



Agenda

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

Wednesday 28 July 2021

9:00am

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

www.waimatedc.govt.nz

Notice is hereby given that a meeting of the Council will be held in the Council Chamber, Waimate District Council, 125 Queen Street, Waimate, on Wednesday 28 July 2021, 9:00am.

Elected Members

Craig Rowley	Chairperson
Sharyn Cain	Deputy Chairperson
Fabia Fox	Councillor
Sandy McAlwee	Councillor
Miriam Morton	Councillor
Tom O'Connor	Councillor
David Owen	Waimate Councillor
Colin Pankhurst	Councillor
Sheila Paul	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

A representative from Connect Church will open the Council Meeting with a prayer and light the Ministers' Association candle.

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) OR MINOR 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 22 JUNE 2021**

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

Authoriser: Tina Stevenson, Corporate Services Group Manager

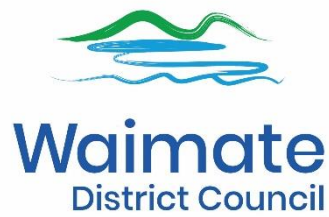
Attachments: 1. Minutes of the Council Meeting held on 22 June 2021

PURPOSE

To present the unconfirmed Minutes of the Council Meeting held on 22 June 2021 for confirmation.

RECOMMENDATION

That the Minutes of the Council Meeting held on 22 June 2021 be adopted as a true and correct record.



MINUTES

Ordinary Council Meeting

22 June 2021

**MINUTES OF WAIMATE DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD IN THE FUNCTION ROOM, WAIMATE EVENT CENTRE, PAUL STREET, WAIMATE
ON TUESDAY 22 JUNE 2021, COMMENCING AT 9:30AM**

PRESENT: Chair Craig Rowley, Deputy Mayor Sharyn Cain, Cr Fabia Fox, Cr Sandy McAlwee, Cr Miriam Morton, Cr Tom O'Connor, Cr David Owen, Cr Colin Pankhurst, Cr Sheila Paul

APOLOGIES: Nil

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

OPENING

1 COUNCIL PRAYER

Rev Indrea Alexander of Waimate District Cooperating Venture 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

Nil

4 VISITORS

Nil

5 CONFLICTS OF INTEREST

The Chair called for Conflicts of Interests. Cr Fabia Fox declared she is a member of the Civic Financial Services in relation to 19.5 Civic Financial Services.

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

An item *Chief Executive's Draft Report on Government's Three Waters Reform* was identified as a major item for the public excluded section of the meeting. The reason it wasn't on the agenda was because it has only been compiled, and it cannot be delayed until the next meeting because the Council asked for an urgent update on the Three Waters Reform.

The reason it needs to be taken in the public excluded is:

- a. s7(2)(f)(i) free and frank expression of opinions by or between or to members or officers or employees of any local authority; and
- b. S7(2)(h) the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities.

IDENTIFICATION OF MAJOR/MINOR ITEM NOT ON THE AGENDA**RESOLUTION 2021/77**

Moved: Chair Craig Rowley

Seconded: Deputy Mayor Sharyn Cain

That the Major/Minor item *Chief Executive's Draft Report on Government's Three Waters Reform* is taken at the end of the public excluded section of the meeting.

CARRIED

Note:

Cr Fabia Fox voted against the motion.

MINUTES**7 CONFIRMATION OF MINUTES****7.1 MINUTES OF THE COUNCIL MEETING HELD ON 11 MAY 2021****RESOLUTION 2021/78**

Moved: Deputy Mayor Sharyn Cain

Seconded: Cr Tom O'Connor

That the Minutes of the Council Meeting held on 11 May 2021 be adopted as a true and correct record.

CARRIED

Amendment:

17.5 Orari-Temuka-Opihi-Pareora Zone Committee 2020 Progress Report: Correction to Note – that Council requested the Orari-Temuka-Opihi-Pareora Committee be invited to a future Council Workshop in order to discuss specific issues further.

7.2 MINUTES OF THE CHIEF EXECUTIVE'S PERFORMANCE REVIEW COMMITTEE MEETING HELD ON 18 MAY 2021**RESOLUTION 2021/79**

Moved: Chair Craig Rowley

Seconded: Cr Colin Pankhurst

That the Minutes of the Chief Executive's Performance Review Committee Meeting held on 18 May 2021 be adopted as a true and correct record.

CARRIED

7.3 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 1 JUNE 2021**RESOLUTION 2021/80**

Moved: Cr Sheila Paul
Seconded: Cr Miriam Morton

That the Minutes of the Extraordinary Council Meeting held on 1 June 2021 be adopted as a true and correct record.

CARRIED**8 RECEIPT OF MINUTES****8.1 MINUTES OF THE CANNINGTON–MOTUKAIKA RURAL WATER COMMITTEE MEETING HELD ON 5 MAY 2021****RESOLUTION 2021/81**

Moved: Cr Sandy McAlwee
Seconded: Deputy Mayor Sharyn Cain

That the unconfirmed minutes of the Cannington–Motukaika Rural Water Committee Meeting held on 5 May 2021 be received.

CARRIED**8.2 MINUTES OF THE COMMUNITY AND SPORTS GRANTS COMMITTEE MEETING HELD ON 23 NOVEMBER 2020****RESOLUTION 2021/82**

Moved: Deputy Mayor Sharyn Cain
Seconded: Chair Craig Rowley

That the confirmed minutes of the Community and Sports Grants Committee Meeting held on 23 November 2020 be received.

CARRIED**8.3 MINUTES OF THE LOWER WAITAKI SOUTH COASTAL CANTERBURY ZONE COMMITTEE MEETING HELD ON 21 APRIL 2021****RESOLUTION 2021/83**

Moved: Cr Fabia Fox
Seconded: Cr Colin Pankhurst

That the confirmed minutes of the Lower Waitaki South Coastal Canterbury Zone Committee Meeting held on 21 April 2021 be received.

CARRIED

8.4 MINUTES OF THE WAIMATE COMMUNITY ANZAC GROUP MEETING HELD ON 10 MARCH 2021**RESOLUTION 2021/84**

Moved: Cr David Owen

Seconded: Chair Craig Rowley

That the confirmed minutes of the Waimate Community ANZAC Group Meeting held on 10 March 2021 be received.

CARRIED**REPORTS****9 MAYOR'S REPORT****9.1 MAYOR'S REPORT****RESOLUTION 2021/85**

Moved: Chair Craig Rowley

Seconded: Cr Tom O'Connor

That the Mayor's Report is accepted.

CARRIED**10 DEPUTY MAYOR'S REPORT****10.1 DEPUTY MAYOR'S REPORT****RESOLUTION 2021/86**

Moved: Deputy Mayor Sharyn Cain

Seconded: Chair Craig Rowley

That the Deputy Mayor's Report is accepted.

CARRIED**11 COUNCILLORS' REPORTS****11.1 COUNCILLORS' REPORT****RESOLUTION 2021/87**

Moved: Cr Sheila Paul

Seconded: Cr Miriam Morton

That the Councillors' Report is accepted.

CARRIED

12 CHIEF EXECUTIVE'S REPORT**12.1 CHIEF EXECUTIVE ACTIVITY REPORT****RESOLUTION 2021/88**

Moved: Chair Craig Rowley

Seconded: Cr Colin Pankhurst

That the Chief Executive Activity Report is accepted.

CARRIED**12.2 AFFIXING OF THE COMMON SEAL****RESOLUTION 2021/89**

Moved: Chair Craig Rowley

Seconded: Cr David Owen

1. That the Affixing of the Common Seal report be accepted; and
2. That the following documents be executed under the Common Seal of Council:
 - a. Deed of Grant for Stock Underpass on Hannaton Road between Waimate District Council and Studholme Park Limited, dated 11 June 2021; and
 - b. Deed of Lease of Land (part of 3322 Hakataramea Valley Road, part of 39 Pentland Hills Road) between Waimate District Council and Fire and Emergency New Zealand, dated 14 June 2021.

CARRIED**13 COUNCIL ACTIONS REPORT****13.1 COUNCIL ACTIONS REPORT**

Moved: Mayor Craig Rowley

Seconded: Cr Tom O'Connor

RECOMMENDATION

That the Council Actions Report is accepted.

CARRIED**Note:**

13.1 Library Redevelopment: Council asked the Chief Executive to develop a draft project plan and timeline on the Library/Council building redevelopment as a separate agenda item for the next meeting.

14 HUMAN RESOURCES REPORT**14.1 HUMAN RESOURCES REPORT****RESOLUTION 2021/90**

Moved: Cr Tom O'Connor

Seconded: Cr Fabia Fox

That the Human Resources Manager's report is accepted.

CARRIED**15 HEALTH AND SAFETY REPORT**

Nil

16 AUDIT AND RISK COMMITTEE REPORT**16.1 AUDIT AND RISK COMMITTEE CHAIR'S REPORT****RESOLUTION 2021/91**

Moved: Chair Craig Rowley

Seconded: Cr Sheila Paul

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

CARRIED**17 GENERAL REPORTS****17.1 CIVIL DEFENCE EMERGENCY MANAGEMENT OPERATIONAL REPORT****RESOLUTION 2021/92**

Moved: Cr Sheila Paul

Seconded: Cr Miriam Morton

That the Civil Defence Emergency Management Operational Report is accepted.

CARRIED

17.2 SHARED PATHWAY LINKING WAIMATE TOWN TO THE STUDHOLME BUSH CARPARK FUNDING

Council considered partially funding a shared footpath linking Waimate Town to the Studholme Bush carpark from the Subdivision Contributions Reserve.

RESOLUTION 2021/93

Moved: Deputy Mayor Sharyn Cain

Seconded: Cr Colin Pankhurst

1. That the Shared Pathway linking Waimate Town to the Studholme Bush Carpark Funding report is accepted; and
2. That the Council approves the \$40,000 contribution towards the shared pathway from the Subdivision Contributions Reserve.

CARRIED

Note:

Council discussed the need for clear guidelines around the Subdivision Contributions Reserve Fund, with the Chief Executive to bring a report back to Council for consideration.

The meeting was adjourned at 10.45am for morning tea.

The meeting was reconvened at 11.00am.

17.3 WASTE MANAGEMENT FEES AND CHARGES

Council considered extending the use of the 2020/21 Waste Management Fees and Charges at the Waimate Resource Recovery Park, until the new weighbridge has been installed and is operational.

RESOLUTION 2021/94

Moved: Chair Craig Rowley

Seconded: Cr Fabia Fox

1. That the Waste Management Fees and Charges report is accepted; and
2. That Council approves the continued use of the Waste Management Fees and Charges 2020/21 from 1 July 2021, until the proposed weighbridge is commissioned; and
3. That Council reverts to the previously adopted Waste Management Fees and Charges 2021/22 once the new weighbridge is commissioned.

CARRIED

17.4 WAIMATE DISTRICT COUNCIL REVISED MEETING SCHEDULE 2021

Council considered a revised Council Meeting schedule for the remainder of the 2021 year.

RESOLUTION 2021/95

Moved: Cr Miriam Morton

Seconded: Cr Tom O'Connor

1. That the Waimate District Council Revised Meeting Schedule 2021 report is accepted, and
2. That the Waimate District Council Revised Meeting Schedule 2021 is adopted.

CARRIED

Note:

Council were concerned some of the former agenda content provided at the Committee meetings is now not being supplied, and asked that the Committee Chairs go through their agendas, and email the Mayor any reporting they would like to continue.

Council's meeting structure will undergo a review later this year.

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 2021/96**

Moved: Cr Sheila Paul

Seconded: Cr Miriam Morton

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 11 May 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 Chief Executive's Performance Review Committee Meeting held on 18 May 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

19.3 - Long Term Plan 2021-31 - Rates Assessment and Invoicing	<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> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
19.4 - Alpine Energy Shareholders Report - April 2021	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
19.5 - Civic Financial Services Limited	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
19.1 - Chief Executive's Draft Report on Government Three Waters Reform	<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> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p style="text-align: right;">CARRIED</p>		

20 RE-ADMITTANCE OF THE PUBLIC REPORT**RESOLUTION 2021/97**

Moved: Cr Tom O'Connor

Seconded: Cr Sheila Paul

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 12.44pm.

The minutes of this meeting are to be confirmed at the Ordinary Council Meeting scheduled on 28 July 2021.

.....
CHAIRPERSON

7.2 MINUTES OF THE CHIEF EXECUTIVE'S PERFORMANCE REVIEW COMMITTEE MEETING HELD ON 29 JUNE 2021

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

Authoriser: Tina Stevenson, Corporate Services Group Manager

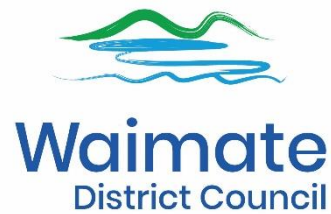
Attachments: 1. Minutes of the Chief Executive's Performance Review Committee Meeting held on 29 June 2021

PURPOSE

To present the unconfirmed Minutes of the Chief Executive's Performance Review Committee Meeting held on 29 June 2021 for confirmation.

RECOMMENDATION

That the Minutes of the Chief Executive's Performance Review Committee Meeting held on 29 June 2021 be adopted as a true and correct record.



MINUTES

Chief Executive's Performance Review Committee Meeting

29 June 2021

**MINUTES OF WAIMATE DISTRICT COUNCIL
CHIEF EXECUTIVE'S PERFORMANCE REVIEW COMMITTEE MEETING
HELD AT THE CLUBROOMS, WAIMATE EVENT CENTRE, PAUL STREET, WAIMATE
ON TUESDAY 29 JUNE 2021 COMMENCING AT 9:00AM**

PRESENT: Mayor Craig Rowley, Deputy Mayor Sharyn Cain, Cr Colin Pankhurst
ABSENT: Cr Tom O'Connor
IN ATTENDANCE: Cr Fabia Fox (observer)
Stuart Duncan (Chief Executive), Fiona Hester-Smith (Human Resources Manager), Karalyn Reid (Committee Secretary)

OPENING

1 PUBLIC FORUM

There was no Public Forum offered at this meeting.

2 APOLOGIES

Nil

3 VISITORS

Nil

4 CONFLICTS OF INTEREST

There were no Conflicts of Interest declared.

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

Nil

PUBLIC EXCLUDED

6 EXCLUSION OF THE PUBLIC REPORT

RESOLUTION TO EXCLUDE THE PUBLIC

COMMITTEE RESOLUTION 2021/4

Moved: Deputy Mayor Sharyn Cain

Seconded: Cr Colin Pankhurst

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
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6.1 - Chief Executive's Performance Review	<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)(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>
6.2 - Chief Executive's Performance Review and Priorities Report	<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>	<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		

7 RE-ADMITTANCE OF THE PUBLIC REPORT

<p>COMMITTEE RESOLUTION 2021/5</p> <p>Moved: Deputy Mayor Sharyn Cain</p> <p>Seconded: Cr Colin Pankhurst</p> <p>That Council moves out of Closed Council into Open Council.</p> <p>CARRIED</p>

MEETING CLOSURE

There being no further business, the Chair closed the meeting at 12:15pm.

The minutes of this meeting will be confirmed at the Council Meeting to be held on 28 July 2021.

.....
CHAIRPERSON

8 RECEIPT OF MINUTES**8.1 MINUTES OF THE DOWNLANDS JOINT STANDING COMMITTEE MEETING HELD ON 15 JUNE 2020**

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

Authoriser: Dan Mitchell, Asset Group Manager

Attachments: 1. Minutes of the Downlands Joint Standing Committee Meeting held on 15 June 2020

PURPOSE

For the confirmed minutes of the Downlands Joint Standing Committee Meeting held on 15 June 2020 be presented for the information of the Council.

RECOMMENDATION

That the confirmed minutes of the Downlands Joint Standing Committee Meeting held on 15 June 2020 be received.

**Minutes of Timaru District Council
Downlands Water Supply Committee Meeting
Held in the Meeting Room 1, District Council Building, King George Place, Timaru
on Monday, 15 June 2020, 1.00pm**

Present: Cr Richard Lyon, Mr John McDonald, Cr Sally Parker, Mayor Nigel Bowen, Cr Paddy O'Reilly, Cr Sandy McAlwee, Cr Stuart Barwood, Cr Bill Wright

In Attendance: Drainage & Water Manager (Grant Hall), Chief Financial Officer (David Codyre), Communications Manager (Stephen Doran) and Downlands Secretary (Kate Walkinshaw)

1 Apologies

Nil

2 Identification of Items of Urgent Business

There were no matters of urgent business identified.

3 Identification of Matters of a Minor Nature

There were no matters of a minor nature identified.

4 Declaration of Conflicts of Interest

Nil

5 Chairperson's Report

The Chairperson had nothing substantial to report.

6 Confirmation of Minutes

6.1 Minutes of the Downlands Water Supply Committee Meeting held on 2 December 2019

Resolution 2020/1

Moved: Mayor Nigel Bowen

Seconded: Cr Sally Parker

That the Minutes of the Downlands Water Supply Committee Meeting held on 2 December 2019 be confirmed as a true and correct record of that meeting.

Carried

7 Reports

7.1 Water Infrastructure Asset Revaluation

The Committee considered a report on the proposed change to the method of valuating the Downlands Water scheme infrastructure from Deemed Cost to Fair Value.

The Chief Financial Officer explained the difference between the deemed cost method and the fair value measurement method. The Committee agreed to adopt the fair value method but wanted to discuss the program and frequency of the valuation at the November meeting. The Chief Financial Officer will provide the Committee with a recommendation.

Resolution 2020/2

Moved: Cr Sally Parker

Seconded: Cr Bill Wright

That the Committee

1. Notes and receive the report, and
2. Adopts the fair value method of measuring assets for water infrastructure assets from 1 July 2019.

Carried

7.2 Draft Budget 20/21

The Committee considered a report by the Drainage & Water Manager in regards to the draft budget for 2020/21.

The draft budget is very much in line with year 3 of the Long Term Plan. There is a significant increase from last year's budget, due to an increase of unit and service charges, of 21%. The operational cost difference between the current and proposed years is due to a new water sampling program being implemented as required by the updated drinking water standards. There is also an increase in regards to operational electricity. Everything else is generally the same.

Total capital is correct. The interest may change if government funding comes through for shovel ready projects. The Te Ana Wai project is currently in the list of 800 projects in line for funding. If not, a loan will be required.

Resolution 2020/3

Moved: Mayor Nigel Bowen

Seconded: Mr John McDonald

That the Downlands Joint Standing Committee adopt the 2020/2021 draft budget.

Carried

7.3 Verbal Report on Te Ana Wai Water Supply Upgrade

A verbal report was given on the Te Ana Wai Water Supply Upgrade.

The Drainage & Water Manager provided a verbal update on the Te Ana Wai Water supply. Timaru District Council has applied for the government shovel ready programme for funding.

Trunk main renewal – Davidson Road to Cave – the contract has been let to Hadlee & Brunton. Sanitary liner to that section of pipe. Programmed to commence work in July. They will use fabricated steel as opposed to cast iron due to major delays caused by Covid-19 and international shipping and supply.

Cave to Water Treatment Plant – Richardson Road – is in final design stage. Working with Mayor of Mackenzie in regards to the location of pipe. Proposal to progress to Stage 2 to tender in August/September.

Intake – site visit with Arowhenua and they are fine with proposed works. The final documents are currently under review. Proposing to go to tender within the month. Construction commencement date is unsure at this stage due to lambing and fish movement, as discussed with Arowhenua.

Raw water reservoir contract been awarded to Rooney Earthmoving Limited. The site is fenced and the contractor is ready to go. There are issues around the designation of the site. Some land owners are refusing to sign the affected parties' paperwork. Mackenzie District Council have been asked to confirm, via commissioner, whether they are an affected party or not. If they are, a limited notification hearing would need to proceed and their concerns heard, via commissioner. The Drainage & Water Manager tabled some visuals in regards to the effect on the party which is very minimal.

Water Treatment Plant – negotiations underway with Marshall Projects Consortium with the final proposal due this week. Review will commence the following week. Report to Tender & Procurement with design and build in next month.

Treated water reservoir – ready to be tendered next month.

Communications Manager discussed communications around Downlands. Now is the time to increase communication with the scheme users around the projects commencing and 21% rates increase. There was talk of a newsletter drop to all Downlands consumers with an option of signing up to an e-newsletter. All communications to be sent to the Downlands Joint Standing Committee prior to being sent to the consumers.

Resolution 2020/4

Moved: Mr John McDonald

Seconded: Cr Stuart Barwood

That the update be received.

Carried

8 Consideration of Urgent Business Items

There were no matters of urgent business.

9 Consideration of Minor Nature Matters

There were no matters of a minor nature.

The meeting closed at 2:33pm.

.....

Chairperson

8.2 MINUTES OF THE DOWNLANDS JOINT STANDING COMMITTEE MEETING HELD ON 22 FEBRUARY 2021

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

Authoriser: Dan Mitchell, Asset Group Manager

Attachments: 1. Minutes of the Downlands Joint Standing Committee Meeting held on 22 February 2021

PURPOSE

For the confirmed minutes of the Downlands Joint Standing Committee Meeting held on 22 February 2021 to be presented for the information of the Council.

RECOMMENDATION

That the confirmed minutes of the Downlands Joint Standing Committee Meeting held on 22 February 2021 be received.

**Minutes of Timaru District Council
Downlands Water Supply Committee Meeting
Held in the Meeting Room 1, District Council Building, King George Place, Timaru
on Monday, 22 February 2021 12.30pm**

Present: Cr Richard Lyon (Chairperson), John McDonald, Cr Sally Parker, Mayor Nigel Bowen, Cr Paddy O'Reilly, Cr Sandy McAlwee, Cr Stuart Barwood, Bill Wright

In Attendance: Chief Executive (Bede Carran), Group Manager Infrastructure (Andrew Dixon), Group Manager Commercial and Strategy (Donna Cross), Corporate Services Communications Manager (Stephen Doran), Drainage and Water Manager (Grant Hall), Water Services Stimulus Package Technical Specialist (Judy Blakemore), Executive Assistant Infrastructure (Michelle Heal)

1 Apologies

There were no apologies.

2 Identification of Items of Urgent Business

There was no urgent business.

3 Identification of Matters of a Minor Nature

Regular information updates

3 Waters Reform

10 Year Budgets – form and format

4 Declaration of Conflicts of Interest

There were no declarations of conflicts of interest.

5 Chairperson's Report

The Chairperson advised he has received no contact from consumers in complaint so the scheme appears to have held up well over the summer period in relation to supply of water. The Committee agreed generally consumers have expressed they are excited by the expansion and growth of the scheme.

Resolution 2021/1

Moved: Cr Richard Lyon

Seconded: Cr Sally Parker

That the Committee receive the verbal Chairperson Report.

Carried

6 Reports

6.1 Application for Variation of Policy for Water Allocation

The committee was presented with a report to consider an application for the increased allocation of water units from the Ministry of Education (MoE), due to the proposed expansion of the Arowhenua Maori School.

The committee discussed the information as provided with Grant Hall clarifying points of supply and unit allocation.

Resolution 2021/2

Moved: Cr Paddy O'Reilly

Seconded: Cr Bill Wright

1. That the Downlands Water Supply Joint Standing Committee approved the allocation for one additional water supply unit to the Arowhenua Maori School, to be delivered before December 2021;
2. That the Downlands Water Supply Joint Standing Committee approved the allocation for a further two additional water supply units to the Arowhenua Maori School, to be delivered once additional water allocations are generally available for consumers.

Carried

6.2 Verbal Update on Scheme Upgrade

The committee was presented with a verbal update from the Drainage and Water Manager on the Scheme Upgrade.

A waiting list for additional Downlands allocation is maintained by Council in anticipation of the water being available following completion of the project.

The Drainage and Water Manager tabled and spoke to a project report update received from OCTA as **attached**.

When these project updates are received by Council they will be circulated to the Committee as and when they are available.

The Communications Manager provided an update on the communication methods being used to encourage communication mail list sign up in relation to the Downlands Water Supply. To date 287 people having signed up to the mailing list for updates. While compiling the mailing list the Communications team are also gathering interest in allocation and additional allocation interest. The Communications team intends to undertake a second round of advertising to generate interest in sign up to the mailing list.

The Drainage and Water Manager also advised the two 3 Waters Stimulus projects progressing Davidson Road extension – works begin on Tuesday 23 February 2021 with valve installation Totara Valley and Kokohu – Capacity improvements – the design progress is occurring

Resolution 2021/3

Moved: Cr Richard Lyon

Seconded: Cr Sally Parker

That the Committee receive the verbal update from the Drainage and Water Manager

Carried

Attachments

- 1 OCTA Progress Report - 19 February 2021

7 Consideration of Urgent Business Items

There was no urgent business.

8 Consideration of Minor Nature Matters**Regular information updates**

The Committee agreed regular information and progress updates need to be circulated. Council Officers advised as the project is now entering the construction phase communication will be circulated to the Committee on a regular basis as and when available.

3 Waters Reform

It was agreed the 3 Waters Reform topic would be discussed and traversed at the workshop following this meeting.

8.3 10 Year Budget - Form and Format

The Drainage and Water Manager tabled an example of the 2018 LTP budget form and format (operation including variation and capital works) and sort the Committee guidance. The Committee considered and discussed the most suitable Budget form and format that would be beneficial for their information. The Committee provided an indication to use the format as presented. It was agreed this was a verbal indication only and would be presented formally by Council's Finance Department to the Committee at a later meeting.

Attachments

- 1 2018 LTP Budget Example Form and Format

The Meeting closed at 1.51pm.

.....
Cr Richard Lyon
Chairperson

ATTACHMENTS MINUTES

Downlands Water Supply Committee
Meeting

Monday, 22 February 2021

Table of Contents

- 6.2 Verbal Update on Scheme Upgrade
 - Attachment 1 OCTA Progress Report - 19 February 2021
- 8.3 10 Year Budget - Form and Format
 - Attachment 1 2018 LTP Budget Example Form and Format



Progress Report

Downlands Water Supply Upgrade

File Ref

661-01

Downlands Water Supply Management Committee

Date:

19 Feb 2021

Project Status

Work Package	Description	Current Activity	Status (wd = working day)
1	Raw Water Reservoirs	Construction Contract	Started on-site 6 Jan Progressing well
2	Water Treatment Plant	Design Build Contract	Design Complete Offsite fabrication underway
3	Intake Works	In-River Works Out of River Works	Completed Aug 2020 Underway
4	Treated Water Reservoir	Design Build Contract	Awarded Jan 2021
5	Stage 1 Trunk Pipeline	Design Build Contract	Stalled, due to re-start 23 Feb.
6	Stage 2 Trunk Pipeline	Construction Contract	Awarded Jan 2021

1 Raw Water Reservoirs

The construction contract was awarded to Rooney Earthmoving on 17 March 2020.

Subsequent delay in obtaining Land Designation meant that construction could not start on-site until 6 January 2021. Progress has been good to-date. There has been no health & safety incidents, and no archaeological discoveries during the excavation.

Completion is scheduled for June 2021, with ponds expected to be filled in September.

A resource consent application for the drain down pipe discharging to the river is being progressed.

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2 Water Treatment Plant

A Design-Build contract was awarded to Pall Marshall Water Consortium (PMWC) in August 2020. This was based on an approved concept design and negotiated fixed price contract agreement.

Design was completed following a HAZOP workshop with TDC plant operators in November 2020.

Mackenzie District Council was notified (4 December 2020) that this work is exempt from building consent, under clause 2, Schedule 1 of the Building Act 2004, covering local authority utilities. No acknowledgement has been received.

Offsite fabrication of the process plant is proceeding, with key components for the membrane filtration being manufactured off-shore. Shipping delivery details are expected to be advised in March. There is potential for delays due to Covid.

Local subcontractors (plumbers, structural steel, builders, electrical) are currently liaising with PMWC to coordinate the on-site work sequence.

3 Intake Works

The In-River works were successfully completed in August, in order to comply with iwi request for no work from September to May. The new galleries were installed along with new piped connection to the new wet well.

The Out of River works commenced on 6 January 2021 (following receipt of the Land Designation decision in December). Earthworks and foundations are complete with the ground slab for the new pump house due to be poured.

Current programme is to complete this work in May.

4 Treated Water Reservoir

This design-build contract was awarded in January 2021, following direct negotiation with the preferred supplier Reliant Solutions. The tendered price was benchmarked against other similar work recently completed for TDC.

Design has been completed and orders about to be confirmed for fabrication offshore. The glass fused steel bolted panel tank is produced in a UK factory. Production is continuing though Covid as workers are deemed "essential to the economy", however shipping details remain to be finalised.

5 Stage 1 Trunk Pipeline

This contract (Hadlee + Brunton) was delayed by access difficulties to one private property owner.

TDC negotiated a "work around" solution and work is due to resume on 23 February. Completion is scheduled for May 2021.

20210219



6 Stage 2 Trunk Pipeline

This contract was recently tendered and awarded to Rooney Earthmoving. The Ecan earthworks consent is expected at end of February, and work should commence on-site within 20 working days.

The contractor's programme is currently being prepared.

Summary

Following "lockdown" in 2020 and other planning related delays, construction work is well placed to make good progress over the next 6 to 9 months. Once all contractor programmes are updated Octa will prepare an overall Project Master Programme to measure future progress.

Ian Martin
Octa Project Management
ian.martin@octa.co.nz

20210219

[illegible]

	AUTHORITY CODE	BUDGET 2016/17	BUDGET 2016/17	PROJ ACT 2017/18	BUDGET 2018/19	BUDGET 2019/20	BUDGET 2020/21	BUDGET 2021/22	BUDGET 2022/23	BUDGET 2023/24	BUDGET 2024/25	BUDGET 2025/26	BUDGET 2026/27	BUDGET 2027/28	W3
Ophi River Crossing Pipeline	27000-791.401	\$	\$	0	200,000	0	0	0	\$	\$	\$	\$	\$	\$	
Solar Panel Renewals	27000-791.401	0	\$ 5,000	0	5,000	0	0	0	0	0	0	0	0	0	
Treatment Plant Upgrade	27000-791.401	0	0	0	0	5,000,000	4,800,000	0	0	0	0	0	0	0	
River Water Storage	27000-791.401	0	0	0	1,600,000	0	0	0	0	0	0	0	0	0	
Treated water storage	27000-791.401	0	0	0	0	1,500,000	0	0	0	0	0	0	0	0	
Springbrook treatment upgrade	27000-791.401	0	0	0	0	250,000	0	0	0	0	0	0	0	0	
		2,004,010	7,519,800	2,510,983	6,826,900	13,580,100	7,871,100	3,157,700	3,107,100	3,405,600	3,653,100	3,702,300	3,701,000	3,749,800	
Provision For Depreciation	29174.8401.8650	457,924	498,800		471,900	565,100	771,100	807,700	807,100	805,600	803,100	802,300	801,000	799,800	
Total															
Development Loan	29332.9202.9250	0	5,471,000	325,000	4,555,000	11,115,000	4,800,000	50,000	0	0	50,000	0	0	50,000	
Renewal Loan	29332.9202.9250	0	0	0	0	0	0	0	0	0	0	0	0	0	
SEPARATE RATES		1,536,086	1,550,000	1,701,183	1,800,000	1,900,000	2,300,000	2,300,000	2,300,000	2,600,000	2,800,000	2,900,000	2,900,000	2,900,000	
Less Opening Balance		0	0	0	0	0	0	0	0	0	0	0	0	0	
Closing Balance		1,536,086	1,550,000	1,701,183	1,800,000	1,900,000	2,300,000	2,300,000	2,300,000	2,600,000	2,800,000	2,900,000	2,900,000	2,900,000	
PLUS Closing Balance		0	0	0	0	0	0	0	0	0	0	0	0	0	
WATER RATE REQUIREMENT		1,536,086	1,550,000	1,701,183	1,800,000	1,900,000	2,300,000	2,300,000	2,300,000	2,600,000	2,800,000	2,900,000	2,900,000	2,900,000	
(Water Charges GST inclusive)															
DOMESTIC \$		566		566	601	634	767	767	767	867	934	967	967	967	
UNIT/POINT\$/UNIT		162		162	172	219	219	219	219	248	257	276	276	276	
SCHOOL A \$		971		971	1,031	1,086	1,315	1,315	1,315	1,487	1,601	1,658	1,658	1,658	
SERVICE\$/Connection		404		404	429	453	548	548	548	619	667	691	691	691	
PPECIAL FUND CLOSING BALANCE															
Asset Replacement Reserve		3,919,199	6,249,215		5,411,237	2,096,692	2,035,864	1,945,807	1,956,171	1,996,904	1,874,328	1,865,902	1,891,531	1,876,618	
Downlands Capital Contr Reserve		143,221	143,221		147,518	151,943	138,232	124,108	109,562	94,579	79,146	63,250	266,305	266,305	

8.3 MINUTES OF THE WAIKAKAHI RURAL WATER COMMITTEE MEETING HELD ON 4 MAY 2021

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

Authoriser: Dan Mitchell, Asset Group Manager

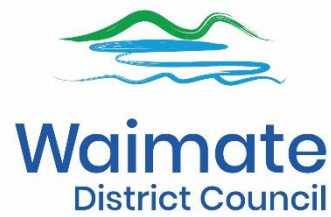
Attachments: 1. Minutes of the Waikakahi Rural Water Committee Meeting held on 4 May 2021

PURPOSE

For the unconfirmed minutes of the Waikakahi Rural Water Committee Meeting held on 4 May 2021 be presented for the information of the Council, with the permission of the Chair.

RECOMMENDATION

That the unconfirmed minutes of the Waikakahi Rural Water Committee Meeting held on 4 May 2021 be received.



MINUTES

Waikakahi Rural Water Committee Meeting

4 May 2021

**UNCONFIRMED MINUTES OF WAIMATE DISTRICT COUNCIL
WAIKAKAHI RURAL WATER COMMITTEE MEETING
HELD AT THE WAIMATE EVENT CENTRE, WAIMATE
ON TUESDAY 4 MAY 2021, COMMENCING AT 2:00PM**

Attended: M Chamberlain, K Adams (Chair), P Dyer, R Mansfield, H Henshaw, R Ponsonby (Secretary), Clr C Pankhurst
D Mitchell (WDC), D Glenie (WDC), P Roberts (WDC), N Caird (WDC)

Apologies: None

CONFIRMATION OF MINUTES

Moved R Mansfield / Seconded M Chamberlain
That the minutes from the last meeting held on 21 September 2020 were read and confirmed.
CARRIED

MATTERS ARISING

FINANCIAL REPORT (6 months ended 31 December 2020)

- Surplus of \$6,480.00
- Closing balance \$382,286.00
- Power costs a bit higher
- Less capital expenditure

GENERAL BUSINESS

Dan's Report

- Reported on Draft Long Term Plan to 30/06/2022:
 - 60% rates increase unsmoothed; but smoothed to about 15%
- 3 Waters Reform:
 - Government decision mid-year on reform proposal
 - Late 2021 Council decision about participation in reforms
 - 1 July 2024 – hand over to Government

Paul's Report

- Asked five companies to quote on finding new source of water and getting power, etc, to it:
 - Three companies replied; accepted quote for \$26,180.00
 - Can get \$20,000.00 from Government money

Moved K Adams
Seconded C Pankhurst
That \$6,180.00 be used from scheme, \$8,680 for stage 3 if required, along with the \$20,000.00 Government money.
CARRIED

- Discussion on future of committees
- Increased reporting requirements \$3,300.00 for three waters compliance:
 - Need to report to Taumata Arowai each month
 - Reports to be electronically transferred
- 30/06/2020 scheme last valued

- Discussion on cost of water if increases as in the 10-year plan.
- R Ponsonby said that most of his water comes from the Waihao Downs irrigation scheme. His approximately 300m³ per month costs 5 cents per cubic metre, which is about \$15 per month. He would, or could, get up most of his Waikakahi water.
- M Chamberlain agreed that most Waihao Downs irrigators were the same. If this happened, it would result in a large loss of water.
- In answer to the question, Dan said that the only way the approximate 15% water rate increase in the 10-year plan could be changed is if the Committee made a submission to Council about it.

Moved R Ponsonby

Seconded C Pankhurst

That the rate increase in the plan be accepted.

CARRIED

- Dion's Report
 - Scheme going ok – a few leaks
 - Have 20 new 30,000 litre tanks and break tanks
 - About 10km of new pipe – L Whites and P & M Bailey old funded from Government money
 - Capital contribution cost \$2 per litre per day

MEETING CLOSURE

The meeting closed at 4:20pm.

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



LGNZ Conference 2021 – Blenheim

EXTERNAL MEETINGS & FUNCTIONS ATTENDED BY THE MAYOR

Outside of Waimate District Council meetings and general business from 12 June 2021 to 16 July 2021.

Date	Meetings and Functions
14 June 2021	Combined Canterbury Water Management Strategy (CWMS) Lower Waitaki South Coastal Canterbury (LWSCC) and Orari Temuka Opihi Pareora (OTOP) Zone Committees Refresh Applicant Interviews
15 June 2021	Local Government New Zealand (LGNZ) Zone 5 Meeting with Minister Mahuta on Three Waters Reform – Christchurch
18 June 2021	Chamber of Commerce Business Awards Gala – Timaru
21 June 2021	OTOP Zone Committee Workshop follow up – via Microsoft teams
21 June 2021	Mayors Taskforce for Jobs (MTFJ) Employment Coordinator fortnightly catch-up – Council
21 June 2021	Long Term Plan (LTP) Community Chat – Glenavy
22 June 2021	LTP Community Chat – Waimate
23 June 2021	LTP Community Chat – Waimate
23 June 2021	LTP Community Chat – St Andrews
24 June 2021	LTP Community Chat – Community Creek
24 June 2021	Three Waters Update for Mayors, Chairs and Chief Executives – via zoom
25 June 2021	Live On-Air Chat with OJ – Media Works

28 June 2021	Meeting with LWSCC Zone Committee Chair and Facilitator – Council
28 June 2021	LTP Community Chat – Maungati
29 June 2021	Chief Executive's Performance Review Committee Meeting – Waimate Event Centre
29 July 2021	Department of Internal Affairs Webinar – Pre-briefing on Three Waters announcement
30 June 2021	Catchments Collective SC AGM – Timaru
14 July 2021-17 July 2021	LGNZ Conference – Blenheim LGNZ AGM – Blenheim Mayors' Taskforce For Jobs AGM – Blenheim

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 St John Awards



Waimate Matariki Celebration



LGNZ Conference with Auckland Local Board Members: Nerissa Henry and Dr Will Flavell

EXTERNAL MEETINGS & FUNCTIONS ATTENDED BY THE DEPUTY MAYOR

1. Outside of Waimate District Council meetings and general business from 12 June 2021 to 16 July 2021.

Date	Meetings and Functions
15 June 2021	Waihao Wainono Catchment Community Steering Group Meeting
18 June 2021	Waimate St John Awards – Waimate
21 June 2021	Long Term Plan Community Chat – Glenavy
22 June 2021	Long Term Plan Community Chat – Waimate
23 June 2021	Long Term Plan Community Chat – Waimate
29 June 2021	Chief Executive's Performance Review Committee Meeting – Waimate Event Centre

29 June 2021	Department of Internal Affairs Webinar – Pre-briefing on Three Waters announcement
30 June 2021	Long Term Plan Community Chat – Waimate Library
2 July 2021	Matariki Celebration – Waimate Event Centre (on behalf of Mayor)
6 July 2021	Long Term Plan Facebook live session with Asset Manager
14 July 2021 – 17 July 2021	LGNZ Conference – Blenheim LGNZ AGM – Blenheim

RECOMMENDATION

That the Deputy Mayor's Report is accepted.

11 COUNCILLORS' REPORTS**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 a register of external meetings and functions attended by Councillors outside of Waimate District Council meetings and general business from 12 June 2021 to 16 July 2021.

Cr Fabia Fox	
Date	Meetings and Functions
21 June 2021	Long Term Plan Community Chat – Glenavy
22 June 2021	Long Term Plan Community Chat – Waimate
23 June 2021	Community Link AGM and Workshop – Waimate
28 June 2021	Long Term Plan Community Chat – Maungati
29 June 2021	Chief Executive's Performance Committee Meeting (as observer)
29 June 2021	Department of Internal Affairs Webinar – Pre-briefing on Three Waters announcement
2 July 2021	Future of Local Government Workshop – Christchurch

Cr Sandy McAlwee	
Date	Meetings and Functions
22 June 2021	Long Term Plan Community Chat – Waimate
23 June 2021	Long Term Plan Community Chat – St Andrews
28 June 2021	Long Term Plan Community Chat – Maungati
12 July 2021	Downlands Joint Standing Committee – Timaru

Cr Miriam Morton	
Date	Meetings and Functions
14 June 2021	Economic Development Steering Group Meeting – Waimate
15 June 2021	LGNZ Zone 5 Meeting with Minister Mahuta on Three Waters Reform – Christchurch
16 June 2021	CentreCare Waimate Committee Meeting – Waimate
18 June 2021	Upper Waitaki Zone Committee Meeting – via zoom
18 June 2021	St John Awards Night – Waimate
23 June 2021	Long Term Plan Community Chat – Waimate
2 July 2021	Waimatetanga Matariki Festival – Waimate
8 July 2021	Department of Internal Affairs Three Waters Q & A Webinar – zoom
12 July 2021	Economic Development Steering Group Meeting – Waimate

Cr Tom O'Connor	
Date	Meetings and Functions
30 June 2021	Catchments Collective South Canterbury AGM – Timaru
23 June 2021	Long Term Plan Community Chat – St Andrews
28 June 2021	Long Term Plan Community Chat – Maungati
15 July 2021	Pareora Catchment Society AGM – Pareora

Cr Colin Pankhurst	
Date	Meetings and Functions
14 June 2021	Economic Development Strategy Group Meeting – Waimate
22 June 2021	Long Term Plan Community Chat – Waimate
24 June 2021	Long Term Plan Community Chat – Cattle Creek
29 June 2021	Chief Executive's Performance Review Committee Meeting

Cr Sheila Paul	
Date	Meetings and Functions
21 June 2021	Long Term Plan Community Chat – Glenavy
23 June 2021	Glenavy Inspection with Chief Executive and Parks & Reserves Manager
29 June 2021	Department of Internal Affairs Webinar – Pre-briefing on Three Waters announcement

RECOMMENDATION

That the Councillors' Report is accepted.

12 CHIEF EXECUTIVE'S REPORT**12.1 AFFIXING OF THE COMMON SEAL**

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

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: Nil

PURPOSE

1. The following document has been prepared in accordance with previous resolutions of the Council and/or the provisions of the Local Government Act, 2002 and other relevant statutes:
 - a. Warrant of Appointment – Compliance Officer: Gareth John Oudemans
2. It is proposed that Council authorise the signing and sealing of this document.

RECOMMENDATION

1. That the Affixing of the Common Seal report be accepted; and
2. That the following documents be executed under the Common Seal of Council:
 - a. Warrant of Appointment – Compliance Officer: Gareth John Oudeman

12.2 CHIEF EXECUTIVE 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.

STRATEGIC FOCUS

2. Local Government Centre refurbishment (stage 1) – the last of the concrete tiles will be removed on Monday 26 July. To ensure staff and the public are safe from falling objects, the central office and library will open at 9.15am that day to allow the builder adequate time to safely remove the tiles.
3. The Three Waters Programme – support package information has now been provided to each Council. We are yet to analyse the support package in any detail but note the following:
 - a. Included in the package is \$1.5B of the support funding to councils will come from the "New Water Service Entities" – these are yet to be set-up and it raises questions about the Government's announcement of \$1B to establish the water service entities.
 - b. Also Council (in order to access the funding) will be required to demonstrate that the use of this funding is to support the three waters service delivery reform objectives and other local wellbeing outcomes and aligns with the priorities of central and local government, through meeting some or all of the following criteria:
 - i. supporting communities to transition to a sustainable and low-emissions economy, including building resilience to climate change and natural hazards;
 - ii. delivery of infrastructure and/or services that:
 - enable housing development and growth, with a focus on brownfield and infill development opportunities where those are available,
 - support local place-making and improvements in community well-being.
 - c. We have 8 weeks to test this reform package and develop a clear understanding of our position including obtaining some public feedback. As I have stated before, there is insufficient time to understand the information provided by Government, share the findings with the ratepayers and make a sound decision.
 - d. The support package funds will be allocated to councils based on a nationally-consistent formula agreed to by the Government and LGNZ. The formula does not deal with rural NZ councils, i.e. 75% population, 20% deprivation and 5% land area! As a formula, this is targeting funding in the wrong place (at best) in my opinion!
 - e. Management are still working on the WICS/DIA information dashboard sent last week, this dashboard relates specially to WDC as a 'standalone or opted-out Council', and if trusted, identifies a water and wastewater average capital investment requirement of \$29M every year for the next 30 years totalling \$873,809,022M over the full 30 years.
4. LTP and Annual Report 2021 is taking a considerable amount of my time.

MEETINGS AND FUNCTIONS ATTENDED

5. Below is a list of meetings and functions attended by the Chief Executive from 12 June to 16 July 2021:

Date	Meetings and Functions	Purpose
21-28 June 2021	LTP Community Chats – Glenavy, Waimate (x2), St Andrews, Cattle Creek, Maungati	Hear feedback from residents on the LTP Consultation Document
23 June 2021	Tour of Glenavy with Cr Paul and Parks & Reserves Manager	Identify areas for improvement within Glenavy
24 June 2021	LGNZ meeting (via Zoom)	Fortnightly LGNZ Three Waters Reform meeting
29 June 2021	DIA meeting (via Zoom)	Update on Three Waters Reform
8 July 2021	DIA meeting (via Zoom)	Q&A webinar on Three Waters Reform
8 July 2021	Wild West photo opportunity	Promote Wild West event on 10 July
8 July 2021	LGNZ meeting (via Zoom)	Fortnightly LGNZ Three Waters Reform meeting
13 July 2021	Aoraki Multicultural Association	Discuss event opportunities
14 July 2021	Chorus	Public information session on connecting to Waimate fibre network

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 [↓](#) 

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 31-May-18	Duncan, Stuart	General Reports	Library Redevelopment
RESOLUTION 2018/40			
That Council proceed with the plan for the redevelopment of the Library including the whole Council building, and fund the investigation and scoping report to the sum of \$100,000 from the 2130 Property Reserve in the year 2020/21.			
CARRIED			
Note:			
The recommendations from the scoping exercise will go out to full public consultation before incurring further expenditure.			
15 Jul 2021: Discussions are taking place with the architect and it is planned to present a proposed project plan and timeline at the August Council meeting.			

Meeting	Officer/Director	Section	Subject
Council 27-Apr-21	Duncan, Stuart	General Reports	Open Space and Recreation Development Contributions
RESOLUTION 2021/61			
That the Open Space and Recreation Development Contributions lie on the table pending a Council Workshop.			
CARRIED			
15 Jul 2021: It is proposed a draft policy or guidelines will be discussed at a workshop in August.			

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

Author: Fiona Hester-Smith, Human Resources Manager
Authoriser: Fiona Hester-Smith, Human Resources Manager
Attachments: Nil

PURPOSE

1. For the Human Resources Manager to update Council.

RECRUITMENT

2. Since my last report we have recently completed the recruitment for the following positions.

Position	Permanent / Temporary	Replacement or New Position
Part time Library Assistant	Permanent	Replacement

3. We are currently in the process of recruiting for a Waste Management Officer and Water Technician.
4. We will be recruiting soon for a Waimate Lakes Supervisor and a Waimate Lakes Cleaner.

STAFF STATISTICS**Permanent Staff**

Month	Total	Full Time	Part Time	FTE
June-21	68	48	20	56.61

Temporary and Casual Staff

Month	Total	Temporary	Casual	FTE
June-21	5	5	0	4.06

History as at June each year

Year	Total	FTE
2018	58	48.58
2019	60	50.71
2020	64	53.04
2021	68	56.61

LEAVE LIABILITY STATISTICS

5. Leave Liability Graphs – The below graph indicates on the green line the current position opposed to the previous two years, blue being 2019 and red being 2020 positions.



6. Total Annual Leave Hours – The above graph shows in blue the amount of current leave hours and in red the balance of total hours that equals excess leave.
7. We currently have 19 staff with excess leave. Please note excess leave is any leave over one year's entitlement, e.g. if an employee has a yearly entitlement of 150.00 hours and they have a balance of 160.00 hours, then 10 hours will be counted as excess leave.

RECOMMENDATION

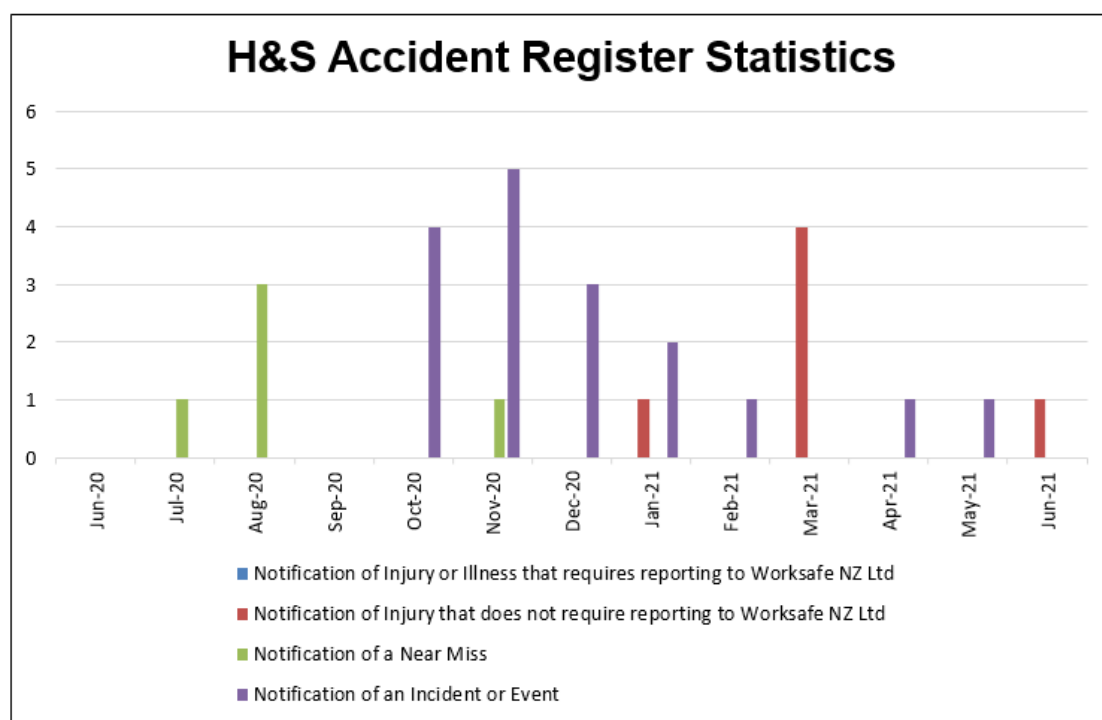
That the Human Resources Manager's report is accepted.

15 HEALTH AND SAFETY REPORT**15.1 HEALTH AND SAFETY REPORT**

Author: Nick Fazakerley, Emergency Management and Health & Safety Advisor
Authoriser: Jonts McKerrow, Regulatory and Compliance Group Manager
Attachments: Nil

PURPOSE

1. The Health and Safety report to 30 June 2021 is submitted for the information of Council.

Health and Safety Statistics

2. Since the last report in August 2020 there has been 27 reported H & S incidents. Nothing required reporting to WorkSafe NZ. All incidents were investigated and appropriate remedial action taken.

Staffing Changes

3. Since the last report to Council our new Emergency Management and Health and Safety Advisor has started, relocating to Waimate from Napier from a previous role working with the New Zealand Red Cross. They are looking forward to adding value to this role within Council.

Health and Safety Committee

4. The Dare to Care Team has met a number of times throughout the last year with the last meeting taking place on 28 May 2021. The Dare to Care Team are focusing on various aspects of health and safety each month, these include wellbeing and mental health, pandemic planning, training requirements and the staff health and safety survey. They are currently focusing efforts on lone working and staff wellbeing.

Covid-19 Resiliency

5. On 19 May, Dr Crispin Langston hosted information sessions for all staff on the COVID-19 vaccine. As a component of the National Emergency Management Plan, Council were allocated priority vaccine access as part of Group 3 in the national vaccine roll-out plan.
6. These information sessions have been successful, and to date more than 90% of Council staff have received their first vaccination.

Meetings

7. The Emergency Management and Health and Safety Advisor has attended a number of meetings as part of the Canterbury Health and Safety Advisors Group, hosted by Environment Canterbury. The most recent one took place 15 July in Christchurch.

Training

8. Stage One Health and Safety Training has been scheduled for 13 September in the Council Chamber. This will provide our newer staff with a foundational knowledge of Health and Safety in the work place.

Poolsafe

9. Work to attain Poolsafe Accreditation for the Norman Kirk Memorial Swimming Pool is underway. A site audit from Poolsafe identified a small amount of non-compliant items which have since been remediated. Evidence of remediation is currently being assessed by Poolsafe with a view to accreditation being issued shortly.

Contractor Management

10. A business case proposing a review of Contractor Management for Health and Safety was presented to the Executive Leadership Team in May 2021. Emergency Management and Health and Safety Advisor and the Regulatory and Compliance Group Manager are currently working on developing this case with an aim to implement an improved solution for the benefit of Council and contractors.

RECOMMENDATION

That the Health and Safety update report is accepted.

16 AUDIT AND RISK COMMITTEE REPORT

Nil

17 GENERAL REPORTS**17.1 DRAFT LONG TERM PLAN 2021-2031 SUBMISSION HEARING AND DECISIONS**

Author: Carolyn Johns, Community and Strategy Group Manager

Authoriser: Carolyn Johns, Community and Strategy Group Manager

Attachments:

1. LTP 2021-31 Submission Hearing Timetable (under separate cover)
2. LTP Submissions 1-25 (under separate cover)
3. LTP Submissions 26-50 (under separate cover)
4. LTP Submissions 51-78 (under separate cover)

PURPOSE

1. To inform Council as to the result of public engagement and consultation conducted on the Draft Long Term Plan 2021-2031 and for Council to make decisions on submissions.

BACKGROUND**Long Term Plan 2021-31 Consultation Process**

2. The formal consultation on the Draft Long Term Plan (LTP) was carried out from 8 June 2021 to 8 July 2021. The Local Government Act (2002) sets the requirements for formal consultation for the LTP, including the development of a LTP Consultation Document that provides an effective basis for community engagement in Council's decision-making processes relating to the content of the LTP 2021-2031. LTP Consultation is required to use the Special Consultative Procedure as the statutory minimum procedure.
3. Extensive engagement and consultation on the Draft Long Term Plan 2021-31 has included:
 - a. A four week advertising campaign in the Waimate Trader highlighting key issues and key dates prior to the delivery of the consultation document;
 - b. Delivery via the Waimate Trader of the 36 page LTP Consultation Document to every household between 16 and 21 June 2021;
 - c. Six community chat events around the Waimate District where Councillors and staff where out and about to discuss Council's proposals, resulting in direct engagement with approximately 90 members of the community;
 - d. Drop in session with Deputy Mayor in the Waimate District Library 30 June 2021;
 - e. The front page of Council's Website provided a link to a menu for LTP information, the LTP Consultation Document, submission form and viewing proposed rates on-line;
 - f. Video message from Mayor Craig Rowley published on the Council's YouTube channel, Facebook page, and website;
 - g. Facebook live sessions with the Deputy Mayor on 5 July 2021;
 - h. Regular advertising in the Waimate Trader and publishing articles in the News and Views local newspaper;
 - i. Regular promotions via the Council's Facebook page;
 - j. Advertisement in Council's 'Newline' and in the Courier newspaper; and
 - k. Placing posters at key locations

Long Term Plan 2021-31 Submissions

4. Submissions on the Draft Long Term Plan 2021-31 closed on Thursday 8 July 2021 at 4pm, with 78 submissions received (submissions attached).
5. All submissions are available electronically via the Council website. Following the 31 August Council Meeting, the decisions will also be made available on the website.

Statistical Report on Submitters Preferences

6. Submitters were asked 2 questions:
 - a. Question 1, 'Key Issue- Managing Impact on Rates', 'Which rates option do you prefer?'
 - i. Option 1: Unsmoothed – no additional borrowings
 - ii. Option 2: Smoothed over 3 years – Council's preferred option – additional borrowings \$1.35m
 - iii. Option 3: Smoothed over 3 years – the softer approach – additional borrowings \$1.6m
 - b. Question 2, 'Policy Changes', 'Do you support our changes to the Rates Remission and Postponement Policy (RRPP)?'
7. 62 out of 78 submitters responded to the Question 1, their preferences as below:
 - a. Option 1: 38 in favour (61% in total)
 - b. Option 2: 17 in favour (28% in total)
 - c. Option 3: 7 in favour (11% in total)

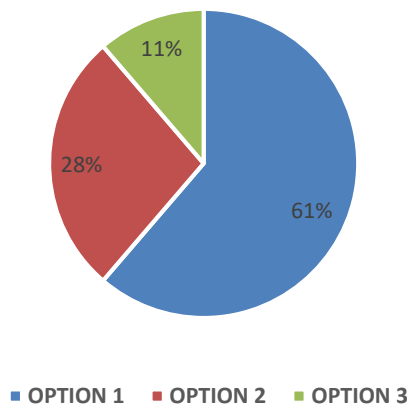


Figure 1: Public Preferences on Proposed Rates Options

NB: In several submissions, a degree of deviation between the selected preferred option and the provided relevant feedback is detectable. In providing the above statistical report, such instances of deviation are not taken into account.

8. 45 out of 78 submitters responded to the Question 2, their preferences as below:
- Support [proposed] changes to the RRPP: 25 in favour (56% in total)
 - Oppose [proposed] changes to the RRPP: 20 in favour (44% in total)

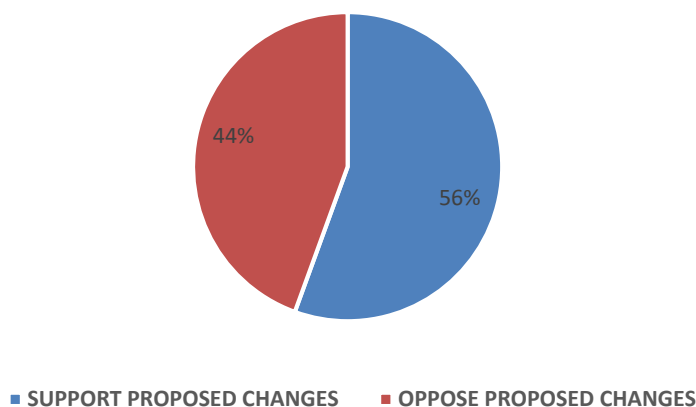


Figure 2: Public Preferences on Proposed Changes to the Rates Remission & Postponement Policy

Long Term Plan 2021-31 Public Hearing

9. The date set aside for hearing submitters is Tuesday 27 July 2021. 20 submitters have requested to speak to their submission.

Following the Long Term Plan 2021-31 Decisions on Submissions

10. Following the decisions on submissions, staff will then make the appropriate amendments which will be audited by Audit NZ, and then the updated draft Long Term Plan will be provided to Council for adoption at the 31 August 2021 Council Meeting.

Options

- Council completes the hearing on submissions on Tuesday 27 July 2021 and make their decisions following the hearing on Wednesday 28 July 2021; or
- Council delays the hearing on submissions on Tuesday 27 July 2021 and/or delays their decisions following the hearing on Wednesday 28 July 2021.

ASSESSMENT OF SIGNIFICANCE

13. This item is deemed significant under Council's Significance and Engagement Policy which resulted in the use of the Special Consultative Procedure when consulting on the Long Term Plan.

RECOMMENDATION

- That the Draft Long Term Plan 2021-2031 Submission Hearing and Decisions report is accepted; and
- That the submissions to the Draft Long Term Plan 2021-2031 be received and noted; and
- That Council considers and makes decisions on the submission topics raised by the submissions to the Long Term Plan 2021-2031; and
- That changes to the Draft Long Term Plan 2021-2031 are identified for incorporating in the final Long Term Plan to be adopted on 31 August 2021.

17.2 RESOURCE MANAGEMENT ACT REFORM UPDATE

Author: Kevin Tiffen, Resource Planner

Authoriser: Jonts McKerrow, Regulatory and Compliance Group Manager

Attachments: 1. New Purpose for NBA  

PURPOSE

1. On 29 June 2021, the Government released an exposure draft on the Natural and Built Environments Bill, which is one of the three proposed Acts to replace the Resource Management Act 1991 (RMA). The purpose of this report is to inform Councillors of the pending legislative changes and processes, and the opportunities for submission.

BACKGROUND

2. In February 2021, the Government announced it would repeal and replace the RMA, based on recommendations of the Resource Management Review Panel. The three proposed Acts are:
 - a. Natural and Built Environments Act (NBA): to protect and restore the environment while better enabling development, as the primary replacement for the RMA
 - b. Strategic Planning Act (SPA): to help coordinate and integrate decisions made under relevant legislation, through requiring the development of long-term regional spatial strategies
 - c. Climate Adaptation Act (CAA): to address complex issues associated with managed retreat
3. It is expected that all three bills will be introduced in the current term of Parliament, and the NBA and SPA are intended to pass into law before the end of the parliamentary term (November 2023). The combined effect of the SPA and the NBA is to significantly overhaul how Councils are expected to approach planning for the natural and built environments, with a focus on closer links between land and resource planning, and associated funding and investment (including of infrastructure).

PROPOSAL

4. To deliver an NBA, the Natural and Built Environments Bill (the Bill) is being progressed in a two stage select committee process. The first stage is the select committee inquiry into a partial draft of the Bill, i.e. exposure draft. The second stage will be a standard legislative process for the full Bill next year. The reason for this two stage approach is to “test and improve” the content of the Bill before it goes into the formal Parliamentary process.
5. The exposure draft does not cover the full Bill, but provides an early look at key aspects, including:
 - a. Purpose and related provisions,
 - b. National Planning Framework, and
 - c. Natural and Built Environments Plans
6. The exposure draft is the main focus of the select committee inquiry, who will examine the draft with reference to the reform objectives, and seek feedback on the exposure draft from the public (which is the stage we are at now). At the end of the inquiry, the select committee will publish a report, where it will be considered by the Government along with feedback from submitters.

ASSESSMENT OF SIGNIFICANCE

7. It will be a mandatory requirement in the NBA for the Minister for the Environment to set environmental limits for aspects of the natural environment, to protect its ecological integrity and human health. These limits will be framed as a minimum acceptable state of an aspect of the environment, or a maximum amount of harm that can be caused to that state. Timing and transitional arrangements will be taken into account in setting limits.
8. Also, the NBA is to specify a range of outcomes that decision-makers will be required to promote for natural and built environments. The outcomes include environmental protection, iwi and hapu interests, cultural heritage, protection of customary rights, housing, rural development, infrastructure provision, and climate change mitigation and adaptation.
9. The NBA is to carry over the RMA's requirement to "avoid, remedy, or mitigate" adverse effects of activities on the environment. This is to ensure a management framework exists for all adverse effects, including those not covered by limits or outcomes. The NBA is intended to ensure that measures to avoid, remedy or mitigate effects do not place unreasonable costs on development and resource use. Also, it is 'kiss goodbye' to the subjective amenity values contained in all present day plans but this should not be at the expense of quality urban design, including appropriate urban tree cover.
10. The NBA intends to improve recognition of Te Ao Māori (Acknowledging the interconnectedness and interrelationship of all living and non-living things) and Te Tiriti o Waitangi (The Treaty of Waitangi). To better recognise Te Ao Māori, Te Oranga o te Taiao (The health of the natural environment and its capacity to sustain all life) is to be included in the Act's purpose. This concept is intended to encapsulate the intergenerational importance of the health and well-being of the natural environment. Decision-makers must 'give effect to the principles of the Treaty, which replaces the current RMA requirement to 'take into account' those principles. Attached are some power point slides that outline the proposed key differences compared to the RMA.
11. The new National Planning Framework (NPF) under the draft Bill will provide strategic and regulatory direction from central government on implementing the new system. This is to be much more comprehensive and integrated than the RMA required. The NPF is intended to play a critical strategic role, setting limits and outcomes for natural and built environments and ways to enhance the well-being of present and future generations. Where possible, the NPF will resolve conflicts, or give direction on resolving conflicts across the system.
12. Of most importance to the Council is that the exposure draft has adopted the panel's proposal to develop one NBA plan per region, prepared by a planning committee comprising representatives from local government (regional and territorial), central government (Minister of Conservation), and mana whenua. The intention is to consolidate over 100 RMA policy statements and regional and district plans into about 14 plans, simplifying and improving integration of the system.

CONSIDERATIONS

13. The exposure draft is rather thin in detail even though further information can be obtained through some of the supporting documents to the draft Bill. The draft Bill at this stage, only really covers the Bill's main purpose and objectives, Maori involvement, environmental limits and outcomes, and the preparation of NBA plans with little detail of the actual process, especially the National Planning Framework. Other aspects such as consenting, existing use rights, compliance, monitoring, enforcement, designations, heritage orders, subdivision and the functions and roles of the regional councils and territorial authorities. The transitional provisions are still being developed.
14. Waimate District is part of the Canterbury Planning Managers Group who are currently preparing a regional wide submission which will cover more of the technical nature of the implementations of the draft Bill. As already mentioned, there will be further opportunity to provide feedback at the second stage.

15. At this present time, Council may be concerned over their reduced decision-making ability in preparing plans as a result of establishing regional planning committees under the draft Bill. There will be no individual District Plan and it is not certain how different parts of the region will be addressed in a combined Canterbury regional plan. However, it is expected that there will be some commonality with other Canterbury districts which should avoid the duplication and inconsistencies between districts which has been a past criticism of the RMA.
16. With past RMA plans, Waimate District Council Councillors have decided outcomes for the District Plan Review (prior to any appeals), even though the use of commissioners is common with other councils. Under the effect of the draft NBA Bill, in preparing a regional wide plan, there will be one Waimate representative nominated by Council on the planning committee and it is not known what funding support, if any, for councils or for Maori involvement on the planning committee will be, including access to technical people or advice. It should be pointed out that it would seem that this Waimate representative (which may or may not be a political representative) will be involved in decision-making affecting other districts within the Canterbury region. The legal status of these planning committees is not known nor whether there is the ability to appeal decisions of the planning committee.
17. The frequency of reviewing District Plans in the RMA usually follows a 10-18 year cycle so in a sense, they don't come around too often even though Councils can carry out interim Plan Changes during the duration of a District Plan to address present day issues or meet statutory updates. It is not known how plan changes will be treated and whether different councils can promote individual changes under the combined regional plans.
18. Under the current RMA, the next review of the Waimate District Plan must have started or commenced by February 2014. However, it is expected that there will be a long transitional period in order to prepare and implement an NBA regional wide plan. Presently, Canterbury councils are at different stages with the review of their own plans so it will take time to incorporate all of these into one regional plan. For Waimate, there is some real benefit and 'financial' advantage in taking a 'wait and see' approach with its own review but that doesn't mean that we shouldn't do some groundwork or initial review work that can still be useful for a regional wide plan.

Legislation

19. Resource Management Act (is being reformed)

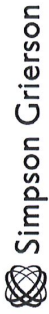
FINANCIAL

Budget

20. This report is for the information of Council.

RECOMMENDATION

1. That the Resource Management Act Reform Update report is accepted; and
2. That Council expresses the following comments in a submission:
 - a. Council supports the reform of the RMA
 - b. Council supports “give effect to” the Treaty
 - c. Council supports the setting of environment outcomes and environmental limits or “bottom lines”
 - d. Council supports Central Government’s intention to provide legislative and regulatory direction but are unsure of the priorities between the various limits and outcomes
 - e. Council considers improved clarity is needed of local council’s policy/plan role
 - f. Council considers there needs to be improved provision for and clarity of public participation in the planning processes
 - g. Council is concerned that local council decision-making will be limited, resulting in a reduction of local democratic input within the setting up of regional planning committees.
 - h. Council considers there needs to be improved clarity of the planning committee’s role.



Part 2: new purpose

RMA – Purpose, section 5

To promote the sustainable management of natural and physical resources.

Sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

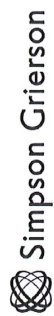
NBA – Purpose, Clause 5

To enable:

- (a) *Te Oranga o te Taiao to be upheld, including by protecting and enhancing the natural environment; and*
- (b) *people and communities to use the environment in a way that supports the well-being of present generations without compromising the well-being of future generations.*

Te Oranga o te Taiao incorporates—

- (a) *the health of the natural environment; and*
- (b) *the intrinsic relationship between iwi and hapū and te taiao; and*
- (c) *the interconnectedness of all parts of the natural environment; and*
- (d) *the essential relationship between the health of the natural environment and its capacity to sustain all life.*



Part 2: environmental limits

RMA

[No equivalent]

NBA – Purpose, Clause 5

To achieve the purpose of the Act, —

- (a) use of the environment must comply with **environmental limits**; and
- (b) outcomes for the benefit of the environment must be promoted; and
- (c) any adverse effects on the environment of its use must be avoided, remedied, or mitigated.

NBA - Environmental Limits, Clause 7

- Purpose is to protect the ecological integrity of the natural environment and/or human health.
- Limits must be prescribed in the national planning framework, or in plans, as prescribed by the national planning framework.
- Limits must be prescribed for air, biodiversity, habitats, and ecosystems, coastal waters, estuaries, freshwater and soil but may be prescribed for any other matter.



Simpson Grierson

Part 2: environmental outcomes

RMA

[No equivalent]

NBA – Purpose, Clause 5

To achieve the purpose of the Act, —

- (a) use of the environment must comply with environmental limits; and
- (b) **outcomes for the benefit of the environment must be promoted;** and
- (c) any adverse effects on the environment of its use must be avoided, remedied, or mitigated.

NBA – Clause 8 , Environmental Outcomes

- All plans must promote the environmental outcomes.
- Long list!



Part 2: Treaty of Waitangi

RMA – Section 8

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

NBA – Clause 6

All persons exercising powers and performing functions and duties under this Act must give effect to the principles of te Tiriti o Waitangi.



Part 2: environmental outcomes

8 Environmental outcomes

To assist in achieving the purpose of the Act, the national planning framework and all plans must promote the following environmental outcomes:

- (a) the quality of air, freshwater, coastal waters, estuaries, and soils is protected, restored, or improved;
- (b) ecological integrity is protected, restored, or improved;
- (c) outstanding natural features and landscapes are protected, restored, or improved;
- (d) areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected, restored, or improved;
- (e) in respect of the coast, lakes, rivers, wetlands, and their margins,—
 - (i) public access to and along them is protected or enhanced; and
 - (ii) their natural character is preserved;
- (f) the relationship of iwi and hapū, and their tikanga and traditions, with their ancestral lands, water, sites, wāhi tapu, and other taonga is restored and protected;
- (g) the mana and mauri of the natural environment are protected and restored;
- (h) cultural heritage, including cultural landscapes, is identified, protected, and sustained through active management that is proportionate to its cultural values;
- (i) protected customary rights are recognised;
- (j) greenhouse gas emissions are reduced and there is an increase in the removal of those gases from the atmosphere;





- (k) urban areas that are well-functioning and responsive to growth and other changes, including by—
 - (i) enabling a range of economic, social, and cultural activities; and
 - (ii) ensuring a resilient urban form with good transport links within and beyond the urban area;
- (l) a housing supply is developed to—
 - (i) provide choice to consumers; and
 - (ii) contribute to the affordability of housing; and
 - (iii) meet the diverse and changing needs of people and communities; and
 - (iv) support Māori housing aims;
- (m) in relation to rural areas, development is pursued that—
 - (i) enables a range of economic, social, and cultural activities; and
 - (ii) contributes to the development of adaptable and economically resilient communities; and
 - (iii) promotes the protection of highly productive land from inappropriate subdivision, use, and development;
- (n) the protection and sustainable use of the marine environment;
- (o) the ongoing provision of infrastructure services to support the well-being of people and communities, including by supporting—
 - (i) the use of land for economic, social, and cultural activities;
 - (ii) an increase in the generation, storage, transmission, and use of renewable energy;
- (p) in relation to natural hazards and climate change,—
 - (i) the significant risks of both are reduced; and
 - (ii) the resilience of the environment to natural hazards and the effects of climate change is improved.

17.3 DOWNLANDS WATER SCHEME - JOINT COMMITTEE AGREEMENT

Author: Tina Stevenson, Corporate Services Group Manager

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments:

1. **Downlands Joint Committee Agreement and Terms of Reference 2021 - Proposed**  
2. **Downlands Joint Standing Committee Agreement and Terms of Reference 2015**  

PURPOSE

1. To consider the proposed new Joint Committee Agreement for the Downlands Water Supply and approve the agreement for implementation.

BACKGROUND

2. In April and May 2021 each of the Mackenzie, Timaru and Waimate District Councils considered a report on the options for the governance of the Downlands Water Scheme (DWS).
3. Each Council agreed with the report with Waimate District Council (WDC) resolving at its 11 May 2021 Council meeting:
 - a. "That Council, to enable negotiations with Timaru District Council and Mackenzie District Council to progress and a new proposed agreement to be drafted:
 - i. 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;
 - ii. 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 (WDC) and Mackenzie District Council (MDC) 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.
4. Subsequently Anderson Lloyd, Solicitors, have prepared a new draft Joint Committee Agreement which has been workshopped by staff and this Council on 22 June 2021. The result of this work is that a final draft Joint Committee Agreement has been prepared and is included as the first attachment to this report.
5. The previous (and current) agreement is also included as the second attachment.
6. This final draft has also been provided to PriceWaterhouseCoopers (PwC) who have been engaged to provide a formal assessment as to whether the agreement will comply with International Accounting Standards, particularly around the accounting treatment and debt responsibilities.
7. The main changes and differences between the current agreement for the Downlands Joint Standing Committee and the new Joint Committee Agreement are;
 - The DWS boundaries are defined via a map of the scheme.
 - The Te Ana Wai Water Treatment enhancement project is described because this project represents significant expenditure which results in significant borrowing requirements.
 - Content is added to better define both the Governance role of the Joint Standing Committee and the role of the DWS Managers, being the Timaru District Council.
 - Arrangements with respect to contracts, debt and borrowing are defined.

- In Schedule 2 the quorum for meetings is now 1 member representing each Council, as opposed to a nominated elected member representing each Council. This means that for Mackenzie and Waimate District Councils their 'jointly appointed' member can now be counted to make a quorum.
8. The Downlands Joint Standing Committee considered the new agreement at their meeting on 12 July 2021 and supported the new Agreement, recommending it to each Council for adoption.

PROPOSAL

9. That the proposed new Joint Committee Agreement for the governance and management of the DWS be approved.
10. That the Chief Executive be provided with authority to sign the agreement provided any subsequent amendments are minor in nature.

Options

11. The recommended option is to approve the Joint Committee Agreement in order to ensure concerns raised by Audit NZ have been resolved and potential risks due to lack of clarity mitigated. This approval will be subject to the PwC advice and any potential changes being minor in nature.
12. Council could decide not to approve the Joint Committee Agreement at this time.

ASSESSMENT OF SIGNIFICANCE

13. This matter is of low significance in terms of Council's significance and engagement policy as it relates to governance and contractual arrangements between councils on the administration and operation of the Scheme.

CONSIDERATIONS

Legislation

14. The Local Government Act 2002.
15. 2015 Terms of Reference for the DWS Joint Standing Committee.
16. International Public Sector Accounting Standards.

Risk

17. Until such time as a new agreement is adopted and signed by all parties, the status quo remains in effect with the associated risks due to lack of clarity retained, including potential issues for the 2021 financial year accounting treatment and audit.

Other

18. There are no other considerations at this time.

FINANCIAL

19. The cost of preparing the new agreement and obtaining the PwC advice is being met by Timaru District Council attributed to the DWS.
20. There are no specific financial implications of the new agreement.

Budget

21. As TDC receives all DWS income as scheme managers, any related expenditure relating to the DWS as a whole is attributed to the DWS, with these budgets held by TDC.

RECOMMENDATION

1. That the Downlands Water Scheme – Joint Committee Agreement report be accepted; and
2. That the proposed new Joint Committee Agreement for the governance and management of the Downlands Water Scheme be approved; and
3. That the Chief Executive be provided with authority to sign the agreement provided any subsequent amendments are minor in nature.

Joint Committee Agreement–Downlands Water Scheme

Date: 2021

Parties

- (1) Timaru District Council
- (2) Waimate District Council
- (3) Mackenzie District Council

Background

- A. The Downlands Water Scheme is a joint water scheme between Timaru District Council, Waimate District Council and Mackenzie District Council, jointly owned by the Councils in the following proportions:
 - (i) Timaru District Council: 82%;
 - (ii) Waimate District Council: 14%; and
 - (iii) Mackenzie District Council: 4%.
- B. The Councils have appointed a joint committee in relation to the Downlands Water Scheme in accordance with clause 30A of Schedule 7 of the Local Government Act 2002 and are parties to a Joint Committee Agreement regarding the Downlands Water Scheme (**2015 Joint Committee Agreement**).
- C. Under the 2015 Joint Committee Agreement management of the Downlands Water Scheme has been delegated to Timaru District Council.
- D. The parties wish to enter into this Agreement to provide greater certainty on matters such as:
 - a. the ownership of the Downlands Water Scheme;
 - b. the scope of, and limits to, the powers that are delegated by the Councils to the Joint Committee; and
 - c. the scope of, and limits to, the powers that are delegated to Timaru District Council as manager of the Downlands Water Scheme,

and to record agreements they have reached regarding the current \$26m Te Ana Wai upgrade of the Downlands Water Scheme (**Te Ana Wai Project**) and the loan funding required for that and other capital works projects.

By this Deed

1. Definitions

- 1.1 In this Agreement, the following terms have the following meanings:

2015 Joint Committee Agreement means the 2015 'Agreement in Relation to Joint Standing Committee for Governance of the Downlands Water Supply Scheme' entered into between the Councils under clause 5 of Schedule 1AA and clause 30A of Schedule 7 of the Local Government Act 2002.

Agreement means this agreement including its Schedules, as amended from time to time.

Councils means Timaru District Council, Waimate District Council and Mackenzie District Council (each a **Council**).

Downlands Water Scheme means the joint water scheme between the Councils known as the Downlands Water Scheme, as renewed, upgraded, extended and amended from time to time. An overview of the Downlands Water Scheme as at February 2021 is set out in Schedule 1.

Joint Committee means the joint committee appointed by the Councils in accordance with clause 30(1)(b) of Schedule 7 of the Local Government Act 2002 known as the Downlands Water Scheme Joint Committee.

Management Services means the services to be provided by Timaru District Council under this Agreement as Manager of the Downlands Water Scheme.

Manager means Timaru District Council, in its role as manager of the Downlands Water Scheme.

Ownership Proportions means each Councils' joint ownership proportion of the Downlands Water Scheme set out in clause 3.1 as amended from time to time in accordance with clause 3.3.

Te Ana Wai Project means the \$26m Te Ana Wai upgrade of the Downlands Water Scheme being undertaken (project managed by Timaru District Council) to provide rural consumers with a more secure, dependable, high quality water supply. The upgrade will facilitate the supply of additional water to existing consumers and water for new consumers within the scheme area. There will also be an additional water treatment process which will ensure compliance with Drinking Water Standards. The project involves the following components:

- (a) pipeline Upgrade from Davison Road to Cave;
- (b) pipeline replacement from Cave to Richardson Road;
- (c) construction of a raw water reservoir and a treated water reservoir at Richardson Road;
- (d) upgrading the existing water supply intake infiltration gallery within the Te Ana Wai River;
and
- (e) construction of a new Water Treatment Plant at Richardson Road.

Contracts for all the above components have been awarded and commissioning of the new treatment and storage facilities is planned to occur in 2022.

Terms of Reference means the Terms of Reference for the Downlands Water Scheme Joint Committee set out in Schedule 2.

Timaru's Water Services Bylaw means Chapter 15 (Water Services) of Timaru District Council's Consolidated Bylaw 2018 (as amended from time to time).

2. Effect of this Agreement

- 2.1 In accordance with clause 7 of the 2015 Joint Committee Agreement, the parties agree to vary the 2015 Joint Committee Agreement with effect from the date of this Agreement by replacing it with this Agreement.
- 2.2 This Agreement is a joint committee agreement between the Councils under clause 30A(1) of Schedule 7 of the Local Government Act 2002.

3. Ownership of the Downlands Water Scheme

- 3.1 The Downlands Water Scheme is jointly owned by the Councils in the following proportions:
- (i) Timaru District Council: 82%;
 - (ii) Waimate District Council: 14%; and
 - (iii) Mackenzie District Council: 4%.
- 3.2 For the avoidance of doubt, all of the assets that from time to time comprise the Downlands Water Scheme (as renewed, extended, upgraded and amended from time to time) are jointly owned in those Ownership Proportions and all the Councils are jointly liable in their Ownership Proportions for any Downlands Water Scheme liabilities. For example if land is acquired for the purposes of the Downlands Water Scheme, the registered owner shall be the 3 Councils jointly, each in their Ownership Proportions.
- 3.3 The Ownership Proportions set out in clause 3.1 shall continue to apply throughout the term of this Agreement unless the Councils agree otherwise in writing.

4. Governance of the Downlands Water Scheme

- 4.1 The Downlands Water Scheme Joint Committee appointed by the Councils in accordance with clause 30(1)(b) of Schedule 7 of the Local Government Act 2002 shall continue, but from the date of this Agreement shall be subject to the Terms of Reference set out in Schedule 2 (instead of the Terms of Reference set out in Schedule 1 of the 2015 Joint Committee Agreement). Each Council acknowledges it is bound by the Terms of Reference and shall comply with them, including by amending its standing orders as soon as possible to the extent that they are inconsistent with the Terms of Reference.
- 4.2 Each Council shall resolve under clause 30(7) of the Local Government Act 2002 that the Downlands Water Scheme Joint Committee will not be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the triennial general elections of members. If a Council has not passed such a resolution, it shall appoint a joint committee, to be known as the Downlands Joint Standing Committee, following each triennial local authority election.
- 4.3 The role of the Joint Committee is to manage, and direct and supervise the management of, the business and affairs of the Downlands Water Scheme, including (without limitation):
- (a) considering the asset management plan, long term plan, annual plan budgets and work programme (operational and capital works) prepared by the Manager under clause 5, and making recommendations to the Councils each year for adoption within each Council's respective Long Term Plans and Annual Plan (in their respective Ownership Proportions);
 - (b) directing and supervising the management and operation of the Downlands Water Scheme by the Manager, including ensuring compliance with the adopted asset management plan, long term plan, annual plan budgets, work programme and budgets;

- (c) considering the financial statements and budgets, prepared by the Manager under clause 5 and providing these to the Councils (noting the implications for each Council given its Ownership Proportion), together with a recommendation of the rates and charges to be struck and levied to meet the Downlands Water Scheme's financial requirements;
 - (d) ensuring that the Councils' Downlands Water Scheme reserves and other funds (which, for the avoidance of doubt are owned in accordance with the Ownership Proportions) are accessed and applied appropriately in accordance with clause 5.2(g);
 - (e) considering and approving the Manager's recommendations regarding:
 - (i) viable means of improving and extending all works comprising the Downlands Water Scheme; and
 - (ii) viable means of water treatment and conservation, and any means of obtaining additional water for the Downlands Water Scheme;
 - (f) providing advice and recommending strategies, policies and procedures necessary to assist the Manager in fulfilling its responsibilities as the Downlands Water Scheme Manager; and
 - (g) undertaking any other matters that will assist in the efficient, cost effective and productive management of the Downlands Water Scheme.
- 4.4 Subject to clause 4.5 (setting out decisions that are reserved to the Councils) each Council delegates to the Joint Committee all powers as are necessary for managing, and for directing and supervising the management of, the business and affairs of the Downlands Water Scheme. All decisions made by the Joint Committee under its delegated powers, or by the Manager under the powers that have been subdelegated to it, shall, without confirmation of the Councils, bind each Council as if that decision had been made by that Council.
- 4.5 Subject to clause 4.6, decisions on the following matters require the unanimous approval of the Councils. The Manager may make recommendations to the Joint Committee, and the Joint Committee may make recommendations to the Councils on these matters, but decisions on these matters need to be made by the Councils:
- (a) each Council adopting the long term plan and annual plan budget for the Downlands Water Scheme, including any loan funding required to be raised, as part of their Long Term plan and Annual Plan (each in their respective Ownership Proportion);
 - (b) doing any of the following, except to the extent it is contemplated by the long term plan or annual plan budget for the Downlands Water Scheme adopted by the Councils:
 - (i) sell or purchase land held or required for the Downlands Water Scheme; or
 - (ii) to sell, transfer or otherwise dispose of all or part of the Downlands Water Scheme's assets, other than a sale when the assets are at the end of their useful life; and
 - (c) each Council setting the targeted rate to be charged to their respective ratepayers who are on the Downlands Water Scheme (noting that the Manager will make recommendations to the Joint Committee, and the Joint Committee will make recommendations to the Councils, of the targeted rates to be struck to meet the Downlands Water Scheme's financial requirements).
- 4.6 In order to give certainty over the budget and work program, each Council agrees that if the Manager reasonably considers that work, expenditure or a decision is required for the prudent management of the Downlands Water Scheme assets, to maintain existing levels of service or

to meet any regulatory requirement, it will provide any approvals required for that work, expenditure or decision.

- 4.7 Nothing in this Agreement prevents the Manager from carrying out action without the Councils' unanimous approval in an emergency situation or to protect the health or safety of persons or to prevent damage to property. The Manager shall promptly advise the Councils of the details of any action carried out under this clause 4.7.
- 4.8 The Joint Committee and the Manager shall each operate within budgets approved by the Councils. In the event that over expenditure is anticipated or incurred the Joint Committee shall immediately report that to the Councils.

5. Management of Downlands Water Scheme

- 5.1 The Councils contract Timaru District Council to manage the Downlands Water Scheme. From the date of this Agreement, Timaru District Council shall manage the Downlands Water Scheme on the terms set out in this Agreement, instead of the terms set out in the 2015 Joint Committee Agreement.
- 5.2 Timaru District Council shall provide the following management services in relation to the Downlands Water Scheme:
- (a) preparing an asset management plan, long term plan, annual plan budgets and work programme (operational and capital works) for the Downlands Water Scheme, providing these to the Joint Committee for consideration, and updating them to reflect any comments received from the Joint Committee before recommendations are made to the Councils each year for adoption within each Council's respective Long Term Plans and Annual Plan (in their respective Ownership Proportions);
 - (b) managing and operating the Downlands Water Scheme in accordance with the adopted asset management plan, long term plan, annual plan budgets, work programme and budgets, including carrying out ongoing inspection and maintenance of all works comprising the Downlands Water Scheme;
 - (c) preparing financial statements and budgets for the Downlands Water Scheme, including recommending the targeted rates and the charges to be struck and levied to meet the Downlands Water Scheme's financial requirements, providing these to Joint Committee for consideration, and updating them to reflect any comments received from the Joint Committee before they are provided to the Councils;
 - (d) receiving and processing of applications from the Downlands Water Scheme's consumers and prospective consumers, in respect of water to be supplied by the Downlands Water Scheme;
 - (e) setting and collecting connection fees (tank and unit);
 - (f) procuring and project managing, on behalf of the Councils, the capital works programme (renewals and extensions to the Downlands Water Scheme), in accordance with the approved long term plan and annual work programs for the Downlands Water Scheme. Typically renewals will be funded using Downlands Water Scheme reserves/retained earnings and extensions will be funded from reserves/retained earnings and/or borrowings;
 - (g) accessing and applying Downlands Water Scheme reserves and other funds for the purpose of implementing the long term plan and annual work program for the Downlands Water Scheme;
 - (h) investigating and promoting:

- (i) viable means of improving and extending all works comprising the Downlands Water Scheme; and
 - (ii) viable means of water treatment and conservation, and any means of obtaining additional water for the Downlands Water Scheme; and
 - (i) undertaking any other matters that will assist in the efficient, cost effective and productive management of the Downlands Water Scheme.
- 5.3 Although the Manager is engaged by the Councils jointly (as owners of the Downlands Water Scheme), the Manager shall report to, and be directed and supervised by, the Joint Committee. The Manager shall report to the Joint Committee annually (or more frequently as required by the Joint Committee).
- 5.4 Subject to clause 4.6 (setting out decisions that are reserved to the Councils), the Joint Committee sub-delegates to the Manager all the powers necessary for managing the business and affairs of the Downlands Water Scheme.
- 5.5 The Manager will carry out the Management Services:
- (a) with all reasonable care and skill.
 - (b) using personnel with appropriate skill and experience; and
 - (c) in compliance with all relevant laws and bylaws.
- 5.6 To the extent permitted by law, all other express or implied warranties or representations of the Manager (and its officers and employees) in relation to the Management Services are excluded. The parties contract out of sections 9, 12A, 13 and 14(1) of the Fair Trading Act.
- 5.7 The Joint Committee shall:
- (a) promptly respond to all requests made by the Manager for instructions, and promptly do all things which may reasonably be necessary to enable the Manager to provide the Management Services fully and effectively in the manner contemplated by this Agreement;
 - (b) ensure that there are sufficient funds available in the Downlands Water Scheme bank account to make payments as they fall due; and
 - (c) promptly provide all information, directions, assistance, approvals and co-operation reasonably required by the Manager for the provision of the Management Services under this Agreement.
- 5.8 In exchange for providing the Management Services, the Councils, in their Ownership Proportions, will reimburse all outgoings, costs, losses or liabilities properly incurred by the Manager in relation to, arising from or in connection, with its performance of the Management Services (including an engineering charge, a corporate overhead and project staff time at rates set by the Manager from time to time).
- 5.9 The Manager will not be liable for any delay or failure to perform any of its obligations that is caused or contributed to by any event beyond its reasonable control (including but not limited to an act of nature, fire, discontinuity in power supply, court order, riot, war, strike or labour disturbance) provided it:
- (a) could not have avoided or overcome the event by exercising a standard of reasonable care at a reasonable cost;

- (b) notifies the Joint Committee in writing of the event on becoming aware of it; and
- (c) uses its best endeavours to mitigate the effects of the event and to perform its obligations not affected by the event.

6. Rates, bylaws and enforcement

- 6.1 Each Council shall collect all rates in relation to water supplied from the Downlands Water Scheme within its district, which will be accounted for and paid to the Manager for payment to a nominated bank account operated in accordance with any local authority accounting regulations in force. For clarity, connection fees (tank and unit), as distinct from rates, will generally be collected directly by the Manager as user fees and charges.
- 6.2 Waimate District Council and Mackenzie District Council shall each:
 - (a) enact a water services bylaw which has enforcement provisions that are consistent with the enforcement provisions contained in Timaru's Water Services Bylaw; and
 - (b) delegate the powers of enforcement, inspection and administration vested in it in relation to the provision of water services (and any other regulatory matter required to assist in the efficient management of the Downlands Water Scheme) shall be delegated to the Manager;
 - (c) under the provisions of the Local Government Act 2002, appoint officers, employees, contractors or agents of Timaru District Council (as notified by Timaru District Council from time to time) to be the enforcement officers for its District and issue warrants, as required by the Local Government Act 2002, to those selected enforcement officers stipulating their powers in relation to the administration of the Downlands Water Scheme.

7. Contracting and borrowing

- 7.1 The Downlands Water Scheme is not a separate legal entity. As set out in clause 3.2 the Downlands Water Scheme assets are owned, and liabilities are incurred, by the Councils jointly in their Ownership Proportions.
- 7.2 Contracts should generally be entered into in the names of the three Councils jointly, and each Council appoints the Manager as its agent for the purpose of executing Downlands Water Scheme contracts on its behalf, and doing all such other things, as may be necessary or desirable in order to implement, give effect to or perform Downlands Water Scheme contracts. However if one Council agrees to enter into a Downlands Water Scheme contract or to incur a Downlands Water Scheme liability in its own name alone, then:
 - (a) from the perspective of the other party to that contract, that Council alone would be fully liable to meet all of the obligations under the contract; but
 - (b) as between, the Councils, they are jointly liable for the costs and borrowings of the Downlands Water Scheme (including under any service, construction contract or loan), in their Ownership Proportions.
- 7.3 If Timaru District Council enters into a contract or takes out a loan to fund the development, extension or modification of the Downlands Water Scheme in its own name:
 - (a) Waimate District Council and Mackenzie District Council shall each (at Timaru District Council's request):
 - (i) provide an indemnity to cover a proportion of the contract or loan (principal, interest and any charges) equal to that Council's Ownership Proportion; and

- (ii) grant a power of attorney to Timaru District Council to allow it to recover rates arrears from users in that Council's district (without releasing the other Councils from their collection and payment obligations); and
- (b) if ownership of the Downlands Water Scheme (or any part thereof) is transferred to another entity as a result of the proposed Central/Local Government Three Waters Reform Programme, each Council's proportionate share of that contract/loan (principal, interest and any charges) shall not remain with Timaru District Council following the effective date of the Reform. Each Council shall do all acts, matters or things as may be reasonably required to ensure Timaru District Council is not in worse financial position from funding the development, extension or modification in its own name than if that Council had directly funded its proportionate share of the liability/loan itself (e.g. Waimate District Council and Mackenzie District Council shall each include a mechanism as part of its long term plan process to ensure that if the Reform proceeds, its proportionate share of the liability/loan (including principal, interest and any charges) shall not remain with Timaru District Council following the effective date of the Reform). That Council shall procure that its proportionate share of the loan be transferred to it or the new entity.

8. Te Ana Wai Project

- 8.1 The Councils have agreed to undertake and commission the Te Ana Wai Project (consistent with prior approvals) including loan funding arrangements.
- 8.2 The Te Ana Wai Project is being commissioned and managed by Timaru District Council, on behalf of the Councils, in its roles as Manager of the Downlands Water Scheme. It is being funded:
 - (a) retained earnings; and
 - (b) the balance (up to approximately \$20,000,400 including an additional \$1.3m to be borrowed for other capital works).
- 8.3 The parties agree that the loan referred to in clause 8.2(b) is to be taken out in the name of Timaru District Council on behalf of the three Councils in their Ownership Proportions (i.e. 14% of the loan is attributable to Waimate District Council and 4% of the loan is attributable to Mackenzie District Council).
- 8.4 The loan referred to in clause 8.2(b) is to be repaid via revenue received from targeted rates charged by each Council (with the targeted rates collected by Waimate District Council and Mackenzie District Council to be on-paid to the Manager).
- 8.5 In consideration of Timaru District Council agreeing to enter the loan in its name, Waimate District Council and Mackenzie District Council each hereby:
 - (a) indemnify Timaru District Council for a proportion of the contract or loan (principal, interest and any charges) equal to that Council's Ownership Proportion; and
 - (b) grant a power of attorney to Timaru District Council to allow it to recover rates arrears from users in that Council's district (without releasing that Council from its responsibility to collect the rates and pay them to the Manager); and
 - (c) agree that clause 7.3(b) shall apply to that loan.
- 8.6 All improvements to the Downlands Water Scheme arising from the Te Ana Wai Project will be owned by the parties in the Ownership Proportions.

9. General

- 9.1 **Variations:** No amendments to this Agreement will be effective unless made in writing and signed by each Council.
- 9.2 **Confidentiality:** The parties acknowledge that some information provided by or to them under or in connection with this Agreement may be commercially sensitive or otherwise confidential. Where this is the case, the party providing the information should specify which information they provide is confidential, and the party receiving the information agrees not to use or disclose it without the discloser's prior consent. It will not be a breach of this clause for a party to use or disclose confidential information to the extent required to perform its obligations under this Agreement or to disclose confidential information to the extent required by Local Government Official Information and Meetings Act 1987 or any other law. This clause does not apply to information which is, or becomes, publicly available without breach of the obligations under this clause or which a party can prove it independently created or acquired.
- 9.3 **Further acts:** The parties will take all actions and sign all documents reasonably required to give effect to the provisions of this Agreement.
- 9.4 **Entire agreement:** This Agreement replaces any earlier representations, warranties, understandings and agreements (whether oral or written) between the parties and sets out the entire agreement between them relating to its subject matter.
- 9.5 **Health and Safety:** Nothing in this Agreement shall be taken to limit the duties owed by either party under the Health and Safety at Work Act 2015 (**HSWA**) (e.g. where each party has duties in relation to the same matter imposed by or under the HSWA, to, so far as is reasonably practicable, consult, cooperate, and coordinate activities with each other to the extent required to ensure they comply with their respective obligations under the HSWA).
- 9.6 **No agency:** Nothing in this Agreement will be deemed to create a partnership, joint venture or agency between the parties. No party has any authority to bind another party, unless expressly permitted to in this Agreement.
- 9.7 **No waiver:** No failure or delay by a party in insisting on the strict performance of this Agreement or to exercise any right under this Agreement will operate as a waiver of those matters. A waiver will not be effective unless it is in writing. A waiver of any breach will not be a waiver of any other breach.
- 9.8 **Counterparts:** This Agreement may be executed in counterparts (including by copy sent via email in PDF format and including by electronic signature). Each counterpart will be deemed to be an original and all counterparts together are to constitute one agreement.

Executed as a Deed

Signed by **Timaru District Council** by:

Signature

Signature

Councillor's full name

Councillor's full name

Signed by **Waimate District Council** by:

Signature

Signature

Councillor's full name

Councillor's full name

Signed by **Mackenzie District Council** by:

Signature

Signature

Councillor's full name

Councillor's full name

Schedule 1 – Downlands Water Scheme Overview



Schedule 2 – Terms of Reference

TERMS OF REFERENCE - DOWNLANDS WATER SCHEME JOINT COMMITTEE

Terms of Reference for the Downlands Water Scheme Joint Committee, a joint committee appointed by Timaru District Council, Waimate District Council and Mackenzie District Council in accordance with clause 30(1)(b) of Schedule 7 of the Local Government Act 2002 known as the Downlands Water Scheme Joint Committee:

1.	Name	Downlands Water Scheme Joint Committee
2.	Structure	Appointed by the Timaru District Council, Waimate District Council and Mackenzie District Council in accordance with clause 30(1)(b) of Schedule 7 of the Local Government Act 2002.
3.	Purpose	To ensure the ongoing effective governance and management of the Downlands Water Scheme.
4.	Functions	<p>To manage, and direct and supervise the management of, the business and affairs of the Downlands Water Scheme, including (without limitation):</p> <ul style="list-style-type: none"> (a) considering the asset management plan, long term plan, annual plan budgets and work programme (operational and capital works) prepared by the Manager, and making recommendations to the Councils each year for adoption within each Council's respective Long Term Plans and Annual Plan (in their respective Ownership Proportions); (b) considering the financial statements and budgets, prepared by the Manager and providing these to the Councils, together with a recommendation of the rates and charges to be struck and levied to meet the Downlands Water Scheme's financial requirements; (c) directing and supervising the management and operation of the Downlands Water Scheme by the Manager, including ensuring compliance with the adopted asset management plan, long term plan, annual plan budgets, work programme and budgets; (d) ensuring that the Councils' Downlands Water Scheme reserves and other funds are accessed and applied appropriately in accordance with the Agreement between the Councils; (e) considering and approving the Manager's recommendations regarding: <ul style="list-style-type: none"> (i) viable means of improving and extending all works comprising the Downlands Water Scheme; and (ii) viable means of water treatment and conservation, and any means of obtaining

		<p>additional water for the Downlands Water Scheme;</p> <p>(f) providing advice and recommending strategies, policies and procedures necessary to assist the Manager in fulfilling its responsibilities as the Downlands Water Scheme Manager; and</p> <p>(g) undertaking any other matters that will assist in the efficient, cost effective and productive management of the Downlands Water Scheme.</p>
5.	Membership	<p>There shall be up to 8 members of the Downlands Water Scheme Joint Committee, appointed as follows:</p> <ul style="list-style-type: none"> • each Council shall appoint 1 of its elected members as a Member; • Timaru District Council may appoint up to 4 additional Members; and • Waimate District Council and Mackenzie District Council may jointly appoint 1 additional Member. <p>Under the Local Government Act an additional member who is not an elected member must, in the opinion of the appointing Council, have the skills, attributes, or knowledge that will assist the work of the Joint Committee.</p> <p>Appointments shall be made by notice in writing to Timaru District Council (as Manager of the Downlands Water Scheme).</p>
6.	Chairperson	<p>The Joint Committee shall elect one of its members as Chairperson and one of its members as Deputy Chairperson.</p> <p>The Joint Committee member elected as Chairperson and as Deputy Chairperson each holds that office for 3 years, unless he or she dies or resigns or the Joint Committee elect a Chairperson/ Deputy Chairperson in his or her place sooner.</p> <p>If, at a meeting of the Joint Committee, neither the Chairperson nor Deputy Chairperson is present within 5 minutes after the time appointed for the commencement of the meeting, the Joint Committee members present may choose one of their number to chair that meeting.</p>
7.	Method of holding meetings	<p>A meeting of the Joint Committee may be held either:</p> <ul style="list-style-type: none"> • by a number of the Joint Committee members who constitute a quorum, being assembled together at the place, date, and time appointed for the meeting; or • by means of audio, or audio and visual, communication by which all Joint Committee members participating and constituting a quorum can simultaneously hear each other throughout the meeting.
8.	Quorum	<p>Quorum for a Joint Committee meeting is:</p> <ul style="list-style-type: none"> • half of the Joint Committee members if there is an even number of members; or • a majority of the Joint Committee members if there is an odd number of members. <p>However a quorum will not be present unless:</p>

		<ul style="list-style-type: none"> the Joint Committee member that is an elected member of Waimate District Council and the Joint Committee member that is an elected member of Mackenzie District Council are both present; or the Joint Committee member that is jointly appointed by Waimate District Council and Mackenzie District Council is present. <p>No business may be transacted at a Joint Committee meeting if a quorum is not present.</p> <p>(This quorum is prescribed by clause 30A of Schedule 7 of the Local Government Act. That clause also specifies that a Mayor who is a member of the Joint Committee solely by operation of section 41A(5) of the Local Government Act is not to be counted as a member for the purposes of determining the number of members required to constitute a quorum or whether a quorum exists at a meeting.)</p>
9.	Voting	<p>Every member of the Joint Committee has 1 vote.</p> <p>The chairperson does not have a casting vote.</p> <p>A resolution of the Joint Committee is passed if it is agreed to by all Joint Committee members present without dissent or if a majority of the votes cast on it are in favour of it.</p> <p>A Joint Committee member present at a Joint Committee meeting is presumed to have agreed to, and to have voted in favour of, a resolution unless he or she expressly dissents from or votes against the resolution at the meeting.</p>
10.	Minutes	<p>The Joint Committee must ensure that minutes are kept of all proceedings at meetings of the Joint Committee.</p> <p>A copy of the minutes are to be provided to each Council.</p>
11.	Written resolution in lieu of meeting	<p>A resolution in writing, signed or assented to by all Joint Committee members, is as valid and effective as if it had been passed at a meeting of the Joint Committee duly convened and held.</p> <p>Any such resolution may consist of several documents (including electronic means of communication) in like form each signed or assented to by 1 or more members.</p> <p>A copy of any such resolution must be entered in the Joint Committee's minute book.</p>
12.	Remuneration of members	<p>Members of the Joint Committee may be remunerated by their appointing Council.</p>
13.	Other proceedings	<p>Except as provided in these Terms of Reference, the Joint Committee may regulate its own procedure.</p>
14.	Definition	<p>In these Terms of Reference:</p> <p>Downlands Water Scheme means the joint water scheme between Timaru District Council, Waimate District Council and Mackenzie District Council known as the Downlands Water Scheme, as renewed, upgraded, extended and amended from time to time; and</p> <p>Manager means Timaru District Council, in its role as manager of the Downlands Water Scheme.</p>

**AGREEMENT IN RELATION TO THE JOINT
STANDING COMMITTEE FOR
GOVERNANCE OF THE DOWNLANDS WATER
SUPPLY SCHEME**

#950752

AGREEMENT IN RELATION TO JOINT COMMITTEE

Dated this day of 20

BETWEEN **TIMARU DISTRICT COUNCIL** a territorial authority duly constituted pursuant to the Local Government Act 2002.

AND **WAIMATE DISTRICT COUNCIL** a territorial authority duly constituted pursuant to the Local Government Act 2002.

AND **MACKENZIE DISTRICT COUNCIL** a territorial authority duly constituted pursuant to the Local Government Act 2002.

(collectively referred to as "the Councils")

BACKGROUND:

- A. By an Order in Council dated 8 December 1937 the Minister of Works was authorised to construct and maintain the Downlands Water Supply Scheme ("the Downlands Scheme").
- B. By operation of a Memorandum of Agreement dated 29 November 1960 the Minister of Works vested ownership and control of the Downlands Scheme to the Levels, Geraldine, Mackenzie and Waimate County Councils.
- C. By processes of local authority amalgamation, the present owners of the Downlands Scheme (and the proportion within each territorial authority's jurisdiction), are the Timaru District Council (82%), Waimate District Council (14%) and Mackenzie District Council (4%).
- D. To ensure ongoing effective governance of the Downlands Scheme the Councils agree to form a joint standing committee, pursuant to the Local Government Act 2002 ("the Act"), to be known as "The Downlands Joint Standing Committee".
- E. Clause 30A of Schedule 7 of the Act and Clause 5 of Schedule 1AA of the Act require that before 8 August 2015 an agreement must be entered into by the Councils specifying membership of its joint committee, the election of chairpersons and deputy chairpersons, the terms of reference for the joint committee, the delegated responsibilities and the means of varying the agreement relating to the joint committee. This Agreement sets out each of these matters as required by the Act.

IT IS HEREBY AGREED:

- 1. The Councils shall following each triennial local authority election, appoint a joint standing committee to be known as the Downlands Joint Standing Committee ("the Downlands Committee").
- 2. Membership of the Downlands Committee shall consist of one (1) elected member from each of the Councils, four (4) members appointed by the Timaru District Council and one (1) member appointed by the Waimate and Mackenzie District Councils (making a total of eight (8) members).

3. The Downlands Committee shall at its first meeting appoint its chairperson and deputy chairperson by simple majority vote. The term of these appointments is three (3) years.
4. The Downlands Committee shall in each and every financial year prepare estimates and receipts for that financial year and shall recommend to the Councils the rates and charges to be struck and levied to meet the full financial requirements of the management of the Downlands Scheme.
5. The Downlands Committee may provide any advice and develop and recommend any strategies, policies and procedures necessary to assist the Timaru District Council in fulfilling its responsibilities as the Downland Scheme's Manager.
6. The Terms of Reference for the Downlands Committee are set out in Schedule 1 hereto. The Councils acknowledge they are bound by the Terms of Reference and will comply with them.
7. This Agreement (including the Terms of Reference) may be varied by mutual agreement of the Councils at any time with any such mutually agreed variation to be recorded in writing, signed by the Councils and attached to a copy of this Agreement.

Signed on behalf of the

Name

TIMARU DISTRICT COUNCIL

Signature

In the presence of:

Witness

Signed on behalf of the

Name

WAIMATE DISTRICT COUNCIL

Signature

In the presence of:

Witness

Signed on behalf of the

Name

MACKENZIE DISTRICT COUNCIL

Signature

In the presence of:

Witness

Schedule 1

TERMS OF REFERENCE

The Downlands Joint Standing Committee ("the Downlands Committee") is a joint committee of the Timaru, Waimate and Mackenzie District Councils (collectively referred to as "the Councils") established pursuant to the provisions of the Local Government Act 2002 ("the Act").

PURPOSE:

To ensure the ongoing effective governance and administration of the Downlands Water Supply Scheme ("the Downlands Scheme").

To give effect to the purpose of these Terms of Reference the Councils agree:

1. The Memorandum of Agreement between the Ministry of Works and the Levels, Geraldine, Waimate and Mackenzie County Councils dated 29 November 1960, as amended by amendments dated 1 April 1979 and 28 November 1993, is revoked.
2. The Waimate District Council and Mackenzie District Council will each enact a water services bylaw which has enforcement provisions that are consistent with the enforcement provisions contained in the Timaru District Council's Chapter 7 - Water Services Bylaw.
3. The Councils agree the Timaru District Council shall be appointed as the Downlands Scheme Manager, with responsibilities including, but not limited to:
 - (i) The receiving and processing of applications from the Downlands Scheme's consumers, and prospective consumers, in respect of water to be supplied by the Downlands Scheme.
 - (ii) The ongoing inspection and maintenance of all works comprising the Downlands Scheme.
 - (iii) Investigating and promoting viable means of improving and extending all works comprising the Downlands Scheme.
 - (iv) Investigating and promoting viable means of water treatment and conservation, and any means of obtaining additional water for the Downlands Scheme.
 - (iv) Undertaking any other matters that will assist in the efficient, cost effective and productive management of the Downlands Scheme.
4. The Waimate District Council and Mackenzie District Council shall resolve the powers of enforcement, inspection and administration vested in those territorial authorities in relation to the provision of water services (and any other regulatory matter required to assist in the efficient management of the Downlands Scheme) shall be delegated to the Timaru District Council.
5. The Waimate District Council and Mackenzie District Council shall pursuant to the provisions of the Act appoint selected officers or agents of the Timaru District Council to be enforcement officers for the Waimate and Mackenzie Districts. The Waimate District Council and Mackenzie District Council shall also issue warrants, as required by the Act, to those selected enforcement officers stipulating their powers in relation to the administration of the Downlands Scheme.

6. The formation of the Downlands Committee and the means of appointing its member and office holders are set out in clause 1 and 2 of the Agreement in Relation to Joint Committee executed by the Councils.
7. The members of the Downlands Committee may meet together for the despatch of business, adjourn or otherwise regulate their meetings as they think appropriate.
8. The Downlands Committee shall supply agendas to their members detailing the business to be brought before that meeting together with relevant attachments which must be sent to every member not less than two clear working days before the day appointed for the meeting.
9. Questions arising at any meeting of the Downlands Committee shall be decided by a majority of votes of those present, each member having only one vote. In the case of an equality of votes, the chairman shall have a casting vote. If the standing orders of any of the Councils do not provide for the Downlands Committee Chairman to have a casting vote, each Council shall amend its standing orders accordingly.
10. The quorum necessary for the transaction of business of the Downlands Committee shall consist of each elected member of the Councils and two (2) other appointed members.
11. The Downlands Committee shall keep minutes recording:
 - (a) The names of the members present at each meeting; and
 - (b) All resolutions and proceedings at all meetings of the Downlands Committee.
12. The Downlands Committee may provide any advice and develop and recommend any strategies, policies and procedures necessary to assist the Timaru District Council in fulfilling its responsibilities as the Downlands Scheme Manager.
13. All members of the Downlands Committee shall be remunerated by their respective appointing Council.
14. The Councils each resolve to undertake to collect all monies in relation to water supplied by the Downlands Scheme within its district, which will be accounted for and forwarded to the Timaru District Council for payment into a nominated bank account operated in accordance with any local authority accounting regulations presently in force.

17.4 DELEGATIONS POLICY 308 - AMENDMENTS TO SUBSECTION 'FINANCIAL LIMITS'

Author: Leonardo Milani, Policy Analyst

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: 1. Delegations Policy- Subsection 'Financial Limits'  

PURPOSE

1. For Council to approve amendments to the Delegations Policy 308, Section 4, Subsection 'Financial Limits', hereby presented with minor modifications.

BACKGROUND

2. The latest amendment to the Delegations Policy 308 is conducted in order to modify its Section 4, Subsection 'Financial Limits', in the following proposed manner:
 - a. Addition of one new position, with corresponding level of financial approval limit, as below:
 - i. 'Waste Management Officer', with financial approval limit of \$5,000

Options

3. Council may:
 - a. Adopt the proposed amendments to the Delegations Policy 308, Subsection 'Financial Limits', or
 - b. Adopt the proposed amendments to the Delegations Policy 308, Subsection 'Financial Limits', with further amendments, or
 - c. Not adopt the proposed amendments to the Delegations Policy 308, Subsection 'Financial Limits', at this time.

ASSESSMENT OF SIGNIFICANCE

4. The item is deemed to be of low level of significance under the Waimate District Council Significance & Engagement Policy 301.

CONSIDERATIONS

5. N/A

FINANCIAL

6. N/A

RECOMMENDATION

1. That the Delegations Policy 308 - Amendments to Subsection 'Financial Limits' report be accepted, and
2. That Council adopt the Delegations Policy 308 - Amendments to Subsection 'Financial Limits', as presented

Financial Limits

Position	Contractual / expenditure authority within budgeted levels in the Long Term Plan / Annual Plan	
	Initiate Purchase Orders	Approving Purchase Orders and Contracts
	GST exclusive	GST exclusive
Chief Executive	nil	\$750,000
Asset Group Manager	yes	\$200,000
Community & Strategy Group Manager	yes	\$40,000
Corporate Services Group Manager	yes	\$40,000
Executive Support Manager	yes	\$10,000
Human Resources Manager	yes	\$10,000
Regulatory & Compliance Group Manager	yes	\$40,000
Corporate Services Group Manager, Human Resources Manager, Accountant - Payroll & Tax-related matters only	nil	\$250,000
Asset Group Manager	yes	\$200,000
Asset Group Administrator	yes	nil
Asset Group Administration Officer	yes	nil
Asset Group Administration Support Officer	yes	nil
GIS Administrator	yes	nil
Project Manager	yes	\$70,000

Technical Officer Assets	yes	nil
Water & Waste Manager	yes	\$70,000
Three Waters Engineer	yes	\$20,000
Three Waters Technical Administrator	yes	\$2,000
Utilities Supervisor	yes	\$5,000
<u>Waste Management Officer</u>	<u>yes</u>	<u>\$5,000</u>
Water & Waste Technical Support Officer	yes	\$20,000
Water Technicians	yes	nil
Roading Manager	yes	\$100,000
Roading Officers	yes	nil
Roading Technician	yes	nil
Parks & Reserves Manager	yes	\$40,000
Parks & Reserves Supervisor	yes	\$5,000
Pool Supervisor	yes	nil
Community & Strategy Group Manager	yes	\$40,000
Administration Support Officer	yes	nil
Event Centre Administration Assistant	yes	nil
Event Centre Administration Officer	yes	nil

Event Centre Duty Supervisor	yes	nil
Librarian	yes	nil
Policy Analyst	yes	nil
Senior Librarian	yes	nil
Corporate Services Group Manager	yes	\$40,000
Accountant	yes	\$10,000
Accounts Payable/Reception Officer	yes	nil
Catering & Cleaning Supervisor	yes	nil
Committee Secretary and PA to the Mayor	yes	nil
Corporate Services Assistant	yes	nil
Corporate Services Team Leader	yes	\$5,000
IT Manager	yes	\$5,000
IT Support Technician	yes	nil
Rates Officer	yes	nil
Executive Support Manager	yes	\$10,000
Communications Officer	yes	nil
Employment Coordinator	yes	nil
Graphic Designer	yes	nil

Marketing & Promotions Officer	yes	nil
Regulatory & Compliance Group Manager	yes	\$40,000
Animal Control Officer	yes	nil
Building Control Manager	yes	\$5,000
Building Control Officer	yes	nil
Compliance Officer	yes	nil
Emergency Management & Health and Safety Advisor	yes	nil
Planner	yes	nil
Regulatory Support Officer	yes	nil
Senior Planner	yes	nil
Senior Regulatory Support Officer	yes	nil
Emergency Work - this is unbudgeted expenditure		
Roading Manager	≤\$20,000	\$20,000
Roading Officer	≤\$20,000	\$20,000
Roading Technician	≤\$20,000	\$20,000
Emergency Work (when Emergency Operations Centre is activated) This is unbudgeted expenditure		
Civil Defence Logistics Manager	≤\$20,000	\$20,000
Civil Defence Logistics Support	≤\$20,000	nil







Contingency expenditure in the case of emergency or an unexpected event. This is unbudgeted expenditure		
Chief Executive	≤\$50,000	\$50,000
Note: The initiator of a purchase order cannot approve that order. The only exception is the Chief Executive and Civil Defence Logistics Manager for emergency work. Riding Emergency work will require a different authoriser to approve.		

17.5 CANTERBURY WATER MANAGEMENT STRATEGY WATER ZONE COMMITTEE REVIEW - TERMS OF REFERENCE

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

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments:

1. **Appendix 1A - CWMS Revised ToR 2020 - LWZC**  
2. **Appendix 1B - CWMS Revised ToR 2020 - OTOP**  
3. **Appendix 2 - Waimate CWMS OTOP/LWZC - Letter Priorities - October 2020**  

PURPOSE

1. To provide an update on the confirmation and implementation of changes to the role and function of Zone Committees designed to support the implementation of the Canterbury Water Management Strategy (CWMS).

BACKGROUND

2. The Mayoral Forum in 2019 affirmed the CWMS Strategy and Zone Committees, and requested Environment Canterbury lead the development of advice on how to help Zone Committees transition from a focus on policy and planning to one of implementation.
3. The Canterbury Mayoral Forum confirmed the revised Terms of Reference and the introduction of the Letter of Shared Priorities and Zone Committee Action Plans for the CWMS Zone Committees at their meeting on 27 November 2020. The revised Terms of Reference was then confirmed by the Regional Council (Environment Canterbury) on 10 December 2020.
4. Having been confirmed by the Regional Council, it is now being provided to Territorial Authorities, with the guidance they follow a similar confirmation process.
5. Christchurch City Council has requested their Terms of Reference be amended to enable an alternate for the Council's representative if/when the nominated representative is unavailable for its three Zone Committees – Christchurch West Melton, Banks Peninsula and Selwyn Waihora.
6. Hurunui District Council are continuing to explore options for a new joint committee focused on water and land in the Hurunui District.
7. By May 2021, eight territorial authorities had drafted and/or confirmed their Letter of Shared Priorities.
8. Rūnanga are invited to add their priorities to these Letters of Shared Priorities, if they wish to do so.
9. The annual process to refresh community members began in May 2021.
10. Zone Committees are drafting and finalising their Action Plans for July 2021 – June 2024.

Revised Zone Committee Terms of Reference

11. The proposed changes to the Terms of Reference for Zone Committees aims to provide committees with clarity on their purpose (uphold the mana of freshwater bodies within their zone by facilitating enduring land and water management solutions that give effect to the Canterbury Water Management vision, principles and targets in their zone) and to shift their focus to implementation.

12. The new functions of Zone Committees are to:
 - a. Facilitate community engagement and collaboration – continuing an active programme of engaging with communities on freshwater management matters; and
 - b. Facilitate the provision of advice through to Councils (relevant Territorial Authorities and Environment Canterbury) and others (e.g. private sector) contributing to freshwater management; and
 - c. Enhance delivery capability and coalition of the willing – working with stakeholders across all sectors to extend the resources available to implement the CWMS, including connecting others to additional resources and seeking opportunities to promote, support, leverage and expand catchment-based initiatives that deliver the CWMS; and
 - d. Provide progress reports – annual progress reporting to Councils and Rūnanga on progress towards delivery of the zone-specific priorities and CWMS target areas identified in the Zone Committee Action Plan.
13. The intention is to have a generic Terms of Reference that apply across the Canterbury region.
14. The Orari-Temuka-Opihi-Pareora (OTOP) and Lower Waitaki Zone Committees' (LWZC) revised Terms of Reference is provided as Appendix 1A and Appendix 1B.

New Letter of Shared Priorities

15. A new tri-annual joint Letter of Shared Priorities from Councils, and Rūnanga who choose to do so, has been introduced as a way for the Canterbury Water Management Strategy partners to clarify their priorities and expectations of Zone Committees:
 - a. The Letter of Shared Priorities aims to provide specific regional and zone priorities that Councils and Rūnanga wish to progress in conjunction with Zone Committees. The Letter of Shared Priorities provide short-term (3 year) challenging but achievable goals, to help guide a Zone Committee's Action Plan.
 - b. Rūnanga are invited to add their priorities to the Letter if they wish to do so.
 - c. The Letter is a more dynamic mechanism than the Terms of Reference and can respond to specific circumstances within a zone (e.g. recognise co-governance in Selwyn Waihora Zone and Mackenzie Alignment in Upper Waitaki Zone) and be amended and changed if Councils and Rūnanga covering the zone agree.
16. The confirmed Letter of Shared Priorities for the OTOP and LWZC is provided as Appendix 2.

Zone Committee Action Plans

17. Zone Committee Action Plans are another new mechanism that has been introduced to help committees focus on the actions they can take. When developing Action Plans, Zone Committees are to work within their Terms of Reference, the CWMS and Targets and the Letter of Shared Priorities, and to be guided by Iwi Management Plans, Zone Implementation Plans and their Addendums and community engagement and feedback.
18. Committees will report, at least annually, to Councils on the progress and actions they have taken to implement their Action Plan.

Committee Support

19. The Terms of Reference outline that the OTOP and LWZC committees shall be supported by staff from the Territorial Authority and Environment Canterbury.
20. Council has undertaken the committee support and remuneration administration role for the LWZC since April 2017 and has signalled the intention to transfer this role to Waitaki District Council in line with the timing of the next local body elections.

21. OTOP support is currently provided by Timaru District Council and we are not aware of any plan for change in the foreseeable future.

CWMS Zone Committee 2021 Review Timeline

22. The timeline to confirm the CWMS Zone Committee Review and the 2021 Zone Committee refresh is set out below:

CWMS Zone Committee Review and 2021 Refresh Timeline
Terms of Reference (ToR) Feedback on Zone Committee ToR and Letter of Shared Priorities May – October 2020 – Feedback received on the ToR review paper, including the introduction of the Letter of Shared Priorities and zone committee action plans from Zone Committees, Territorial Authorities, and Ngā Rūnanga to advance a revised ToR and draft Letter of Shared Priorities for all CWMS zone committees.
Canterbury Mayoral Forum 27 November 2020 – Confirmed of the revised ToR, introduction of the Letter of Shared Priorities and Zone Committee Action Plans for the CWMS Zone Committees.
Environment Canterbury 10 December 2020 – Confirmation of the revised ToR
Territorial Authorities February–July 2021 – Confirmation of the revised ToR for their Zone Committees
Letter of Shared Priorities Environment Canterbury 10 December 2020 – Notes the priorities set out in the Letters of Shared priorities.
Territorial Authorities February - May 2021 – Confirmation of priorities and Letter of Shared Priorities signed and shared.
Refresh Zone Committee – Community Members 12 April 2021 – Applications open 10 May 2021 – Applications close May and June 2021 – Selection workshops conducted. June - August 2021 – Selection appointments confirmed by Environment Canterbury and Territorial Authorities and refreshed Zone Committee appointments publicised.
Zone Committee Action Plans February – June 2021 – Zone Committees draft and advance their action plans July - August 2021 – refreshed Zone Committees adopt their 3-year action plans (2021-2024)

Relevant Legislation

23. There will be significant uncertainty over the next few years for local communities and Councils as a number of nationally led initiatives, such as the Essential Freshwater package, Three Waters Reform, the Draft National Policy Statement for Indigenous Biodiversity and responses to the Randerson Report are progressed. The recent court action taken by Ngāi Tahu seeking a declaration of their rangatiratanga over freshwater in their takiwā is another significant initiative currently underway. Zone Committees' actions and work programmes will need to evolve as understanding of the implications of each of these initiatives becomes clearer.

ASSESSMENT OF SIGNIFICANCE

24. This item is not considered significant under Council's Significance and Engagement Policy.

LEGISLATION

25. Local Government Act (2002).

FINANCIAL

26. There are no expected additional financial consequences to Council.

RECOMMENDATION

1. That the Canterbury Water Management Strategy Water Zone Committee Review – Terms of Reference report is accepted; and
2. Council receives and notes the changes to the role and function of the Canterbury Water Management Strategy Zone Committees as reviewed in 2020; and
3. Council receives and notes the revised Canterbury Water Management Strategy Terms of Reference for the Opihi-Temuka-Orari-Pareora and Lower Waitaki Zone Committees

CWMS Zone Committees – Revised Terms of Reference 2020

Confirmed by Canterbury Regional Council (10 December 2020)

<p>Canterbury Water Management Strategy (CWMS) – Terms of Reference</p> <p>Lower Waitaki South Coastal Canterbury Water Management Zone Committee</p>
<p>AREA</p> <p>The area of the Lower Waitaki South Coastal Canterbury Water Management Zone is shown on the attached map.</p> <p>The Lower Waitaki South Coastal Canterbury Water Management Zone includes the takiwā of Te Rūnanga o Arowhenua, Te Rūnanga o Waihao, and Te Rūnanga o Mōeraki and the administrative areas of Waitaki District Council, Waimate District Council, and Environment Canterbury.</p>
<p>BACKGROUND</p> <p>The committee is an expression of the partnership between Waitaki District Council, Waimate District Council, and Environment Canterbury (the Regional Council), Te Rūnanga o Arowhenua, Te Rūnanga o Waihao, and Te Rūnanga o Mōeraki, and local communities to implement the Canterbury Water Management Strategy.</p> <p>The committee is established under the auspices of the Local Government Act 2002 in accordance with the Canterbury Water Management Strategy 2009.</p> <p>The committee is a joint committee of Waitaki District Council, Waimate District Council, and Environment Canterbury (the Regional Council).</p> <p>Relevant Territorial Authority Standing Orders apply to the operation of the committee. This includes requirement to make a declaration of conflict of interest, keeping a register of interests and guidance on attendance and absences at meetings.</p> <p>The committee will work as a committee and as individual members in accordance with Canterbury Water Management Strategy Zone Committee Code of Conduct.</p>
<p>PURPOSE AND FUNCTIONS</p> <p>The Committee's purpose is to uphold the mana of the freshwater bodies within their zone by facilitating enduring land and water management solutions that give effect to the Canterbury Water Management Strategy vision, principles and targets in their zone.</p> <p>The committee functions include:</p>

- a. **Facilitating community engagement and collaboration** – continuing an active programme of engaging with communities on freshwater management matters; and
- b. **Facilitating the provision of advice** through to councils (relevant Territorial Authorities and Environment Canterbury) and others (e.g. private sector) contributing to freshwater management; and
- c. **Enhancing delivery capability and coalition of the willing** – working with stakeholders across all sectors to extend the resources available to implement the CWMS, including connecting others to additional resources and seeking opportunities to promote, support, leverage and expand catchment-based initiatives that deliver the CWMS; and
- d. **Progress Reporting** – annual progress reporting to CWMS partners on progress towards delivery of the zone-specific priorities and CWMS target areas identified in the Zone Committee Action Plan.

ZONE COMMITTEE ACTION PLAN AND PROGRESS REPORT

1. Ensure the purpose and functions of the committee are fulfilled by preparing a Zone Committee Action Plan that:
 - a. Covers a three-year period
 - b. Focuses on three – five priorities
 - c. States objectives that the zone committee is seeking to achieve
 - d. States the actions that the zone committee will take to achieve the objective
 - e. States SMART measures to track actions and outcomes.
2. Review and amend the Zone Committee Action Plan at the beginning of every year to ensure the zone committee is still in agreement with the priority areas and the actions are still those the zone committee believes will achieve their objectives.
3. Prepare a Progress Report annually that:
 - a. Highlights the actions of the zone committee and the progress it has made toward its objectives.
 - b. Identifies the challenges and opportunities the zone committee see in the coming year.
 - c. Present the report to CWMS partners.
4. In developing the Zone Committee Action Plan, the committee must work within and be aligned to the:
 - a. Zone Committee Terms of Reference.
 - b. Canterbury Water Management Strategy and Targets.
5. In developing the Zone Committee Action Plan, the committee will also be guided by:

- a. Committee's Zone Implementation Programme and Zone Implementation Programme Addendum.
- b. Iwi management plans that cover the zone.
- c. Community engagement and feedback.
- d. The triennial 'letter of shared priorities' providing joint direction on priorities for the zone committee from the relevant Territorial Authorities, Environment Canterbury and Rūnanga.

LIMITATIONS OF POWER

The Committee does not have the authority to commit any Council to any path or expenditure and its recommendations do not compromise the Council's freedom to deliberate and make decisions.

The Committee does not have the authority to submit on proposed Resource Management or Local Government Plans.

COMMITTEE MEMBERSHIP

The committee will comprise:

1. One elected member appointed by Waitaki District Council and Waimate District Council respectively.
2. One elected member appointed by Environment Canterbury.
3. One nominated representative from Te Rūnanga o Arowhenua, Te Rūnanga o Waihao, and Te Rūnanga o Mōeraki respectively, with provision for an alternate Rūnanga member to attend zone committee meetings where desired.
4. Between 4-7 community members with provision that this number may be exceeded if Waitaki District Council, Waimate District Council, and Environment Canterbury agree. Community members are to be appointed in accordance with the process below.
5. One youth representative may be added to committee (in addition to the 4-7 community members) on recommendation of the zone committee on a case-by-case basis.
6. Where a youth representative is recommended, expressions of interest will be drawn from Environment Canterbury's Youth Rōpū, Waitaki District and Waimate District Youth Councils, and Te Rūnanga o Arowhenua, Te Rūnanga o Waihao, and Te Rūnanga o Mōeraki, and confirmed by Waitaki District Council, Waimate District Council and Environment Canterbury.
7. Waitaki District Council, Waimate District Council, and Environment Canterbury will appoint their own representatives on the Committee. Te Rūnanga o Arowhenua, Te Rūnanga o Waihao, and Te Rūnanga o Mōeraki will appoint their representatives and notify Waitaki District Council, Waimate District Council and Environment Canterbury.

8. Proxies or alternates are not permitted except for Rūnanga representatives.
9. Any Committee may co-opt such other expert or advisory members as it deems necessary to ensure it's able to achieve its purpose. Any such co-option will be on a non-voting basis.

SELECTION AND APPOINTMENT OF COMMUNITY MEMBERS

Community representatives are appointed by a panel of CWMS partners – a councillor from each council and a Rūnanga representative from each Rūnanga whose takiwā is within the zone. The panel will be chaired by an Independent Chair.

To be eligible for appointment to a Committee the candidate must live in or be able to demonstrate a significant relationship with the zone.

The process involves:

1. A public call for expressions of interest.
2. Application
3. Interview and/or workshop

Assessment will be based on the:

- Ability of an applicant to:
 - Work in a collaborative, consensus seeking manner
 - Work with local Rūnanga
 - Establish effective partnerships
 - Understand the complexity of freshwater management issues
 - Focus on solutions and actions, considering future generations
 - Understand the CWMS, the vision, principles, and ways of working
 - Demonstrate:
 - Commitment to community
 - Existing community networks
 - Previous experience in a leadership role
 - Experience working with community processes and/or groups
 - Initiate and inspire local action
- The Committee's:
 - Geographic spread of members across the zone
 - Balance of backgrounds, experience and interests

The selection process above will be primarily focused on appointment of community members to zone committee and may also serve to identify potential future appointees should a community member vacancy arise.

QUORUM

The quorum at a meeting consists of:

- Half of the members if the number of members (including vacancies) is even; or
- A majority of members if the number of members (including vacancies) is odd.

CHAIR AND DEPUTY CHAIR

Each year, the committee shall appoint the Chair and Deputy Chair from the membership by simple majority. There is no limit on how long a person can be in either of these positions.

TERM OF APPOINTMENT

Members of Committees are appointed for a term of three years, which may be extended on a case-by-case basis if Waitaki District Council, Waimate District Council, and Environment Canterbury agree.

Youth members will initially be appointed for a term of one year, with the option to extend their term up to three years subject to availability.

Each Committee requires confirmation of membership by Waitaki District Council, Waimate District Council, and Environment Canterbury.

Committee membership refresh will not occur within four months of Local Government elections.

There is no limit on the number of consecutive terms a member may serve.

FINANCIAL DELEGATIONS

None.

OPERATING PHILOSOPHY

The Committee will always operate in accordance with the requirements of the Local Government Official Information and Meetings Act 1987 and Standing Orders of Territorial Authorities.

The Committee will observe the following principles:

1. Be culturally sensitive observing Ngāi Tahu tikanga.
2. Apply a Ki Uta Ki Tai (from the mountains to the sea) holistic approach that also enables cultural elements including mahinga kai philosophies held by mana whenua to be encompassed.
3. Consider and balance the interests of all water interests in the region in debate and decision making.
4. Work in a collaborative solution-focused approach using best endeavours to reach solutions that take account of interests of all sectors of the community.
5. Contribute knowledge and perspectives but not promote the views or positions of any interest or stakeholder group.
6. Promote a philosophy of integrated water management to achieve multiple objectives of the range of interests in water.

7. Seek consensus in decision-making. If neither unanimous agreement can be reached nor a significant majority view formed, in the first instance seek assistance from an external facilitator to further Committee discussions and deliberations. Where the Committee encounters fundamental disagreements, despite having sought assistance and exhausted all avenues to resolve matters, recommend that respective Councils disband them and appoint a new Committee.

MEETING AND REMUNERATION GUIDELINES

1. The Committee will formally meet at least four times per annum and will hold workshops and host additional community engagement opportunities as required throughout the year. At times, the workload will be substantially higher.
2. Remuneration for members will be paid in the form of an honorarium currently set at the following levels:
 - a. Appointed members \$ 4,000 pa
 - b. Deputy Chair \$ 5,000 pa
 - c. Chair \$ 6,000 pa
3. An expert or adviser who has been co-opted on to the committee is eligible for an honorarium at the same rate as an appointed member.
4. Staff or elected members of Territorial Authorities or Environment Canterbury are not eligible for remuneration.
5. Mileage will be reimbursed.

COMMITTEE SUPPORT

The committee shall be supported by staff from the Territorial Authority and Environment Canterbury, primarily through the Committee Secretary and the Zone Facilitator and senior staff member from relevant Territorial Authority and Zone Manager/Lead from Environment Canterbury.

CWMS Zone Committees – Revised Terms of Reference 2020

Confirmed by Canterbury Regional Council (10 December 2020)

<p>Canterbury Water Management Strategy (CWMS) – Terms of Reference</p> <p>Orari-Temuka-Opihi-Pareora Water Management Zone Committee</p>
<p>AREA</p> <p>The area of the Orari-Temuka-Opihi-Pareora Water Management Zone is shown on the attached map.</p> <p>The Orari-Temuka-Opihi-Pareora Water Management Zone includes the takiwā of Te Rūnanga o Arowhenua and the administrative areas of Timaru District Council, MacKenzie District Council, Waimate District Council, and Environment Canterbury.</p>
<p>BACKGROUND</p> <p>The committee is an expression of the partnership between Timaru District Council, MacKenzie District Council, Waimate District Council, Environment Canterbury (the Regional Council), Te Rūnanga o Arowhenua and local communities to implement the Canterbury Water Management Strategy.</p> <p>The committee is established under the auspices of the Local Government Act 2002 in accordance with the Canterbury Water Management Strategy 2009.</p> <p>The committee is a joint committee of Timaru District Council, MacKenzie District Council and Waimate District Council (the Territorial Authorities) and Environment Canterbury (the Regional Council).</p> <p>Relevant Territorial Authority Standing Orders apply to the operation of the committee. This includes requirement to make a declaration of conflict of interest, keeping a register of interests and guidance on attendance and absences at meetings.</p> <p>The committee will work as a committee and as individual members in accordance with Canterbury Water Management Strategy Zone Committee Code of Conduct.</p>
<p>PURPOSE AND FUNCTIONS</p> <p>The Committee's purpose is to uphold the mana of the freshwater bodies within their zone by facilitating enduring land and water management solutions that give effect to the Canterbury Water Management Strategy vision, principles and targets in their zone.</p> <p>The committee functions include:</p>

- a. **Facilitating community engagement and collaboration** – continuing an active programme of engaging with communities on freshwater management matters; and
- b. **Facilitating the provision of advice** through to councils (relevant Territorial Authorities and Environment Canterbury) and others (e.g. private sector) contributing to freshwater management; and
- c. **Enhancing delivery capability and coalition of the willing** – working with stakeholders across all sectors to extend the resources available to implement the CWMS, including connecting others to additional resources and seeking opportunities to promote, support, leverage and expand catchment-based initiatives that deliver the CWMS; and
- d. **Progress Reporting** – annual progress reporting to CWMS partners on progress towards delivery of the zone-specific priorities and CWMS target areas identified in the Zone Committee Action Plan.

ZONE COMMITTEE ACTION PLAN AND PROGRESS REPORT

1. Ensure the purpose and functions of the committee are fulfilled by preparing a Zone Committee Action Plan that:
 - a. Covers a three-year period
 - b. Focuses on three – five priorities
 - c. States objectives that the zone committee is seeking to achieve
 - d. States the actions that the zone committee will take to achieve the objective
 - e. States SMART measures to track actions and outcomes.
2. Review and amend the Zone Committee Action Plan at the beginning of every year to ensure the zone committee is still in agreement with the priority areas and the actions are still those the zone committee believes will achieve their objectives.
3. Prepare a Progress Report annually that:
 - a. Highlights the actions of the zone committee and the progress it has made toward its objectives.
 - b. Identifies the challenges and opportunities the zone committee see in the coming year.
 - c. Present the report to CWMS partners.
4. In developing the Zone Committee Action Plan, the committee must work within and be aligned to the:
 - a. Zone Committee Terms of Reference.
 - b. Canterbury Water Management Strategy and Targets.
5. In developing the Zone Committee Action Plan, the committee will also be guided by:

- a. Committee's Zone Implementation Programme and Zone Implementation Programme Addendum.
- b. Iwi management plans that cover the zone.
- c. Community engagement and feedback.
- d. The triennial 'letter of shared priorities' providing joint direction on priorities for the zone committee from the relevant Territorial Authorities, Environment Canterbury and Rūnanga.

LIMITATIONS OF POWER

The Committee does not have the authority to commit any Council to any path or expenditure and its recommendations do not compromise the Council's freedom to deliberate and make decisions.

The Committee does not have the authority to submit on proposed Resource Management or Local Government Plans.

COMMITTEE MEMBERSHIP

The committee will comprise:

1. One elected member appointed by Timaru District Council, MacKenzie District Council and Waimate District Council.
2. One elected member appointed by Environment Canterbury.
3. Two nominated representatives from Te Rūnanga o Arowhenua, with provision for an alternate Rūnanga member to attend zone committee meetings where desired.
4. Between 4-7 community members with provision that this number may be exceeded if Timaru District Council, MacKenzie District Council, Waimate District Council and Environment Canterbury agree. Community members are to be appointed in accordance with the process below.
5. One youth representative may be added to committee (in addition to the 4-7 community members) on recommendation of the zone committee on a case-by-case basis.
6. Where a youth representative is recommended, expressions of interest will be drawn from Environment Canterbury's Youth Rōpū, Timaru District, MacKenzie District and Waimate District Youth Councils, and Te Rūnanga o Arowhenua, and confirmed by Timaru District Council, MacKenzie District Council, Waimate District Council and Environment Canterbury.
7. Timaru District Council, MacKenzie District Council, Waimate District Council and Environment Canterbury will appoint their own representatives on the Committee. Te Rūnanga o Arowhenua will appoint their representatives and notify Timaru District Council, MacKenzie District Council, Waimate District Council and Environment Canterbury.
8. Proxies or alternates are not permitted except for Rūnanga representatives.

9. Any Committee may co-opt such other expert or advisory members as it deems necessary to ensure it's able to achieve its purpose. Any such co-option will be on a non-voting basis.

SELECTION AND APPOINTMENT OF COMMUNITY MEMBERS

Community representatives are appointed by a panel of CWMS partners – a councillor from each council and a Rūnanga representative from each Rūnanga whose takiwā is within the zone. The panel will be chaired by an Independent Chair.

To be eligible for appointment to a Committee the candidate must live in or be able to demonstrate a significant relationship with the zone.

The process involves:

1. A public call for expressions of interest.
2. Application
3. Interview and/or workshop

Assessment will be based on the:

- Ability of an applicant to:
 - Work in a collaborative, consensus seeking manner
 - Work with local Rūnanga
 - Establish effective partnerships
 - Understand the complexity of freshwater management issues
 - Focus on solutions and actions, considering future generations
 - Understand the CWMS, the vision, principles, and ways of working
 - Demonstrate:
 - Commitment to community
 - Existing community networks
 - Previous experience in a leadership role
 - Experience working with community processes and/or groups
 - Initiate and inspire local action
- The Committee's:
 - Geographic spread of members across the zone
 - Balance of backgrounds, experience and interests

The selection process above will be primarily focused on appointment of community members to zone committee and may also serve to identify potential future appointees should a community member vacancy arise.

QUORUM

The quorum at a meeting consists of:

- Half of the members if the number of members (including vacancies) is even; or
- A majority of members if the number of members (including vacancies) is odd.

CHAIR AND DEPUTY CHAIR

Each year, the committee shall appoint the Chair and Deputy Chair from the membership by simple majority. There is no limit on how long a person can be in either of these positions.

TERM OF APPOINTMENT

Members of Committees are appointed for a term of three years, which may be extended on a case-by-case basis if Timaru District Council, MacKenzie District Council, Waimate District Council and Environment Canterbury agree.

Youth members will initially be appointed for a term of one year, with the option to extend their term up to three years subject to availability.

Each Committee requires confirmation of membership by Timaru District Council, MacKenzie District Council, Waimate District Council and Environment Canterbury.

Committee membership refresh will not occur within four months of Local Government elections.

There is no limit on the number of consecutive terms a member may serve.

FINANCIAL DELEGATIONS

None.

OPERATING PHILOSOPHY

The Committee will always operate in accordance with the requirements of the Local Government Official Information and Meetings Act 1987 and Standing Orders of Territorial Authorities.

The Committee will observe the following principles:

1. Be culturally sensitive observing Ngāi Tahu tikanga.
2. Apply a Ki Uta Ki Tai (from the mountains to the sea) holistic approach that also enables cultural elements including mahinga kai philosophies held by mana whenua to be encompassed.
3. Consider and balance the interests of all water interests in the region in debate and decision making.
4. Work in a collaborative solution-focused approach using best endeavours to reach solutions that take account of interests of all sectors of the community.
5. Contribute knowledge and perspectives but not promote the views or positions of any interest or stakeholder group.
6. Promote a philosophy of integrated water management to achieve multiple objectives of the range of interests in water.

7. Seek consensus in decision-making. If neither unanimous agreement can be reached nor a significant majority view formed, in the first instance seek assistance from an external facilitator to further Committee discussions and deliberations. Where the Committee encounters fundamental disagreements, despite having sought assistance and exhausted all avenues to resolve matters, recommend that respective Councils disband them and appoint a new Committee.

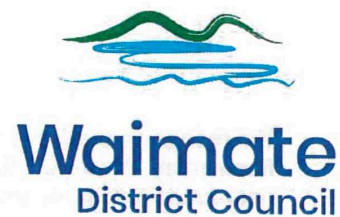
MEETING AND REMUNERATION GUIDELINES

1. The Committee will formally meet at least four times per annum and will hold workshops and host additional community engagement opportunities as required throughout the year. At times, the workload will be substantially higher.
2. Remuneration for members will be paid in the form of an honorarium currently set at the following levels:

a. Appointed members	\$ 4,000 pa
b. Deputy Chair	\$ 5,000 pa
c. Chair	\$ 6,000 pa
3. An expert or adviser who has been co-opted on to the committee is eligible for an honorarium at the same rate as an appointed member.
4. Staff or elected members of Territorial Authorities or Environment Canterbury are not eligible for remuneration.
5. Mileage will be reimbursed.

COMMITTEE SUPPORT

The committee shall be supported by staff from the Territorial Authority and Environment Canterbury, primarily through the Committee Secretary and the Zone Facilitator and senior staff member from relevant Territorial Authority and Zone Manager/Lead from Environment Canterbury.



13 October 2020

Canterbury Water Management Strategy (CWMS) Environment Canterbury
Orari-Temuka-Opihi-Pareora Chair Lucy Millar
lucy@opuha.co.nz
Lower Waitaki Zone Committee Chair Bruce Murphy
bruce@murphyfarms.co.nz

Dear Lucy and Bruce

**WAIMATE DISTRICT COUNCIL AND ENVIRONMENT CANTERBURY PRIORITIES FOR
THE PERIOD JULY 2020 – DECEMBER 2022**

We would like to take this opportunity as Mayor of Waimate District Council and Chair of Environment Canterbury to convey our Councils' priorities as they relate to water management in Canterbury, and identify the areas where our council would like the assistance of the Orari-Temuka-Opihi-Pareora (OTOP) and Lower Waitaki Zone Committee over the period July 2020 – December 2022.

Firstly, we wish to thank your Zone Committee for its contribution to the CWMS over the last ten years. We'd particularly like to thank you for your efforts to engage communities to develop your Zone Implementation Programme (ZIP) in the early years and for the achievements to date of the OTOP and Lower Waitaki Zone Committee.

Since 2009 when councils throughout Canterbury and Ngāi Tahu decided there needed to be a better way to manage our freshwater than the previous 20 years of litigation much has changed. We now have a clear planning framework, investment in action is being taken across all sectors and the Government has set clear direction in a National Policy Statement and standards for freshwater. We are still recovering from two significant earthquakes, mycoplasma-bovis and now Covid-19 that has and will continue to have a huge impact on communities in the region.

A fundamental principle of the CWMS is that we need to work together in order to achieve our shared outcomes and targets.

Our councils are committed to work alongside Papatipu Rūnanga and communities for better freshwater and biodiversity outcomes in the zone. We felt it timely to clearly set out the priorities of our councils, and to seek your assistance to support the implementation of the CWMS.

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

We recognise the Government also wishes to see greater progress in the way we manage freshwater. We expect the Government will finalise its "Action for Healthy Waterways" in the near future and when they do we will review and amend our current priorities if required.

WAIMATE DISTRICT COUNCIL PRIORITIES

The Waimate District Council is committed to continuing to support the OTOP and Lower Waitaki Zone Committees.

Looking ahead, we would like the **OTOP Zone Committee** to focus on the following actions/priorities within our District:

- Safe drinking water free of contaminants for humans and animals
- Rivers and wetlands have healthy ecological flows and high quality water
- Rural and urban communities are fully engaged and have ownership of water management processes
- Native and indigenous wildlife associated with waterways have adequate habitats

Looking ahead, we would like the **Lower Waitaki Zone Committee** to focus on the following actions/priorities within our District:

- Increased community engagement on water quality issues and improvement opportunities across the wider community (including schools)
- Improving water quality and enhance immediate environs of Lake Wainono and the Waihao River and catchment area
- Achieving a higher uptake of water quality responsibility from land owners to ensure water quality improves as it travels along the waterway system.

ENVIRONMENT CANTERBURY PRIORITIES

Environment Canterbury is committed to playing its part to implement the CWMS. In our term of Council, we wish to see greater progress being made to achieve freshwater outcomes that promote resilient and sustainable community priorities.

We have therefore set the following priorities where we believe zone committees can make the greatest difference over the balance of the term. These priorities are in line with the

Environment Canterbury Strategic Direction and the functions of a regional council:

- **Kaitiakitanga Wāhi Toanga and mahinga kai Targets**

In particular, working alongside landowners, Rūnanga, communities, Councils and others to inspire and grow support and resources to achieve the 2025 mahinga kai goal of five mahinga kai projects in each zone.

- **Ecosystem Health and Biodiversity Targets**

In particular, working alongside landowners, Rūnanga, communities, Councils and others to inspire and grow support and resources to achieve the 2025 target goal covering all freshwater ecosystems through;

- i. increased riparian management to protect aquatic ecosystems;
- ii. reducing the number of fish barriers in the zone
- iii. protection and enhancement of named wetlands

- **Recreation and Amenity Targets**

In particular, the Water based recreational opportunity through working alongside landowners, Rūnanga, communities, Councils and others to support and grow resources to achieve the 2025 target to restore priority freshwater recreation opportunities in each zone, that do not meet contact recreation standards and developing plans and actions to achieve and show measurable progress.

Waimate District Council and Environment Canterbury look forward to receiving your Action Plan for specific to your zone for the period July 2020 – December 2022 and to continue to work alongside you and your communities to deliver the CWMS.

Yours sincerely



Craig Rowley
Mayor
Waimate District Council



Jenny Hughey
Chair
Environment Canterbury

17.6 DOG CONTROL ANNUAL REPORT 2020/21

Author: Jonts McKerrow, Regulatory and Compliance Group Manager

Authoriser: Jonts McKerrow, 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 2020 to 30 June 2021.

BACKGROUND

2. Section 10A of the Dog Control Act 1996 (the Act) requires that Waimate District Council provides specific information to the Secretary for Local Government 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 2021.

Number of Registered Dogs in the District

Class	2019/20	2020/21
Pet, Working, and Rural Pet	2876	2845
Dangerous	2	1
Menacing	28	25
Total	2906	2871

Total Number of Disqualified Owners in the District

Period	2019/20	2020/21
Total	Nil	1

Number of Dogs Classified as Dangerous during the Reporting Year

Period	2019/20	2020/21
Total	Nil	Nil

Number of Dogs Classified as Menacing during the Reporting Year

Period	2019/20	2020/21
Total	9	1

Number of Infringement Notices Issued

Infringement		2019/20	2020/21
Failure to keep dog under control or confined on owners' property	s52A	11	1
Failure to keep dog under control	S53(1)	3	3
Failure to microchip dog	s33A(6)	1	12
Failure to register dog	s42	23	29
Failure to comply with classification	s33EC	4	Nil
Failure to carry leash	s54A	Nil	Nil
Failure to give information	s19(2)	Nil	Nil
Total		42	45

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

Number and Nature of Dog Related Service Requests Received

Service Request	2019/20	2020/21
Wandering dogs	147	111
Barking dogs	52	55
Rushing dogs	16	10
Animal attacks	14	8
Person attacks	Nil	3
Wandering stock	55	46
Animal welfare	15	15
Total	299	248

Number of Prosecutions Undertaken

Prosecutions	2019/20	2020/21
Total	Nil	Nil

Options

- It is a statutory requirement for Waimate District Council to provide an annual report each financial year, which must be publicly notified and forwarded to the Secretary for Local Government.

ASSESSMENT OF SIGNIFICANCE

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

CONSIDERATIONS

- The dog control data provided in this report is similar to previous years in most respects, with increased compliance and fewer complaints received.
- The report meets the reporting requirements of section 10A of the Act and it will be submitted to the Department of Internal Affairs (DIA), once adopted by the Committee.

Legislation

8. Dog Control Act 1996.

Territorial or Regional Council Regulations, Plans or Bylaws

9. Waimate District Council Bylaw Chapter 6 – Control of Dogs
10. Waimate District Council Policy Document – Dog Control

RECOMMENDATION

1. That the Dog Control Annual Report 2020/21 be accepted; and
2. That, as required by the Act, Council adopts and publically notifies the report and forward to the Secretary for Local Government.

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

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
19.1 - Public Excluded Minutes of the Council Meeting held on 22 June 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 Chief Executive's Performance Review Committee Meeting held on 29 June 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
19.3 - Presentation: WtE Discussion - 2.00pm	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)(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)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority 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
19.4 - Alpine Energy Shareholders Report - May 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	
19.5 - Notification of Appointment of Alpine Energy Board Director - Timaru District Holdings Ltd	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</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
19.6 - Alpine Group Director Fees Review	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</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
19.7 - Lower Waitaki South Coastal Canterbury and Orari-Temuka-Opihi-Pareora Zone Committees 2021 Membership Refresh	<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
19.8 - Chief Executive's Performance Review Committee Recommendation: Appointment of Chief Executive	<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> <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>	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

**20 RE-ADMITTANCE OF THE PUBLIC REPORT
MEETING CLOSURE**