

MINUTES OF THE EXTRAORDINARY MEETING OF THE WAIMAKARIRI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, RANGIORA SERVICE CENTRE, 215 HIGH STREET, RANGIORA, ON TUESDAY 22 NOVEMBER 2022, COMMENCING AT 11.30AM.

PRESENT

Mayor D Gordon (Chairperson), Deputy Mayor N Atkinson, Councillors A Blackie, R Brine, B Cairns, T Fulton, J Goldsworthy, N Mealings (from 11.36am), P Redmond, J Ward and P Williams.

IN ATTENDANCE

J Millward (Acting Chief Executive), S Hart (General Manager Strategy, Engagement and Economic Development), G Cleary (General Manager Utilities and Rooding), A Mace-Cochrane (Project Engineer) and A Smith (Governance Coordinator).

1. APOLOGIES

There were no apologies.

2. CONFLICTS OF INTEREST

There were no conflicts of interest declared.

3. REPORT

3.1. Approval to Submit Three Waters Reform – Better Off Application and Funding Agreement – S Hart (General Manager Strategy, Engagement and Economic Development).

S Hart presented this report, that requested approval from the Council to apply for Tranche 1 Better Off Funding. This funding was offered by the Department of Internal Affairs (DIA) as Tranche 1 of the Better Off package, in conjunction with a Funding Agreement.. For Tranche 1 funding Waimakariri District Council was eligible for \$5.54 million and projects to be included in the application were required to meet three key criteria.

S Hart noted that the Council had sought legal advice from Anderson Lloyd about including additional clauses in the proposed Funding Agreement prior to signing to ensure that the Council retained the ability to oppose the Three Waters reform. The clauses protect the Council's membership of the Communities 4 Local Democracy lobby group. However, there had been some indication that these new clauses may not be acceptable to the DIA.

In addition, S Hart highlighted the various options available to the Council, and advised that it was recommended that the Council staff proceed with the Funding Agreement that included the additional clauses, as this could be revisited if rejected. S Hart also confirmed that advice had been received that the projects met the criteria.

Mayor Gordon noted that it would be his advice to continue with the application with the additional clauses in the Funding Agreement. However, the clauses could be deleted from the agreement if required.

J Millward advised that applications for Tranche 1 Better Off Funding closed at the end of November 2022, and the Council would therefore need to request an extension if the agreement was to be amended.

Councillor Brine asked if the Council's application with additional clauses would impact other Councils' applications for Better Off funding. J Millward responded that some of the other Councils which were part of Communities 4 Local Democracy had submitted applications without any additional clauses. In addition, S Hart did not believe that the Waimakariri District Council's application would impact any other Councils' applications.

Councillor Redmond questioned if recommendation (c) was still applicable, as all of the Councils knew what the clauses entailed. S Hart indicated that the recommendation should be retained, as this would allow the application to proceed with the inclusion of the additional clauses. However, if the DIA did not accept the amended Funding Agreement, the additional clauses would be removed.

Councillor Williams suggested that the projects recommended for funding should be submitted to the Utilities and Roothing Committee and the appropriate Drainage Advisory Boards for a decision. G Cleary noted that, as indicated at previous Council briefings, these projects were only examples. Therefore, there was no commitment to these projects at this stage, and staff would report to the Utilities and Roothing Committee seeking final approval of the projects to be funded.

Councillor Cairns commented on the Woodend to Kaiapoi Cycleway, which would need to be undertaken in conjunction with Waka Kotahi. C Cleary confirmed that if the money was committed to this project, staff would report back to the Council.

Moved: Mayor Gordon

Seconded: Councillor Atkinson

THAT the Council:

- (a) **Receives** Report No. 220911157300.
- (b) **Approves** the list of projects included in the Waimakariri District Council Better Off Funding Application – Tranche 1, and their respective funding allocations.
- (c) **Authorises** the Acting Chief Executive to insert wording to protect the Council's position in terms of membership of Community 4 Local Democracy, and its opposition to Three Waters Reform, and Waimakariri District Council's ability to carry out normal business operations and activities. The final wording to be authorised by the Mayor and Acting Chief Executive prior to signing.
- (d) **Authorises** the Acting Chief Executive and Mayor to sign the Funding Agreement between Department of Internal Affairs and Waimakariri District Council for Three Waters Reform – Tranche 1 Funding (Record No. 220911157303) by 28 November 2022, subject to changes as per recommendation (c).
- (e) **Authorises** the Acting Chief Executive to submit the Waimakariri District Council's Better Off Funding Tranche 1 Application and Funding Agreement, delegating the ability to approve further changes to the application prior to submittal to the Department of Internal Affairs on 28 November 2022, if required.
- (f) **Notes** that the Waimakariri District Council could obtain up to \$5.54 million for Tranche 1 and the balance of \$22.18 million (being \$16.64 million) in Tranche 2.

- (g) **Notes** that the programme be subject to the Utilities and Roading Committee for final ratification.
- (h) **Circulates** this report to all Community Boards for information.

CARRIED

Mayor Gordon noted that the Council's position about the proposed Three Waters Reform had been preserved by adding the additional clauses to the Funding Agreement. This funding was an opportunity for the Council to complete projects which would otherwise not be done in the short term. He agreed that the proposed projects to be funded needed to be discussed further with the Utilities and Roading Committee. Mayor Gordon stated that the community would not be pleased if the Council did not take up the opportunity to apply for this funding. He understood that all Councils in the country, except Waimate, would be applying for the Better Off Funding.

Councillor Atkinson commented that it was important that suitable projects be selected for funding and encouraged colleagues to support the motion.

Councillor Redmond, though initially not in support of the Council applying for Tranche 1 Better Off Funding, now supported the motion, as the additional clauses being included in the Funding Agreement safeguarded the Council's position on Three Waters Reform. Councillor Redmond further commented that a change in government may impact the availability of this funding.

G Cleary explained that if the Council did not apply for the Tranche 1 funding of \$5.54 million, it would become available as part of Tranche 2 funding, with the Council only eligible for up to \$22.18 million. As applications for Tranche 2 funding were likely to be made in mid-2024, the future of this funding was unknown if there was a change in government after the 2023 national elections.

Councillor Williams supported the motion and a report being submitted to the Utilities and Roading Committee and also the relevant Rural Drainage Advisory Boards.


In reply, Mayor Gordon noted it was a matter of democracy for the Council to include the additional clauses in the funding agreement. If the DIA did not agree with these clauses, this matter would revert back to the Council for further discussion.

4. NEXT MEETING

The next scheduled ordinary meeting of the Council would commence at 1pm on Tuesday 6 December 2022.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 12.05PM.

CONFIRMED



Chairperson
Mayor Dan Gordon

6 December 2022
Date