bias are where:
 - a. statements or conduct by the elected member indicate that a matter has been predetermined before hearing all the information; or
 - b. there is a close relationship or involvement between the elected member and with an individual or organisation affected by the matter.
54. An elected member's participation in discussions and decision-making where there is a non-pecuniary interest could create a legal risk for the local authority's decisions.

55. If an elected member determines they have a non-pecuniary conflict of interest in a matter before the Council, it is recommended that the member:
- declare the conflict of interest when the matter arises;
 - refrain from discussing or voting on the matter; and
 - ensure that the declaration and abstention is recorded in the minutes.

CRIMES ACT 1961: SECTIONS 99, 105 & 105A

56. Under this Act, it is unlawful for an elected member (or officer) to:
- Accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of the Council; or
 - Use information gained in the course of their duties for their, or another person's advantage or monetary gain.
 - Section 105 and 105A of the Act state:

105. Corruption and bribery of official—

(1) Every official is liable to imprisonment for a term not exceeding 7 years who, whether within New Zealand or elsewhere, corruptly accepts or obtains, or agrees or offers to accept or attempts to obtain, any bribe for himself or any other person in respect of any act done or omitted, or to be done or omitted, by him in his official capacity.

(2) Everyone is liable to imprisonment for a term not exceeding [7 years] who corruptly gives or offers or agrees to give any bribe to any person with intent to influence any official in respect of any act or omission by him in his official capacity.

105A. Corrupt use of official information—

Every official is liable to imprisonment for a term not exceeding 7 years who, whether within New Zealand or elsewhere, corruptly uses [or discloses] any information, acquired by him in his official capacity, to obtain, directly or indirectly, an advantage or a pecuniary gain for himself or any other person.

57. Each elected member of the Council is considered to be an "official" of the Council. A "bribe" includes "any money, valuable consideration, office, or employment, or any benefit, whether direct or indirect" which means the provision has the potential for quite wide application.
58. A conviction would result in the loss of office – refer clause 1 of Schedule 7 of the Local Government Act 2002 which disqualifies a member who is convicted of an offence punishable by a term of imprisonment of two years or more.

SECRET COMMISSIONS ACT 1910

59. This Act establishes offences relating to:
- the giving, receiving, or soliciting of gifts or other consideration as an inducement or reward for doing or forbearing to do something in relation to the affairs of the Council; or
 - showing or having shown favour or disfavour to any person in relation to the Council's affairs or business (section 4(1)).
60. It applies to elected members and covers any gifts given, received, or solicited by "any parent, husband, wife, or child of any agent, or to his partner, clerk, or servant, or (at the agent's request or suggestion) to any other person".

61. By s16(1)(b) of the Act, an elected member is deemed to be an “agent” of the Council. As such, the Act makes it an offence for any elected member (agent) to accept gifts without the consent of the Council (the principal), not to disclose a pecuniary interest in any contract which the agent makes on behalf of the principal, or who knowingly delivers to their principal a false receipt, invoice, account, or other document in relation to the principal's business.
62. It is an offence to divert, obstruct, or interfere with the proper course of the affairs or business of the Council, or to fail to use due diligence in the prosecution of its affairs or business, with intent to obtain any gift or other consideration from any person interested in the affairs or business of the Council (section 4(2)).
63. It is also an offence for any person to advise a party to enter into a contract with a third party and to receive gifts or consideration from that third party as reward for procuring the contract unless that person is known by the party to be the agent of that third party. The act of aiding or abetting or in any way facilitating an offence against the Act is itself an offence.
64. A person who commits an offence against the Act is liable to imprisonment for a term not exceeding 7 years. Such a conviction would also have the consequences of loss of office - refer again clause 1 of Schedule 7 of the Local Government Act 2002.

FINANCIAL MARKETS CONDUCT ACT 2013 (“FMCA”)

65. The FMCA governs how financial products are created, promoted, and sold, and the ongoing responsibilities of those who offer, deal, and trade them. It aims to facilitate capital market activity, in order to help businesses to fund growth and individuals to reach their financial goals. The main purposes of the FMCA are to:
 - a. promote the confident and informed participation of businesses, investors, and consumers in the financial markets; and
 - b. promote and facilitate the development of fair, efficient, and transparent financial markets.
66. Under the FMCA, if the Council were to issue financial products, such as equity or debt securities under its borrowing powers, elected members will be in a similar position to company directors.
67. Elected members may therefore be personally liable if product disclosure statements to investors contain untrue information and may be liable for civil action or criminal prosecution if the requirements of the Act, such as keeping an audited register of financial products issued, are not met.
68. However, the FMCA does not impact on Council's current business activities as the Council does not, at this time, offer securities to the public.

HEALTH AND SAFETY AT WORK ACT 2015 (HSWA)

69. The passing of HSWA into law heralded a significant change to New Zealand's health and safety legislation and was a response to the scrutiny placed on New Zealand's health and safety practices following the Pike River tragedy.
70. HSWA allocates duties to:
 - a. those people who are in the best position to control risks to health and safety as appropriate to their role in the workplace; and
 - b. the person conducting a business or undertaking (PCBU) i.e. the Council.
71. The primary duty under HSWA is to ensure, as far as is reasonably practicable, the safety of workers and others who may be impacted by the work the business undertakes.
72. “Officers” are any person occupying a position in relation to the business or undertaking, that allows the person to exercise significant influence over the management of the business or undertaking.

73. For the purposes of HSWA, elected members and the Chief Executive are by default identified as officers.
74. Officers have obligations of due diligence, which are:
- a. to acquire, and keep up-to-date, knowledge of work health and safety matters; and
 - b. to gain an understanding of the nature of the operations of the business or undertaking of the PCBU, and generally of the hazards and risks associated with those operations; and
 - c. to ensure that the PCBU has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of the business or undertaking; and
 - d. to ensure that the PCBU has appropriate processes for receiving and considering information regarding incidents, hazards, and risks and for responding in a timely way to that information; and
 - e. to ensure that the PCBU has, and implements, processes for complying with any duty or obligation of the PCBU under this Act; and
 - f. to verify the provision and use of the resources and processes referred to in paragraphs (c) to (e).
75. The duties of the officers and of the PCBU are independent of each other. This means that if a PCBU has failed to meet its duty, but the officers exercised due diligence, then the officers will not be personally liable for the health and safety failings.
76. Importantly, while elected members have a due diligence duty as officers of the Council, they are expressly excluded from liability for failing to comply with this duty.

PUBLIC RECORDS ACT 2005 (PRA)

77. The purpose of the PRA is to provide a framework to keep central and local government organisations accountable by ensuring records are full and accurate, well maintained, and accessible. It promotes accountability by providing a framework within which local authorities create and maintain their records and has a role in enhancing public confidence in the integrity of local authority records.
78. The definition of a record includes information, whether in its original form or otherwise, and is not limited to just written information e.g. it may include images, sound, speech, or data in any medium and recorded or stored by any electronic device.
79. In the conduct of their affairs, elected members may receive information directly, for example from constituents. Members will need to consider whether that information meets the definition of a local authority record and if so, will need to ensure it is included in the Council's records. The Council's Information Technology team can help assist members in this area.

RECOMMENDATION

That the Legislative Advice for the Incoming Council report is accepted.

16.2 APPOINTMENT OF DEPUTY MAYOR AND COUNCIL COMMITTEE MEMBERS 2025-2028

Author: Karalyn Reid, Committee Secretary and PA to the Mayor
Authoriser: Tina Stevenson, Corporate Services Group Manager
Attachments: Nil

PURPOSE

1. To inform Council of the appointment of Deputy Mayor, and Committee Chairs and Members for the next term of Council 2025-2028.

BACKGROUND

2. Under the 2012 changes to the Local Government Act, Section 41A(3) was inserted giving Mayors powers to appoint the Deputy Mayor, Committee Chairs and the members of each Committee of the territorial authority.
3. The names of any appointments made by the Mayor must be tabled at the first meeting of the Council after the appointments are made. The Mayor may also appoint him or herself.
4. On Monday 13 October the Chief Executive briefed the Mayor on options for the Committee structure, the appointment of the Deputy Mayor, Committee Chairs and members, and subsequently the Mayor has chosen to exercise the powers under Section 41A(3) as below:

APPOINTMENT OF DEPUTY MAYOR

5. The Deputy Mayor for the 2025-2028 triennium will be Sandy McAlwee.

APPOINTMENTS TO COUNCIL COMMITTEES

6. The Chairs, Deputy Chairs and members of the Council Committees are:

Audit and Risk Committee

Mayor Craig Rowley (Deputy Chair)
Independent Chair David Ward
Councillor Sandy McAlwee
Councillor Jakki Guilford
Councillor Rick Stevens

Chief Executive's Performance Review Committee

Mayor Craig Rowley
Councillor (Chair) Stacey Hall
Councillor John Begg
Councillor Jakki Guilford

Waimate District Council Appeal Panel

Mayor Craig Rowley (Chair)
Councillor Peter Paterson
Councillor Lisa Small

District Licensing Committee (one appointed Deputy Chair)

Mayor Craig Rowley
Councillor Sandy McAlwee
Councillor Lisa Small

APPOINTMENTS TO GRANT COMMITTEES OF COUNCIL

7. The members of the Council Committees are:

Creative Communities Scheme Committee

Mayor Craig Rowley
Councillor Stacey Hall

WDC Community & Sports Grants Committee

Mayor Craig Rowley
Councillor Paul Harrison

APPOINTMENTS TO COUNCIL FACILITATED COMMITTEES/GROUPS

8. The members of the two Council-facilitated Committees are:

Waimate District Civic Awards Committee

Mayor Craig Rowley
Councillor Peter Paterson

Waimate Community Anzac Group

Mayor Craig Rowley
Councillor Paul Harrison

APPOINTMENTS TO RURAL WATER SCHEME COMMITTEES

9. The members on the Council Rural Water Scheme Committees are:

Cannington-Motukaika Water Supply Committee

Ward Councillor Sandy McAlwee

Hook Waituna Water Supply Committee

Ward Councillor Sandy McAlwee

Otaio-Makikihi Water Supply Committee

Ward Councillor Stacey Hall

Waikakahi Water Supply Committee

Ward Councillor Lisa Small

Waihaorunga Water Supply Committee

Ward Councillor Paul Harrison

Lower Waihao Water Supply Committee

No current committee

COUNCIL DISCHARGE OF A MAYORAL APPOINTMENT

10. Nothing, however, limits or prevents a territorial authority from discharging Deputy Mayor, a Chairperson or a member of a Committee appointed by the Mayor. Any decision by the territorial authority to discharge a deputy Mayor shall follow the procedure in Standing Order 5.5. See cl. 31, Schedule 7 LGA 2002.
11. A Deputy Mayor, whether appointed by the Mayor under Standing Order 5.1, or elected by the Council, can only be removed in accordance with cl. 18, Schedule 7, of the LGA 2002.

12. The Council (or a Committee responsible for making the appointment) must decide by resolution to use one of two voting systems (see standing order 5.6) when electing people to the following positions:
 - a. The Chair of a Regional Council;
 - b. The Deputy Mayor; and
 - c. The Chair of a Committee.

Voting Process

13. Under the Local Government Act 2002 (Clause 25, Schedule 7), and detailed in clause 5.6 of Standing Orders) the Council must decide before it makes appointments whether it will use voting System A or System B for the process if there is more than one candidate.
14. Put simply, System A features several rounds of voting with an unsuccessful candidate dropping off in each round. System B has only one round of voting, and if candidates tie, the decision is made by lot.

The Role of the Deputy Mayor

15. The Deputy Mayor is either appointed by the Mayor, or elected by members of Council, at the first meeting of Council. In addition to the responsibilities of Councillor, the Deputy Mayor is authorised to chair meetings of the Council in the Mayor's absence, and generally to perform the functions and duties of the Mayor:
 - a. With the Mayor's consent at any time during the Mayor's temporary absence; or
 - b. Without the Mayor's consent at any time while the Mayor is prevented by illness or other cause from performing the functions and duties or exercising the powers of office, or while there is any vacancy in the office of Mayor; and
 - c. To have an understanding and knowledge of the Council's Standing Orders and Code of Conduct.
16. The Deputy Mayor may be removed from office by resolution of Council.

ASSESSMENT OF SIGNIFICANCE

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

FINANCIAL

18. There are no known budget considerations.

RECOMMENDATION

1. That the Appointment of Deputy Mayor and Council Committee Members 2025-2028 report is accepted; and
2. That the Deputy Mayor for the 2025-2028 triennium is Councillor Sandy McAlwee and
3. That the Chairs, Deputy Chairs and Members of the Council Committees are as follows for the 2025-2028 triennium:
 - a. Audit and Risk Committee:
Mayor Craig Rowley
Independent Chair David Ward
Councillor Sandy McAlwee
Councillor Jakki Guilford
Councillor Rick Stevens
 - b. Chief Executive's Performance Review Committee:
Mayor Craig Rowley
Councillor (Chair) Stacey Hall
Councillor John Begg
Councillor Jakki Guilford
 - c. Waimate District Council Appeal Panel:
Mayor Craig Rowley (Chair)
Councillor Peter Paterson
Councillor Lisa Small
 - d. District Licensing Committee:
Mayor Craig Rowley
Councillor Sandy McAlwee
Councillor Lisa Small
4. That appointments to other Council Committees are accepted:
 - a. Waimate Community Anzac Group: Mayor Craig Rowley, Councillor Paul Harrison
 - b. Waimate District Civic Awards Committee: Mayor Craig Rowley, Councillor Peter Paterson
 - c. Creative Communities Scheme Committee: Mayor Craig Rowley, Councillor Stacey Hall
 - d. WDC Community & Sports Grants Committee: Mayor Craig Rowley, Councillor Paul Harrison
 - e. Hook Waituna Water Supply Committee: Councillor Sandy McAlwee
 - f. Waikakahi Water Supply Committee: Councillor Lisa Small
 - g. Cannington-Motukaika Water Supply Committee: Councillor Sandy McAlwee
 - h. Otaio-Makikihi Water Supply Committee: Councillor Stacey Hall
 - i. Waihaorunga Water Supply Committee: Councillor Paul Harrison

16.3 APPOINTMENT OF COUNCIL REPRESENTATIVES TO EXTERNAL GROUPS AND ORGANISATIONS 2025-2028

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

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: Nil

PURPOSE

1. That Council considers and elects representatives to external groups and organisations.

BACKGROUND

2. At the beginning of each triennium of Council, Council makes appointments to its representatives on external groups and organisations.
3. A discussion was held on Council's representatives on external groups and organisations by the Mayor-elect with all Councillors-elect, and subsequently the suggested representatives attached to this report are presented for confirmation.
4. A review of Council representation on External Groups and Organisations was undertaken and taken to Council on 28 January 2025, with the below resolution:

16.5 REVIEW OF COUNCIL REPRESENTATIVES ON EXTERNAL GROUPS AND ORGANISATIONS

Council reviewed the current list of External Groups and Organisations assigned to Council representatives at the Inaugural Council Meeting held in October 2022.

Cr Peter Collins noted as Chair of Waimate2gether, he would not participate in the discussion or decision relating to the Waimate2gether group.

RESOLUTION 2025/1

Moved: Deputy Mayor Sharyn Cain

Seconded: Mayor Craig Rowley

1. That the Review of Council Representatives on External Groups and Organisations report is accepted; and
2. That Council removes Council representation from the below list of External Groups and Organisations, being
Elephant Hill Drainage Committee;
Lower Waihao Rural Water Committee
Sport Canterbury Spaces & Places Plan Governance Group
Pareora Catchment Committee
Waimate Total Mobility Group (noting that Cr Begg requests that Community Link and the Waimate Community Vehicle Trust continue to lobby for the total mobility funding)
St Andrews Recreation Reserve Committee;
Waihao-Wainono River Rating Liaison Group
Climate Change Steering Group; and
3. That Council approaches Waimate2gether (Pro-ject Waimate) regarding an offer to provide a Council Representative, if appropriate, and

4. For the rest of the current term of Local Government, Cr Peter Collins be Council's representative on the Anzac Group, and Cr Colin Pankhurst on the Waitaki Lakes Shorelines Authorities Committee.

CARRIED

Note:

Council discussed representation on Hall Committees and Catchment Groups and agreed that any representation would be considered, if requested by the Hall Committee or Catchment Group.

Council also agreed that it was of benefit for the Climate Change Action Planning Reference Group to continue now that the Climate Change Partnership Plan has been completed, in order for Council's representative to provide input into action points and give a local perspective, and that the Mayor would raise this at the next Mayoral Forum when the item would be discussed.

5. The Canterbury Management Water Zone Committees; the Orari-Temuka-Opihi-Pareora and the Lower Waitaki South Coastal Zone Committee, and the Upper Waitaki Zone Management Committee (observational role) have been removed, as these committees ceased to function earlier this year.
6. Subsequently, the other changes have been made to the below list.
7. It is encouraged that these roles may be a liaison role only, which avoids conflicts of interest in decision-making at Council level, or representatives may have voting rights according to the constitution of the organisation, which may in turn create a conflict of interest on decision-making at Council level.
8. The appointments are advised to the groups and organisations by the Committee Secretary, following their confirmation.

PROPOSAL

9. That Council considers and appoints the representatives to external groups and organisations below for the 2025-2028 term of Council:

Mayoral Appointments

10. Alpine Energy Limited
- a. The Mayor and/or Deputy Mayor
 - b. Chief Executive
 - c. Corporate Services Group Manager
11. Canterbury Mayoral Forum
- a. Mayor Craig Rowley
12. Civil Defence Emergency Management Group Joint Committee (CDEM)
- a. Mayor Craig Rowley

Councillor Appointments

13. Biodiversity Champions Group (Committee of Environmental Canterbury)
- a. Councillor John Begg
14. Canterbury Mayoral Forum Climate Champions Reference Group
- a. Cr John Begg
15. Canterbury Waste Joint Standing Committee
- a. Councillor John Begg

16. Centrecare Counselling Waimate
 - a. Councillor Jakki Guilford
17. Downlands Water Supply Management Committee
 - a. Councillor Sandy McAlwee
18. Morven Recreation Reserve Committee
 - a. Councillor Lisa Small
19. Waihao-Wainono Community Catchment Group
 - a. Councillor Paul Harrison
20. Waimate District Resource Trust (Community Link)
 - a. Councillor Rick Stevens
21. Waimate Historical Society
 - a. Councillor Rick Stevens
22. Waimate Trackways Group
 - a. Councillor Jakki Guilford
23. Waimate2gether
 - a. Councillor Paul Harrison
24. Waitaki Lakes Shoreline Authorities Committee
 - a. Mayor Craig Rowley
 - b. Councillor Stacey Hall
 - c. Parks and Reserves Manager

ASSESSMENT OF SIGNIFICANCE

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

FINANCIAL

26. There are no known financial considerations.

RECOMMENDATION

1. That the Appointment of Council Representatives to External Groups and Organisations 2022-2025 report is accepted; and
2. That Council appoints representatives to external groups and organisations for the 2022-2025 term as presented, or with amendments.

16.4 ADOPTION OF WAIMATE DISTRICT COUNCIL SCHEDULE OF MEETINGS 2026

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

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: 1. WDC Meeting Schedule 2026 [!\[\]\(23d9fc146e83b5c3013cfa32c784f8d5_img.jpg\)](#) [!\[\]\(f5c463b8c1554ac5049d611bd8e33a51_img.jpg\)](#)

PURPOSE

1. According to the Local Government Act 2002 (Schedule 7 Clause 21) at the first meeting of the local authority following triennial general election, Council must fix the date and time of the first meeting of the local authority/or the adoption of a schedule of meetings.

BACKGROUND

2. Council reviews and accepts the meeting schedule for the coming year at the end of each calendar year.
3. Council have the opportunity at any time during the triennium to review their meetings and workshop structure.
4. It is noted that flexibility will need to be maintained with meetings sometimes rescheduled to ensure availability of the Chair and Committee or to align with the timing of reports or plans requiring an audit opinion for adoption.

PROPOSAL

5. The draft Waimate District Council Schedule of Meetings 2026 is attached for Council's consideration.
6. There may be additional meetings (Extraordinary) if required on an urgent basis and these will be advertised according to the Local Government Act 2002 (Schedule 7 Clause 22).
7. Council are also asked to note meetings and workshops for the remainder of the 2025 year:
 - i. New Council Training – Tuesday 4 November (closed workshop)
 - ii. New Council Training – Tuesday 11 November (closed workshop)
 - iii. Ordinary Council Meeting – Tuesday 18 November
 - iv. New Council Training – Tuesday 18 November (closed workshop)
 - v. New Council Training – Thursday 20 November (closed workshop)
 - vi. New Council Training – Tuesday 25 November (closed workshop)
 - vii. Open Workshop – Tuesday 2 December
 - viii. Audit & Risk Committee Meeting – Tuesday 9 December
 - ix. Ordinary Council Meeting – Tuesday 16 December

OPTIONS

8. That Council adopts the Waimate District Council 2026 Schedule of Meetings, and meetings for the remainder of the 2025 year as presented; or
9. That Council adopts the Waimate District Council 2026 Schedule of Meetings, and meetings for the remainder of the 2025 year with amendments.

ASSESSMENT OF SIGNIFICANCE

9. This matter is not deemed significant within Council's Significance and Engagement Policy.

FINANCIAL

10. There are no known additional financial implications for this item.

Cost-effectiveness

11. Cost effectiveness is not applicable.

RECOMMENDATION

1. That the Adoption of Waimate District Council Schedule of Meetings 2026 Report be accepted; and
2. That the meetings for the remainder of 2025 and the Waimate District Council Schedule of Meetings 2026 be adopted, as presented or with amendments.

DRAFT WAIMATE DISTRICT COUNCIL MEETING SCHEDULE 2026

January			February			March			April			May			June			July			August			September			October			November			December		
1	Th	New Year's Day	1	Su		1	Su		1	We		1	Fr		1	Mo	Kings Birthday	1	We		1	Sa		1	Tu	Open Workshop	1	Th		1	Su		1	Tu	Open Workshop/LTP Workshop
2	Fr	Day after New Years Day	2	Mo		2	Mo		2	Th		2	Sa		2	Tu	Open Workshop	2	Th		2	Su		2	We		2	Fr		2	Mo		2	We	
3	Sa		3	Tu		3	Tu	Open Workshop	3	Fr	Good Friday	3	Su		3	We		3	Fr		3	Mo		3	Th		3	Sa		3	Tu	Open Workshop/LTP Workshop	3	Th	
4	Su		4	We		4	We		4	Sa		4	Mo		4	Th		4	Sa		4	Tu	Open Workshop/LTP Workshop	4	Fr		4	Su		4	We		4	Fr	
5	Mo		5	Th		5	Th		5	Su		5	Tu	Open Workshop	5	Fr		5	Su		5	We		5	Sa		5	Mo		5	Th		5	Sa	
6	Tu		6	Fr	Waitangi Day	6	Fr		6	Mo	Easter Monday	6	We		6	Sa		6	Mo		6	Th		6	Su		6	Tu	Open Workshop/LTP Workshop	6	Fr		6	Su	
7	We		7	Sa		7	Sa		7	Tu		7	Th		7	Su		7	Tu	Open Workshop	7	Fr		7	Mo		7	We		7	Sa		7	Mo	
8	Th		8	Su		8	Su		8	We		8	Fr		8	Mo		8	We		8	Sa		8	Tu	Audit & Risk	8	Th		8	Su		8	Tu	Audit & Risk
9	Fr		9	Mo		9	Mo		9	Th		9	Sa		9	Tu	Audit & Risk	9	Th		9	Su		9	We		9	Fr		9	Mo		9	We	
10	Sa		10	Tu	Open Workshop	10	Tu		10	Fr		10	Su		10	We		10	Fr	Matariki	10	Mo		10	Th		10	Sa		10	Tu		10	Th	
11	Su		11	We		11	We		11	Sa		11	Mo		11	Th		11	Sa		11	Tu		11	Fr		11	Su		11	We		11	Fr	
12	Mo		12	Th		12	Th		12	Su		12	Tu		12	Fr		12	Su		12	We		12	Sa		12	Mo		12	Th		12	Sa	
13	Tu		13	Fr		13	Fr		13	Mo		13	We		13	Sa		13	Mo		13	Th		13	Su		13	Tu		13	Fr		13	Su	
14	We		14	Sa		14	Sa		14	Tu	Open Workshop	14	Th		14	Su		14	Tu		14	Fr		14	Mo		14	We		14	Sa		14	Mo	
15	Th		15	Su		15	Su		15	We		15	Fr		15	Mo		15	We		15	Sa		15	Tu		15	Th		15	Su		15	Tu	Council
16	Fr		16	Mo		16	Mo		16	Th		16	Sa		16	Tu	Governance Workshop	16	Th		16	Su		16	We		16	Fr		16	Mo		16	We	
17	Sa		17	Tu	CEs PR Committee	17	Tu	Audit & Risk	17	Fr		17	Su		17	We		17	Fr		17	Mo		17	Th		17	Sa		17	Tu	Council	17	Th	
18	Su		18	We		18	We		18	Sa		18	Mo		18	Th		18	Sa		18	Tu	Council	18	Fr		18	Su		18	We		18	Fr	
19	Mo		19	Th		19	Th		19	Su		19	Tu	Council	19	Fr		19	Su		19	We		19	Sa		19	Mo		19	Th		19	Sa	
20	Tu		20	Fr		20	Fr		20	Mo		20	We		20	Sa		20	Mo		20	Th		20	Su		20	Tu	Council	20	Fr		20	Su	
21	We		21	Sa		21	Sa		21	Tu	Council	21	Th		21	Su		21	Tu	Council	21	Fr		21	Mo		21	We		21	Sa		21	Mo	
22	Th		22	Su		22	Su		22	We		22	Fr		22	Mo		22	We		22	Sa		22	Tu	Council	22	Th		22	Su		22	Tu	
23	Fr		23	Mo		23	Mo		23	Th		23	Sa		23	Tu	Council/A Report	23	Th		23	Su		23	We		23	Fr		23	Mo		23	We	
24	Sa		24	Tu	Council	24	Tu	Council	24	Fr		24	Su		24	We		24	Fr		24	Mo		24	Th		24	Sa		24	Tu		24	Th	
25	Su		25	We		25	We		25	Sa		25	Mo		25	Th		25	Sa		25	Tu	CEs PR Committee	25	Fr		25	Su		25	We		25	Fr	Christmas Day
26	Mo		26	Th		26	Th		26	Su		26	Tu		26	Fr		26	Su		26	We		26	Sa		26	Mo	Labour Day	26	Th		26	Sa	
27	Tu	Council	27	Fr		27	Fr		27	Mo	Anzac Day	27	We		27	Sa		27	Mo		27	Th		27	Su		27	Tu		27	Fr		27	Su	
28	We		28	Sa		28	Sa		28	Tu		28	Th		28	Su		28	Tu		28	Fr		28	Mo	SC Anniversary	28	We	Extraordinary / AR Adoption	28	Sa		28	Mo	Closed
29	Th					29	Su		29	We		29	Fr		29	Mo		29	We		29	Sa		29	Tu		29	Th		29	Su		29	Tu	Closed
30	Fr					30	Mo		30	Th		30	Sa		30	Tu		30	Th		30	Su		30	We		30	Fr		30	Mo		30	We	Closed
31	Sa					31	Tu					31	Su					31	Fr		31	Mo					31	Sa					31	Th	Closed

16.5 COUNCILLOR REMUNERATION POOL ALLOCATION

Author: Tina Stevenson, Corporate Services Group Manager

Authoriser: Stuart Duncan, Chief Executive

Attachments: 1. Proposed Remuneration for Councillors [↓](#) 

PURPOSE

1. For Council to consider the distribution of the Remuneration Pool in order that a proposal may be forwarded to the Remuneration Authority for approval.

BACKGROUND

2. Since 2019, when setting remuneration for local government elected members, the Remuneration Authority (the Authority) has used a group of size indices covering territorial, regional, and unitary authorities and Auckland Council local boards.
3. The relevant workload and responsibilities of each council are assessed using several criteria, and each council is placed within the relevant index.
4. Those size indices were updated with the most recent publicly available demographic, statistical, and economic data, and the updated size indices apply for the triennium following the 2025 local elections.
5. The size index is also used to assign the minimum allowable remuneration that must be paid to each councillor and a governance remuneration pool to each council. It provides a total amount to be allocated and paid in remuneration to the councillors.
6. Each council submits proposals to the Authority on how its individual pool should be allocated according to that council's intended governance structure. Roles to which differential remuneration can be attached include internal roles such as deputy mayor, committee chair, etc, as well as roles representing the council on outside groups. Councils submit their proposals to the Authority and the Authority may request further information or make changes to the proposals it receives before making its determination.
7. The Local Government Members Determination details the remuneration and allowances payable to elected members, once the proposal is approved by the Authority.
8. For Waimate District Council the minimum remuneration for Councillors (which applies on and from the day after the date on which the official result of the 2025 election for Waimate District Council is declared) is \$24,076 p.a.
9. For Waimate District Council the total governance remuneration pool for Councillors (which applies on and from the day after the date on which the official result of the 2025 election for Waimate District Council is declared) is \$257,692 p.a.
10. The pool includes remuneration for the base councillor position and for councillors who hold positions of additional responsibility.
11. The governance remuneration pool does not apply to mayors.
12. On the day after the day that Council's official election results are declared, all elected Councillors will be paid the minimum rate that is prescribed in the determination. The effective date for commencement of this remuneration is therefore 17 October 2025.
13. The new Council needs to make decisions regarding positions of responsibility and consequent remuneration, including the base remuneration for Councillors with no additional responsibilities.

14. The proposal will need to include detail of any positions of responsibility. If Council's proposal is submitted to the Authority by 14 November 2025, the Authority can decide if this is approved and include in the next determination, which is anticipated by 18 December 2025. All remuneration rates for positions decided by Council will be backdated to take effect from the day following the date that the Council makes a formal decision on those roles. This will be 1 November 2025 if a decision is made at this meeting.
15. The Determination includes provision for allowances. Payment of any or all of the allowances is at the discretion of Council. The allowances will be updated in the Elected Member Reimbursement & Expenses Policy 310 following the gazetting of the Determination, along with any other changes, and brought to Council for adoption.
16. Prior to the 2025 elections, the Deputy Mayor position received a remuneration of \$45,475 p.a., 50% above the Councillor remuneration (for the remaining 7 Councillors) of \$30,317 each p.a.
17. The Mayor has considered the responsibilities of the Deputy Mayor role for the 2025-2028 term with the resulting recommendation proposed as follows.

PROPOSAL

18. That Council approves a proposal to be submitted to the Remuneration Authority as follows:
 - a. That the role of Deputy Mayor is identified as a position of additional responsibility and this is remunerated at a ratio of 1.25 to the councillor base remuneration, therefore a total of \$39,044 p.a.
 - b. That the base Councillor position is remunerated at \$31,235 p.a.

Options

19. Council may approve the proposal as recommended, or
20. Council may approve the proposal with amendments, or
21. Council may choose to not approve the proposal at this time.

ASSESSMENT OF SIGNIFICANCE

22. This item is not deemed significant under the Waimate District Council's Significance & Engagement Policy.

Legislation

23. Remuneration Authority Act 1977.
24. Local Government Act 2002.
25. The Local Government Elected Members (2025/26) Determination 2025.

Risk

26. If the decision of Council is not submitted to the Remuneration Authority by 14 November 2025, the approved decision may not be included until the next determination, which will require submission of proposals by 30 January 2026 with gazetting of the amended legislation anticipated early March 2026.

FINANCIAL

27. Councils must spend the whole of the pool allocated. The total Remuneration Pool for Councillors of Waimate District Council is \$257,692.
28. Additionally, the Mayors salary has been set by the Authority at \$117,280 p.a., effective from the day after the date on which the official result of the 2025 election for Waimate District Council is declared.

Budget

29. A budget of \$367,112 was provided for the 2025/26 financial year for Elected Member Remuneration. This budget includes the Mayor's remuneration.
30. The increase to the Mayor's salary is not anticipated to cause a budget overrun in 2025/26 due to the passing of Councillor Tom O'Connor in August 2025 and related impact on Councillor remuneration.
31. No additional budget has been provided for Councillor Allowances.

RECOMMENDATION

1. That the Councillor Remuneration Pool Allocation report is accepted; and
2. That Council approves a proposal to be submitted to the Remuneration Authority for allocation of the governance remuneration pool as follows:
 - (a) That the role of Deputy Mayor is identified as a position of additional responsibility and this is remunerated at a ratio of 1.25 to the councillor base remuneration, therefore a total of \$39,044 p.a.
 - (b) That the base Councillor position is remunerated at \$31,235 p.a.

For example, ratios can be 1.05, 1.25, 1.5, 2.0 times a councillor with no additional responsibility's remuneration. A ratio cannot be less than 1.

Before completing this worksheet, read the instructions sheet in the tab below for detailed guidance.

1) Enter the legal name of the local authority, as listed in schedule 2 of the Local Government Act 2002:	Waimate District Council
2) Enter the date on which the official result of the 2025 election was declared for the local authority:	16 October 2025
3) Enter number of elected members (excluding the mayor or regional council chair) on the council:	8
4) Enter local authority's governance remuneration pool as shown in the current local government members determination (\$):	257,692
5) Enter councillor minimum allowable remuneration as shown in the current local government members determination (\$):	24,076

6)	7)	8)	9)					
Enter title of proposed position <u>with additional</u> responsibilities (ie: the title that will be displayed in the amending determination)	Enter number of members per position	Enter proposed ratio to councillor with no additional responsibilities remuneration	Enter date of appointment or local authority's resolution	Effective Date*	Proposed councillor with no additional responsibilities remuneration (\$)	Proposed additional remuneration (\$)	Proposed annual total remuneration per councillor (\$)	Total (\$)
Deputy Mayor	1	1.25	31 Oct 2025	01 Nov 2025	31,235	7,809	39,044	39,044
				Effective Date*	Councillor minimum allowable remuneration (\$)	Proposed additional remuneration (\$)	Proposed councillor with no additional responsibilities remuneration (\$)	
Councillor with no additional responsibilities	7	1.00		17 Oct 2025	24,076	7,159	31,235	218,648

Grand Total (\$):	257,692
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Balance of pool (\$):	0
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* = For positions with additional responsibilities the effective date is the day after the date of the local authority's resolution or the date of appointment of the Deputy Mayor and/or Committee Chairperson by the Mayor using their powers under section 41(3) of the Local Government Act 2002, and for councillors with no additional responsibility the effective date is on and from the day after the date on which the official result of 2025 election of members for the council is declared.

A brief description must be provided for each position of responsibility ie: specify the additional responsibilities over and above the councillor with no additional responsibilities role - covering duties, delegations, deputising and reporting obligations and the extra time involved in carrying out the additional responsibilities.

info@remauthority.govt.nz

2025 Local Elections

16.6 ADOPTION OF ANNUAL REPORT FOR YEAR ENDED 30 JUNE 2025

Author: Tina Stevenson, Corporate Services Group Manager

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: 1. Draft Annual Report 2024-25 (under separate cover) 

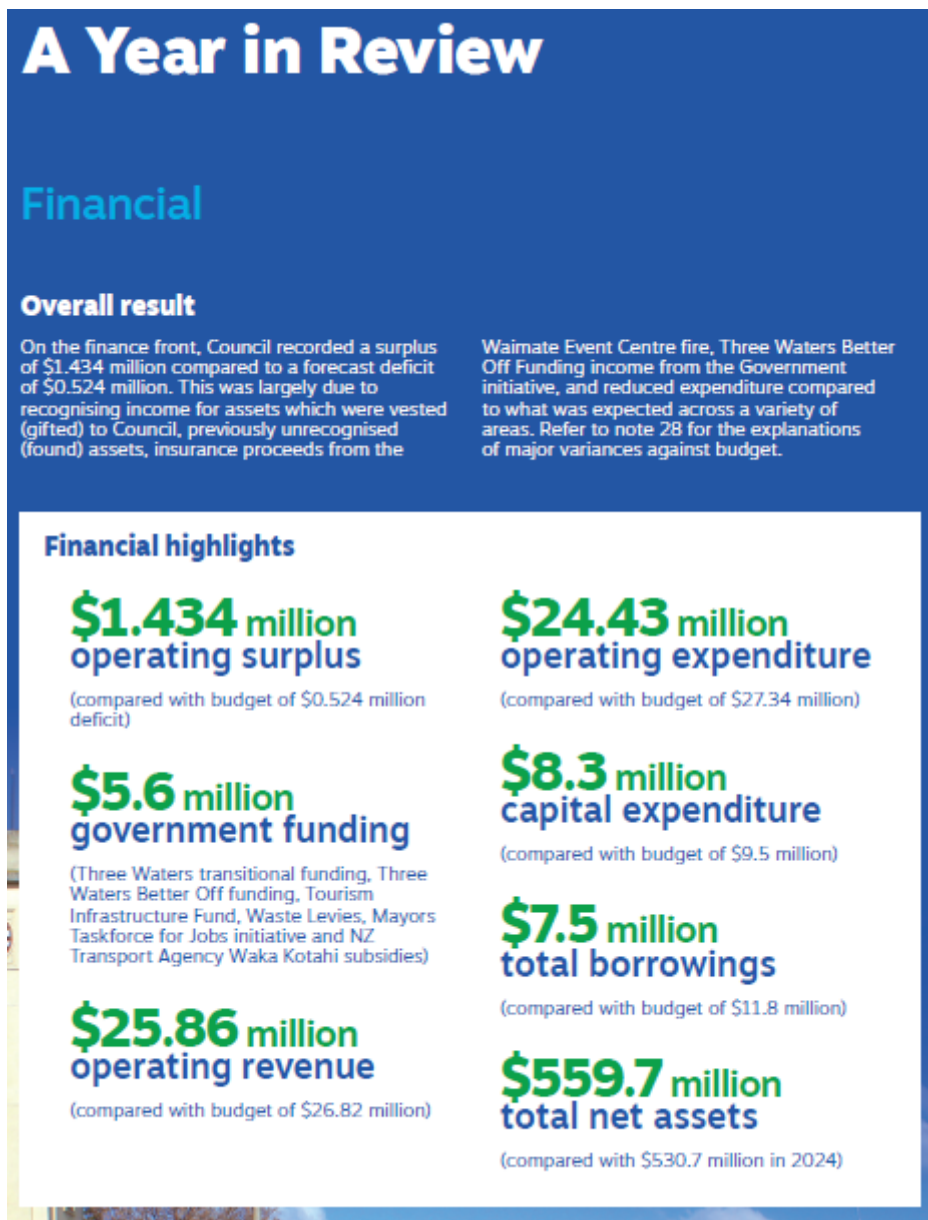
PURPOSE

1. To provide Council with the information necessary to adopt the Annual Report for the Year Ended 30 June 2025.
2. Subject to availability, Council's Audit Director Rudie Tomlinson will attend the meeting remotely.

BACKGROUND

3. The Annual Report provides information that assists the Waimate Community to assess the performance of the Waimate District Council.
4. Sections 98 and 99 of the Local Government Act 2002 require councils to prepare an Annual Report in respect of each financial year and in accordance with the information required by Part 3 of Schedule 10 of the same Act.
5. Councils are required to adopt the Annual Report within four months after the end of the financial year to which it relates, therefore by 31 October.
6. The Annual Report is produced pursuant to the requirements of the Local Government Act 2002. The purposes of an annual report as per section 98 (2) are:
 - a. To compare the actual activities and the actual performance of the local authority in the year with the intended activities and the intended level of performance as set out in respect of the year in the long-term plan and the annual plan; and
 - b. To promote the local authority's accountability to the community for the decisions made throughout the year by the local authority.
7. The draft Waimate District Council Annual Report 2024/25 provided is subject to change as a result of the continuing audit. Any changes will be tabled at this meeting to identify and discuss before Council is asked to consider adoption.
8. Audit New Zealand undertook their interim audit in April 2025, followed by a pre-final audit early July. The final audit commenced on 22 September 2025, with completion effective with the issuing of their audit opinion to enable Council's adoption of the Annual Report.
9. Both the interim and final audits were completed entirely remotely, with a number of Teams meetings held throughout to facilitate discussion, queries and testing.
10. Audit New Zealand have completed their audit of Council's financial results and performance measures for the year ended 30 June 2025, on behalf of the Office of the Auditor-General.
11. If the draft audit opinion becomes available prior to the meeting it will be circulated to elected members, with the final opinion, expected to be received immediately prior to adoption of the Annual Report.
12. In accordance with section 98 (4) of the Act within one month after adoption, the Annual Report and a summary of the information contained within must be made publicly available.
13. The Annual Report summary "must represent, fairly and consistently, the information regarding the major matters dealt with in the annual report" (section 98 (5)).
14. The summary does not require Council's adoption by resolution.
15. The audit of the summary is expected to be completed during November with the audit opinion expected prior to the statutory deadline of 30 November 2025.

16. The Statement of Service Performance information is included in the annual report on pages 14 to 32 providing our Performance Measure results with additional narrative to explain the reasons for the major performance measure variances.
17. A one-page summary of the results of the Service Performance measures is also included on page 11 of the Annual Report.
18. The Annual Report details a surplus of \$1.434M, favourable in comparison to the budgeted deficit of \$0.524M.
19. Some key financial highlights are detailed in 'A Year in Review' commencing on page 36, and repeated here for your information:



20. The significant variations from the 2025 Annual Plan budget are detailed in Note 28 of the Annual Report, and are as follows:
21. Statement of comprehensive revenue and expenditure:
 - a. Revenue
 - i. Rates penalties income exceeded the Annual Plan 2025 budget due to increased rates receivables outstanding after due dates in addition to a conservative budget (Actual: \$187,000; Budget \$110,000).

- ii. Development and financial contributions income exceeded the Annual Plan 2025 budget due to increased subdivision and resource consent activity, along with increased Water Supply contributions across various schemes.
 - iii. Subsidies and grants income were below the Annual Plan 2025 budget mainly due to reduced Waka Kotahi NZTA subsidies compared to budget (Actual: \$4.153m; Budget \$4.963m), however this was partially offset by Better Off Funding income (Actual: \$817,000; Budget \$472,000) and Three Waters Transitional funding income (Actual: \$295,000; Budget \$nil).
 - iv. Other revenue was below the Annual Plan 2025 budget mainly due to the delay in harvesting the forest (Actual \$nil; Budget \$2.07m). Revenue not allowed for in the budget was received from insurance proceeds from the Waimate Event Centre fire (Actual: \$600,000) along with vested assets revenue (Actual: \$104,000) and found assets revenue (Actual: \$116,000).
- b. Expenditure
- i. Employee entitlements were below the Annual Plan 2025 budget due to staff vacancies and the timing of replacements.
 - ii. Depreciation and amortisation expenses were below the Annual Plan 2025 budget as a result of some large capital expenditure deferrals and the timing of spends, along with updated Buildings depreciation expenses following the revaluation of those assets at 30 June 2024.
 - iii. Finance costs were below the Annual Plan 2025 budget due to increased cash reserves following the delay of some large capital projects which meant a lower drawdown on borrowings compared to budget.
 - iv. Other expenses were below the Annual Plan 2025 budget due to the deferral of harvesting the forest where the latest forest valuation is recorded as a cost against the harvest income (Actual: \$nil; Budget: \$2.07m). Roothing maintenance and operational spends were also below budget (Actual: \$3.28m; Budget \$3.73m) along with lower than budgeted insurance costs (Actual: \$542,000; Budget: \$663,000). These favourable to budget variances were partially offset by increased expenditure for Audit fees (Actual: \$364,000; Budget \$227,000), the Lower Waihao nitrate response expenditure (Actual: \$86,000; Budget: \$nil) and the Project Waimate Trail Stage 1A & 1B grant (Actual: \$120,000; Budget: \$nil).
- c. Other comprehensive revenue and expenditure
- i. Increase in revaluation reserves includes the Roothing assets revaluation at 30 June 2025 (Actual \$30.0m; Budget \$33.8m), with the Three Waters infrastructural assets completed out of cycle on 30 June 2024 however budgeted for 30 June 2025 (Actual \$nil; Budget \$7.0m).
 - ii. Financial assets at fair value through other comprehensive and revenue includes the Alpine Energy Limited investment and associated annual valuation movements, with the 30 June 2025 annual movement lower than the budget anticipated.
- d. Statement of financial position
- i. Cash and cash equivalents are favourable to budget due to a drawdown on borrowings, coupled with the deferral of some capital spends, along with additional income and reduced expenditure as noted above.
 - ii. Receivables at 30 June 2025 are higher than the budget anticipated mainly due to increased receivables for Better Off Funding income \$819,000 and other general receivables.

- iii. Property, plant and equipment at 30 June 2025 were unfavourable to budget mainly due to the Annual Plan budget allowing for large capital projects to be completed, which have been deferred.
- iv. Other financial assets includes the Alpine Energy Limited investment with the 30 June 2025 annual valuation movement lower than the budget anticipated.
- v. Payables and deferred revenue are higher than the budget anticipated mainly due to various contract payments due along with costs associated with the Waimate Event Centre fire clean up.
- vi. Borrowings were favourable to budget predominantly due to the use of cash reserves and the delay of some large capital projects for the 2024 and 2025 financial years.
- vii. Special separate and trust funds are favourable mainly due to delayed completion of capital projects for various Water Scheme upgrades, where the drawdown of internal reserves and loans were budgeted.
- viii. The Asset Revaluation reserve includes Three Waters revaluations completed at 30 June 2024, which was out of cycle. The Roothing revaluation at 30 June 2025 saw an increase that was lower than budgeted.

e. Capital expenditure

- i. Total capital expenditure was lower than the Annual Plan 2025 budget with the major variances as follows:
 - (1) The Urban Water extension project for Bakers/Court/Hunts and Fitzmaurice Roads (Actual \$1,000; Budget \$540,000) and Waimate reservoir cover replacement project (Actual: \$nil; Budget: \$100,000) were delayed. The Urban Water Te Kiteroa main, booster and reservoir project is in progress (Actual: \$171,000; Budget: \$708,000). It is expected that both these projects will be carried forward to the 2025/26 financial year.
 - (2) The Rural Water generator purchases for the Hook/Waituna and Otaio/Makikihi water schemes has not been completed and will be carried forward to the 2025/26 financial year (Actual: \$nil; Budget \$102,000).
 - (3) The Stormwater project for rapid soakage devices (Actual \$nil; Budget: \$50,000) and the Park Road catchment investigation (Actual: \$116,000; Budget: \$154,000) are to be completed with unspent budgets expected to be carried forward to the 2025/26 financial year.
 - (4) The Annual Plan 2025 budget allowed for Roothing minor improvements of \$440,000 and Development of \$50,000, however the New Zealand Transport Agency (NZTA) approved budget for co-funding was only \$50,000 for a three year period, therefore the carry forward budget will be modified accordingly.
 - (5) The refurbishment of the Waimate Event Centre following a fire was not included in the Annual Plan budget (Actual: \$287,000; Budget: \$nil), along with the projects for the Library extension and Chambers upgrade (Actual: \$801,000; Budget: \$nil) and the Morven Reserve irrigation upgrade (Actual: \$273,000; Budget: \$nil).

- 22. Further details on each group, including what we do, why we provide it, what's coming up (looking ahead), the link to the Community Outcomes and Wellbeings, the Effects on the community, Levels of Service and financial results, are represented across pages 106 to 140.
- 23. Due to the timing of Audit & Risk Committee meetings, the Annual report was unable to be considered by the Committee prior to its presentation to Council.

PROPOSAL

24. That Council, having completed and reviewed its Annual Report for the Year Ended 30 June 2025, adopts the audited Annual Report.
25. This is the only option considered as adoption of the Annual Report is a statutory requirement.

ASSESSMENT OF SIGNIFICANCE

26. This matter is deemed to be of low significance under the Council's Significance and Engagement policy.

FINANCIAL**Budget**

27. The costs for preparing the Annual Report are met from operating expenditure and provided for on an annual basis. No additional expenditure is required.

Cost-effectiveness

28. Cost-effectiveness consideration is not applicable.

RECOMMENDATION

1. That the Annual Report for the Year Ended 30 June 2025 report is accepted; and
2. That Council adopts its Annual Report for the Year Ended 30 June 2025, in accordance with the Local Government Act 2002; and
3. That the Chief Executive be provided with the authority to make typographical or formatting changes and corrections necessary for publishing the document.