



MINUTES

Ordinary Council Meeting

11 May 2021

**MINUTES OF WAIMATE DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE FUNCTION ROOM, WAIMATE EVENT CENTRE, PAUL STREET, WAIMATE ON
TUESDAY 11 MAY 2021 COMMENCING AT 9.30AM**

PRESENT: Deputy Mayor Sharyn Cain (Chairperson), Cr Fabia Fox, Cr Sandy McAlwee, Cr Miriam Morton, Cr Tom O'Connor, Cr David Owen, Cr Colin Pankhurst

APOLOGIES: Mayor Craig Rowley and Cr Sheila Paul

IN ATTENDANCE: Stuart Duncan (Chief Executive), Carolyn Johns (Community and Strategy Group Manager), Tina Stevenson (Corporate Services Group Manager), Karalyn Reid (Committee Secretary)

PARTIAL ATTENDANCE: Leo Milani, Policy Analyst

OPENING

1 COUNCIL PRAYER

Pastor Jim de Lor, of Calvary Church, opened the Council Meeting with a prayer and lit the Ministers' Association candle.

2 PUBLIC FORUM

There were no speakers at the Public Forum.

3 APOLOGIES

RESOLUTION 2021/67

Moved: Cr David Owen

Seconded: Cr Miriam Morton

That apologies from Chair Craig Rowley and Cr Sheila Paul be received and accepted.

CARRIED

4 VISITORS

10.00am - Lower Waitaki South Coastal Canterbury Zone Committee presentation

10.30am - Thank You Morning Tea for Creative Communities Scheme Committee retiring members

11.00am - Orari-Temuka-Opihi-Pareora Zone Committee presentation

5 CONFLICTS OF INTEREST

The Chair called for Conflicts of Interests. There were no Conflicts of Interest identified.

Cr Fabia Fox noted she is employed by the Timaru District Council, but it was agreed she does not have a pecuniary Conflict of Interest and could participate in the discussion and decision making on 19.4 Downlands Water Scheme

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 27 APRIL 2021****RESOLUTION 2021/68**

Moved: Cr Fabia Fox
Seconded: Cr Tom O'Connor

That the Minutes of the Council Meeting held on 27 April 2021 be adopted as a true and correct record.

CARRIED**7.2 MINUTES OF THE ENVIRONMENTAL SERVICES AND FINANCE COMMITTEE MEETING HELD ON 10 NOVEMBER 2020****RESOLUTION 2021/69**

Moved: Cr Sandy McAlwee
Seconded: Cr David Owen

That the Minutes of the Environmental Services and Finance Committee Meeting held on 10 November 2020 be adopted as a true and correct record.

CARRIED**7.3 MINUTES OF THE DISTRICT INFRASTRUCTURE COMMITTEE MEETING HELD ON 10 NOVEMBER 2020****RESOLUTION 2021/70**

Moved: Cr Miriam Morton
Seconded: Cr Fabia Fox

That the Minutes of the District Infrastructure Committee Meeting held on 10 November 2020 be adopted as a true and correct record.

CARRIED**7.4 MINUTES OF THE COMMUNITY SERVICES AND DEVELOPMENT COMMITTEE MEETING HELD ON 10 NOVEMBER 2020****RESOLUTION 2021/71**

Moved: Cr Colin Pankhurst
Seconded: Cr David Owen

That the Minutes of the Community Services and Development Committee Meeting held on 10 November 2020 be adopted as a true and correct record.

CARRIED

8 RECEIPT OF MINUTES

Nil

REPORTS**9 MAYOR'S REPORT****9.1 MAYOR'S REPORT****RESOLUTION 2021/72**

Moved: Cr Tom O'Connor

Seconded: Cr Miriam Morton

That the Mayor's Report is accepted.

CARRIED

10 DEPUTY MAYOR'S REPORT**10.1 DEPUTY MAYOR'S REPORT****RESOLUTION 2021/73**

Moved: Deputy Mayor Sharyn Cain

Seconded: Cr Sandy McAlwee

That the Deputy Mayor's Report is accepted.

CARRIED

11 COUNCILLORS' REPORTS**11.1 COUNCILLORS' REPORT****RESOLUTION 2021/74**

Moved: Cr Colin Pankhurst

Seconded: Cr Tom O'Connor

That the Councillors' Report is accepted.

CARRIED

12 CHIEF EXECUTIVE'S REPORT

Nil

13 COUNCIL ACTIONS REPORT**13.1 OUTSTANDING COUNCIL ACTIONS REPORT - PUBLIC****RESOLUTION 2021/75**

Moved: Cr Fabia Fox

Seconded: Cr Miriam Morton

That the Outstanding Council Actions Report – Public is accepted.

CARRIED**14 HUMAN RESOURCES REPORT**

Nil

15 HEALTH AND SAFETY REPORT

Nil

16 AUDIT AND RISK COMMITTEE REPORT

Nil

17 GENERAL REPORTS**17.1 DELEGATIONS POLICY 308 - MINOR AMENDMENTS**

Council considered amendments to the Waimate District Council (WDC) Delegations Policy 308, Section 3 (Sub-section 1B) and Section 4 (Sub-section 2A).

RESOLUTION 2021/76

Moved: Cr Fabia Fox

Seconded: Cr Tom O'Connor

1. That the Delegations Policy 308 - Minor Amendments report be accepted; and
2. That Council adopts the Delegations Policy 308 - Minor Amendments, as presented.

CARRIED**17.3 FINANCE REPORT - FOR THE 9 MONTHS ENDED 31 MARCH 2021****RESOLUTION 2021/77**

Moved: Cr Miriam Morton

Seconded: Cr David Owen

That the Finance Report for the 9 months ended 31 March 2021 be accepted.

CARRIED**Note:**

Council asked for more narration to be supplied on major variances to budget in the report in future.

17.2 LOWER WAITAKI SOUTH COASTAL CANTERBURY ZONE COMMITTEE 2020 PROGRESS REPORT - 10:00AM

Council received the Lower Waitaki South Coastal Canterbury Zone Committee 2020 Progress Report. Committee Chair, Bruce Murphy and Environment Canterbury Zone Facilitator Dave Moore were in attendance and spoke on the Committee's work and progress.

RESOLUTION 2021/78

Moved: Cr Tom O'Connor

Seconded: Cr Miriam Morton

That the Lower Waitaki South Coastal Canterbury Zone Committee 2020 Progress Report is received.

CARRIED

Note:

Council requested the Lower Waitaki Zone Committee be invited to a future Council Workshop in order to discuss specific issues further.

Item - 17.3 Finance Report - For the 9 months ended 31 March 2021 - has been moved to another part of the document.

17.4 SERVICE ACKNOWLEDGEMENT & MORNING TEA: CREATIVE COMMUNITIES NEW ZEALAND COMMITTEE RETIRING MEMBERS - 10:30AM

Retiring Creative Communities New Zealand Committee members, Wendy Health, Clare Saunders-Tack and Sharon Stace were thanked for their service, and joined Council for morning tea.

The meeting was adjourned at 10.35am for morning tea.

The meeting was reconvened at 10.57am.

17.5 ORARI-TEMUKA-OPIHI-PAREORA ZONE COMMITTEE 2020 PROGRESS REPORT - 11:00AM

Council received the Orari-Temuka-Opihi-Pareora (OTOP) Zone Committee 2020 Progress Report. Deputy Chair of the OTOP Zone Committee Phil Driver was in attendance, and spoke on the Committee's work and progress. He tabled two papers 'Dr Phil Driver's notes' and 'Achieving Slow Water in South Canterbury'.

RESOLUTION 2021/79

Moved: Cr Tom O'Connor

Seconded: Cr Colin Pankhurst

That the Orari-Temuka-Opihi-Pareora Zone Committee 2020 Progress Report is received.

CARRIED

Note:

Council requested the Lower Waitaki Zone Committee be invited to a future Council Workshop in order to discuss specific issues further.

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

Nil

PUBLIC EXCLUDED

19 EXCLUSION OF THE PUBLIC REPORT

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2021/80

Moved: Cr Tom O'Connor

Seconded: Cr David Owen

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
19.1 - Public Excluded Minutes of the Council Meeting held on 27 April 2021	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
19.2 - Public Excluded Minutes of the Environmental Services and Finance Committee Meeting held on 10 November 2020	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
19.3 - Public Excluded Minutes of the District Infrastructure Committee Meeting held on 10 November 2020	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
19.4 - Downlands Water Scheme	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
19.5 - Alpine Energy Shareholders Report - February 2021	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	
19.6 - Waimate District Representative - Aoraki Foundation	<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)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</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
CARRIED		

20 RE-ADMITTANCE OF THE PUBLIC REPORT

RESOLUTION 2021/81

Moved: Cr Tom O'Connor

Seconded: Cr David Owen

That Council moves out of Closed Council into Open Council.

CARRIED

MOVED FROM PUBLIC EXCLUDED SECTION OF THE MINUTES

19.4 DOWNLANDS WATER SCHEME

Council reviewed the preferred ownership model for the Downlands Water Scheme (DWS); and the financial arrangements, to provide the guidance required to enable negotiations with Timaru District Council (TDC) and Mackenzie District Council (MDC) to be progressed.

Cr Fox noted she is employed by the Timaru District Council, but it was agreed she does not have a pecuniary Conflict of Interest and could participate in the discussion and decision making.

RESOLUTION 2021/82

Moved: Deputy Mayor Sharyn Cain

Seconded: Cr Fabia Fox

1. That the Downlands Water Scheme Report is accepted; and
2. That Council, to enable negotiations with Timaru District Council and Mackenzie District Council to progress and a new proposed agreement to be drafted:
 - a. Support in principle the joint ownership of the Downlands Water Scheme and a Joint Committee with Waimate District Council and Mackenzie District Council continuing as the preferred ownership model; and
 - b. Approve in principle, Timaru District Council borrowing in its name (if required) the full loan requirement for the Te Ana Wai Project (up to approximately \$15m) and other capital works for the Downlands Water Scheme, subject to Waimate District Council and Mackenzie District Council acting at the request and direction of Timaru District Council, supported by indemnities and powers of attorney as appropriate, to collect any outstanding Downlands' rates within their respective districts.

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| 3. That the decision be moved into public section of the meeting, embargoed until Mackenzie District Council's meeting on Tuesday 18 May 2021. |
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CARRIED

MEETING CLOSURE

There being no further business, the Chair declared the meeting closed at 11.59am.

The Minutes of this meeting are to be confirmed at the Ordinary Council Meeting scheduled on 22 June 2021.

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CHAIRPERSON