

**MINUTES OF A MEETING OF THE WAIMAKARIRI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, RANGIORA SERVICE CENTRE, 215 HIGH STREET, RANGIORA, ON TUESDAY, 7 MARCH 2023, COMMENCING AT 1PM.**

**PRESENT**

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

**IN ATTENDANCE**

J Millward (Acting Chief Executive), G Cleary (General Manager Utilities and Roading), T Tierney (General Manager Planning, Regulation and Environment), J McBride (Roading and Transport Manager), K Simpson (3 Waters Manager), C Roxburgh (Water Asset Manager), J Recker (Stormwater and Wasteways Manager), S Nichols (Governance Manager), M Maxwell (Strategy and Business Manager), N Thenuwara (Policy Analyst), and T Kunkel (Governance Team Leader).

**1. APOLOGIES**

Moved: Councillor Atkinson

Seconded: Councillor Williams

**THAT** an apology for absence be received and sustained from Councillor Blackie.

**CARRIED**

**2. CONFLICTS OF INTEREST**

No conflicts of interest were declared.

**3. ACKNOWLEDGEMENTS**

Nil.

**4. CONFIRMATION OF MINUTES**

**4.1 Minutes of a meeting of the Waimakariri District Council held on Tuesday, 7 February 2023**

Moved: Councillor Ward

Seconded: Councillor Fulton

**THAT** the Council:

- (a) **Confirms**, as a true and correct record, the circulated Minutes of the meeting of the Waimakariri District Council meeting held on Tuesday, 7 February 2023.

**CARRIED**

**4.2 Minutes of a meeting of the Waimakariri District Council held on Wednesday, 8 February 2023**

Mayor Gordon advised that the Minutes of the meeting held on 8 February 2023 would be approved at subsequent Council meeting.

4.3 **Minutes of a meeting of the Waimakariri District Council held on Tuesday 28 February 2023**

Moved: Councillor Goldsworthy

Seconded: Councillor Brine

**THAT** the Council:

- (a) **Confirms**, as a true and correct record, the circulated Minutes of meeting of the Waimakariri District Council meeting held on Tuesday, 28 February 2023.

**CARRIED**

**MATTERS ARISING (FROM MINUTES)**

Nil.

**5. DEPUTATIONS AND PRESENTATIONS**

Nil.

**6. ADJOURNED BUSINESS**

Nil.

**7. REPORTS**

7.1 **Response to draft Residual Disinfection Exemption Application Report** – C Roxburgh (Water Asset Manager)

C Roxburgh spoke to the report, noting that the Council submitted a Residual Disinfection (Chlorine) Exemption application for the Cust Water Supply in July 2022. However, the Council received Taumata Arowai's draft assessment report in December 2022, which recommended that the exemption application be declined. Staff met with Taumata Arowai to discuss the report in February 2023, and replies were drafted in response to the various points raised by Taumata Arowai. C Roxburgh highlighted the following responses:

- Taumata Arowai concluded that the proposed UV treatment was not a complete treatment barrier for viruses. Therefore, the Council highlighted information suggesting UV treatment could be appropriate in certain circumstances. The Council also provided additional water quality data to alleviate some of Taumata Arowai's concerns.
- Taumata Arowai had questioned the appropriateness of the Council's renewals programme. Attention was thus again drawn to the large body of evidence provided about pipe condition and replacements to ensure this was fully considered before conclusions were drawn.

Councillors had no questions on this item.

Moved: Councillor Williams

Seconded: Councillor Redmond

**THAT** the Council:

- (a) **Receives** Report No. 230222023958.
- (b) **Approves** staff to submit the attached response to Taumata Arowai following the receipt of their draft Residual Disinfection Exemption Application Report.
- (c) **Circulates** this report to the Rangiora-Ashley Community Board for their information.

**CARRIED**

Councillor Williams commended C Roxburgh on the quality of the Council's response to the issues raised by Taumata Arowai.

Councillor Redmond agreed that the Council drafted an excellent response. However, he did not believe that the Council's response would change Taumata Arowai's decision regarding the exemption application but hoped that it would alleviate some of their concerns. He commented on the severity of the conditions set by Taumata Arowai to ensure water quality.

Mayor Gordon endorsed the comments made by the previous speakers. He also applauded the Water Asset Team for the detailed responses and for productively engaging Taumata Arowai. He believed that the Council and Taumata Arowai should work through this process together, bearing in mind that Waimakariri communities strongly advocated for Chlorine free water supplies, which he supported. Finally, Mayor Gordon requested staff invite Taumata Arowai's new Chief Executive to meet with the Council and discuss the work that the Council had been doing.

Council Meetings concurred with the comments made by Mayor Gordon.

7.2 **Drainage and Stockwater Alternative Rating Structure** - J Recker (Stormwater and Waterways Manager)

J Recker spoke to the report and provided background on the need to establish a Drainage and Stockwater Rating Working Party to investigate an alternative rating to be included in the draft 2024/34 Long Term Plan. There was a view that the stockwater and rural land drainage networks provided environmental benefits to the broader community. If this concept was accepted, then the corollary was that there was also an argument for changing the stockwater rating structure so that the wider community was rated, at least in part, for stockwater and rural land drainage. Also, some of the Drainage Advisory Groups believed there needed to be more equity with the current rating structure. While some people benefited from the rural land drainage schemes, they effectively managed water generated from upstream properties that did not pay drainage rates.

Councillor Atkinson thought that the hapū should be consulted on this matter from the beginning, and he, therefore, enquired when they would be approached for input. K Simpson noted that currently, the local iwi was not represented on the Working Party, however, they could be included if the Council so desired.

Mayor Gordon agreed that early engagement with the hapū was critical, so he suggested that there should be a discussion with Ngāi Tahu on their level of involvement in the Working Party.

J Millward concurred that early engagement with Ngāi Tahu was essential. He noted that the national election in October 2023 may impact the proposed structure regulatory entity for Three Waters. However, any regulatory entity should also be included in the Working Party.

Councillor Brine asked that, if the Three Waters' reform did not proceed after the national elections, how long would it take the Council to establish a single sewer, drainage, and water rate across the Waimakariri District. K Simpson noted that there were many factors to consider, and it would be easier to provide a timeframe when the Working Party reported back to the Council in November 2023. J Millward explained that the current national policy gave regulatory entities a year to advise how they would be structured. Hence, there would be a delay in liaising with the entities to discuss sewer, drainage, and water rates.

In response to a question from Councillor Ward, J Millward acknowledged that splitting water, sewer and drainage infrastructure and rates between urban and rural would be challenging.

Councillor Fulton requested staff to ensure that the people appointed to the Working Party were au fait with the Canterbury Water Management Strategy.

Moved: Councillor Williams

Seconded: Councillor Atkinson

**THAT** the Council:

- (a) **Receives** report No. 230207015398.
- (b) **Approves** the establishment of a Drainage and Stockwater Rating Working Party to investigate the possible options including, but not limited to:
- (i) Status Quo – Retaining targeted rates with minimal district rates.
  - (ii) Modified Status Quo – Decreasing targeted rates, however, with an off-set increase in a District-wide general rate, recognising the environmental benefits of drainage and stockwater to the public.
  - (iii) Universal Rate – Combining all the rural drainage schemes into one universal rate with a minimal or more substantial district wide rate.
- (c) **Appoints** the following Councillors and staff to the Drainage and Stockwater Rating Working Party:
- Members:**
- Canterbury Water Management Strategy Portfolio Holder
  - Drainage and Stockwater and 3 Waters Portfolio Holder
  - Climate Change and Sustainability Portfolio Holder
  - General Manager Finance and Business Support
  - General Manager Utilities and Roothing
  - *Ex officio* – Mayor and Chief Executive.
- Staff Support**
- Finance Manager
  - Rating Representative
  - 3 Waters Manager – Kalley Simpson
  - Stormwater and Waterways Manager (Project Lead).
- (d) **Adopts** the Drainage and Stockwater Rating Working Party Terms of Reference (Trim 230213018315) and requested the Working Party approached Ngāi Tahu to ascertain the level of involvement they required.
- (e) **Requests** that the Working Party report back to the Council in November 2023 recommending the proposed approach for Drainage and Stockwater rating to be included in the draft 2024/34 Long Term Plan.
- (f) **Notes** the following indicative programme of key dates:

Period	Action
March 2023	Report to new Council to confirm the establishment of the Working Party and Terms of Reference
April 2023	Initial meeting of the Working Party to confirm scope and rating options
May-July 2023	Assessment and financial modelling of rating options
August 2023	Refinement of preferred option. Final Working Group meeting.
October 2023	National Elections

November 2023	Report to Council from the Working Party recommending proposed rating structure for inclusion in the draft 2024/34 LTP
February 2024	Council adopts draft 2024/34 draft LTP budgets for consultation
March-May 2024	Consultation on proposed rating structure as part of the draft 2024/34 LTP
July 2024	Implementation with 2024/34 LTP

- (g) **Circulates** this report to the Community Boards for their information.

**CARRIED**

Councillor Williams noted that considering the flooding in various parts of the country, it was essential to ensure that all drainage issues were sorted.

Councillor Atkinson concurred with Councillor Williams, commenting that the Council had previously done a similar exercise which could be informative to the proposed investigation. He agreed that the people on the Working Party should be knowledgeable about water management in the district.

Councillor Mealings remarked that the Drainage Advisory Boards had indicated a need and interest for this work to be done. Although she noted that the proposed investigation would only focus on rural drainage, the Council could also examine urban drainage if the Three Waters reform did not proceed.

Councillor Redmond supported the motion and questioned the large number of rating structures imposed on the Waimakariri District, a relatively small district. He hoped that the review of the system would bring back some equity.

Mayor Gordon believed that Councillors had made valid comments and that the work needed to be done as the whole district would benefit if the drainage system worked well. He stressed the importance of Ngāi Tahu's involvement in the Working Party to ensure that their views on water were heard and valued and the participation of any regulatory entity.

7.3 **Budget Adjustments for Bridge and Culvert Works** – J McBride (Roading and Transport Manager) and D Young (Principal Engineering Advisor)

J McBride spoke to the report and highlighted the reasons for the budget adjustment for two projects currently underway. The Council was requested to approve the reallocation of \$75,000 from the Travel Demand Management budget to the Butchers Road Culvert Replacement project. Also, that \$268,750 be brought forward from the 2023/24 budgets for Bridges and Structures Renewals and Bridge Component Replacement into the 2022/23 financial year to allow the full programme of pipe arch culvert re-lining works which was underway, to be completed. Both projects were time sensitive, and the contracts had therefore been awarded after approval by the Management Team, and the projects were scheduled for completion at the end of March 2023.

Councillor Redmond sought clarity on whether a culvert was on Beach Road, Kaiapoi. J McBride confirmed that the culvert at the end of Beach Road at Kairaki Beach had to be repaired because it was damaged by flooding and a vehicle.

Councillor Williams asked if the re-lining of the culverts would also include the re-lining of the abutments. J McBride explained that the focus would primarily be on the re-lining of the culverts. However, staff could, at the same time, look at the abutments to assess if any work needed to be done.

Councillor Goldsworthy questioned if there was any alternative to culverts. J McBride acknowledged that culverts were dated and would not be deemed best practice today. However, the Council had investigated possible alternatives and found that re-lining the culverts was still the most cost-effective option.

In response to a question from Councillor Mealings, J McBride explained that the tender for re-lining the Butcher Road culvert was tendered on an estimate, and the actual tender prices received were higher than the estimate.

Councillor Cairns enquired if the proposed relocation of the \$75,000 would impact other future projects. J McBride verified that no other project would be affected.

Moved: Councillor Goldsworthy

Seconded: Councillor Mealings

**THAT** the Council:

- (a) **Receives** Report No. 230221023875.
- (b) **Approves** the reallocation of \$75,000 of budget from the Travel Demand Management budget (PJ101389.000.5135) which had unallocated budget to the Butchers Rd Culvert Replacement to the February 2022 Flood Event Budget (PJ 101969.000.5134).
- (c) **Approves** bringing forward a total budget of \$268,750 from the 2023/24 budget for Bridges and Structures Renewals (101772.000.5134) and Bridge Component Replacement (101771.000.5134) into the 2022/23 year, to allow the full programme of re-lining works to be completed.
- (d) **Notes** that the opportunity to claim additional funding under the February 2022 flood event had been discussed with Waka Kotahi staff and had not been progressed as this was not supported.
- (e) **Notes** that construction has begun on the Pipe Arch Culvert Re-lining works and Butchers Road Culvert Relining works following approval to award contracts from Management Team.

**CARRIED**

Councillor Goldsworthy and Mealings supported the motion, as is was essential work that needed to be done.

7.4 **Rangiora Promotions Association Funding Support** – M Maxwell (Strategy and Business Manager)

M Maxwell spoke to the report, explaining that the Rangiora Promotions Association (RPA) recently approached the Council to signal a period of financial difficulty due to the loss of significant sponsorship that put the organisation's survival at risk. To support the RPA in the short term, a once-off \$20,000 grant was recommended to be paid from the Waimakariri Event Fund. However, in the long term, staff recommended that the longer-term arrangements and associated funding allocation to Promotion Associations be reviewed as part of the 2024/25 Long Term Plan process.

Councillor Ward enquired if the RPA was finding it difficult to secure funding. M Maxwell advised that all the Promotion Associations have struggled to secure business sponsorships and grants in the current economic environment.

Councillor Williams asked if the Council knew what funds the RPA had available in their accounts. M Maxwell undertook to verify the available funds.

Councillor Redmond sought clarity on whether the Council had received interim accounts from the RPA showing their current financial position. J Millward noted that the RPA presented their accounts to the Audit and Risk Committee in July 2022, where they indicated that they were struggling to secure external funding due to the impact of Covid.

Councillor Goldsworthy questioned if the Council had ascertained if the other Promotion Associations may also need financial assistance. M Maxwell noted that none of the other Promotion Associations needed immediate assistance, however, the arrangements and funding allocations to them would also need to be reviewed.

Councillor Fulton sought confirmation that the RPA operated with a strategic plan which was regularly reviewed to ensure there were no organisational or structural problems within the RPA. M Maxwell confirmed that the RPA reported periodically to the Council, and the Council was not aware of any structural issues.

Councillor Brine asked if Enterprise North Canterbury (ENC) was aware that the money would be taken from the Waimakariri Event Fund. M Maxwell commented that ENC had no objection to the reallocation of the funding, as there was a high probability that some of the funds would have been allocated to the RPA to host events.

Moved: Councillor Ward

Seconded: Councillor Williams

**THAT** the Council:

- (a) **Receives** Report No. 230223024622.
- (b) **Notes** the difficult operating conditions experienced by the Promotions Associations over the last few years due to various external and economic forces, impacting their activities and contributing to falling sponsorship/funding levels and increases in goods and supplier costs.
- (c) **Notes** that the Council's annual funding grant to the Promotions Associations was adjusted for general inflation each year, however, had not been reviewed since the inception of the Service Level Agreements in July 2018.
- (d) **Notes** the financial challenges currently being experienced by the Rangiora Promotions Association, putting the organisation and its operational activity at risk.
- (e) **Approves** an immediate support once-off grant of \$20,000 to the Rangiora Promotions Association carrying them through to 30 June 2023, repurposed from the Waimakariri Event Fund provided by the Council and administered by Enterprise North Canterbury.
- (f) **Notes** that all three Promotions Associations provided annual reports to the Audit and Risk Committee highlighting the key activities delivered in that financial year, and their respective end of year financial results.
- (g) **Notes** that staff would work with the Promotions Associations, Enterprise North Canterbury, and other key stakeholders, as part of the Long-Term Plan programme of work, to develop options for longer-term arrangements and associated funding for the district's Promotions Associations.

**CARRIED**

Councillor Ward acknowledged the work done by the RPA to source external funding to host community events that greatly benefited the community. She, therefore, supported the motion as it would allow the RPA to continue the work they have been doing.

Councillor Cairns believed that the once-off grant was a good solution in the short term, however, the Council needed to investigate the funding models for all the Promotion Associations as well as the support that the Council was providing to them.

Councillor Goldsworthy concurred that the RPA was doing exemplary work by bringing events to the Rangiora community. He noted that the RPA was exploring various avenues to secure external funding, and he would thus be supporting the motion.

Councillor Brine supported the motion as a short-term solution to the RPA's financial problem, however, he was concerned that the funding needed to be earmarked for the ENC and other organisations to host events. He agreed that the Council should review the funding provided to the Promotion Associates during the Long-Term process.

Councillor Atkinson endorsed the comments made by previous speakers, noting that the Council needed an in-depth review of the financing of community events with ratepayers funding during the Long-Term Plan process. There also needed to be an assessment of who should be responsible for hosting community events.

Mayor Gordon advised that he met with the Chairpersons of the Rangiora-Ashley Community Board and the RPA to discuss the association's financial challenges. He supported the motion, as he wanted to avoid seeing a successful organisation, such as the RPA, fail. The RPA had hosted many major successful events with the assistance of volunteers, and the 2022/23 Waimakariri Event Fund could support a once-off grant to the RPA. Mayor Gordon reiterated that communities were in an extremely difficult economic climate, and grant funding and sponsorships were not readily available. He believed that the RPA was trying hard to source external funding. As part of the Long-Term Plan process, he requested Councillor Cairns work with ENC and staff to assess the cost of hosting community events and the support the Council needed to provide to Promotional Associations.

Councillor Mealings commented that Promotional Associations supported businesses which supported the wider community. Therefore, by supporting the RPA during these challenging economic times, the Council enabled Promotional Associations to support communities.

Councillor Ward noted that Promotional Associations hosted free events for people that may not otherwise have the opportunity to enjoy such events. Hence it was important that the Council supported the work that they were doing.

#### **7.5 Submission on Proposals for the Smoked Tobacco Regulatory Regime – N Thenuwara (Policy Analyst)**

N Thenuwara spoke to the report, highlighting that the Central Government had set a target to reduce the availability of smoked tobacco products (STP) as part of its Smoked Free Aotearoa 2025 initiative. To solicit public feedback, a consultation document outlining the intended implementation plan was released in January 2023, to which the staff had prepared a draft submission. She elaborated on the issues covered in the Council's submission, such as:

- The different tobacco retailer landscapes in urban and rural areas.
- The allocation of a maximum number of retailers in the Waimakariri District.
- The restriction or prohibition of the sale of STPs together with everyday grocery items.
- The lack of clarity on the role of the Council in the implementation and monitoring of the smoked tobacco regulations.
- The higher risk of the youth becoming victims of online STPs sellers.
- Restrictions on the location of Specialist Vape Retailers (SVRs).

Councillor Williams questioned if small businesses in the Waimakariri District had been consulted to ascertain how the Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Act, 2023 (SERPA) would affect them. N Thenuwara noted that the submission timeframe was very short, and there had been no time for any public consultation.



Councillor Williams noted his concern that small business owners' dependent on selling STPs to bring in customers were not consulted before the Council drafted its submission. T Tierney acknowledged that the Council would have preferred to consult with business owners before making a submission, however, it was not feasible in the timeframes provided.

Mayor Gordon asked if staff consulted the Cancer Society prior to drafting the Council's submission. T Tierney noted that, unfortunately the timeframes provided had not allow for consultation with outside bodies.

Councillor Redmond sought clarity on who would determine which retailers in the Waimakariri District would be allowed to sell STPs. N Thenuwara advised that the Central Government was still working on the practical implementation of the regulations, so there was no data on how the retailers would be identified.

Councillor Redmond questioned why the regulation on selling STPs did not apply to Vape Retailers. N Thenuwara noted that the Central Government was promoting vaping as an alternative to smoking tobacco because they believed it was less harmful.

Councillor Redmond also enquired if the Central Government would consider a similar model as alcohol licensing, intended to restrict harm and sales. N Thenuwara explained that after July 2024, retailers who wished to sell STPs would have to apply for Central Government approval via an application process. Each application would be evaluated based on specific criteria set out in the SERPA.

Furthermore, Councillor Redmond asked if SERPA provided for the authority to evaluate the application to be delegated to the Council. N Thenuwara commented that the consultation did not cover the role of local governments in the implementation of the Act.

*Considering the many questions, Mayor Gordon adjourned the meeting at 2.05pm to allow a workshop discussion on the Council's submission on the proposals for the Smoked Tobacco Regulatory Regime.*

## **WORKSHOP**

Councillor Williams did not believe that the Council could submit on the Smoked Tobacco Regulatory Regime without consulting the small business owners in the district who would be affected. He noted that he had no confidence in the Central Government's ability to decide on which retailers in the Waimakariri District should be allowed to sell STPs. Councillor Williams stated that the Central Government needed to be advised that the Council was not pleased that they did not have an opportunity to consult with its residents.

Councillor Atkinson held the opinion that it would be unfair to "pick" retailers to sell STPs. The sale of STPs should be banned entirely, or all retailers should have the same opportunity to sell them. He, therefore, did not believe the Council should submit.

Councillor Cairns advised that he was against smoking, and if the regulations reduced a portion of the harm that smoking caused, then the Council should make a submission. However, he agreed that the Central Government's planned Smoked Tobacco Regulatory Regime had to be clarified.

Councillor Mealings explained that SERPA had already been passed in January 2023, thereby reducing the number of retailers in the country allowed to sell STPs from 6,000 to 600. This allowed for seven retailers in the Waimakariri District to sell STPs. The Central Government were only requesting feedback on the proposed implementation. She noted that her main concern was the lack of restrictions on the location of vape retailers, which resulted in five vape retailers located in a 600m<sup>2</sup> block in Kaiapoi. She thought that the Council should make a submission highlighting that the proximity of vape retailers to schools and other youth-serving facilities should be regulated across the country. Additionally, measures must be taken to limit the distance between vape retailers.

Councillor Fulton supported the Council submission. However, he believed that determining the number of retail premises in the Waimakariri District should be done on a ratio basis similar to the allocation of gambling machines. He also suggested stricter regulations not only for online sales of STPs, but also for online marketing of STPs.

Councillor Ward commented that STPs and vaping were detrimental to people's health. She was particularly concerned about STPs and vaping products being freely available to youth people, therefore, she supported a submission that would restrict and eradicate STPs and vaping.

Mayor Gordon noted that there seemed to be a majority consensus that the Council should make a submission. He thought that the submission should highlight the following:

- The Council's concern regarding the short period of time available to draft a submission.
- The lack of opportunity for the Council to consult retailers in the district regarding the impact of the proposed regulations.
- The Council's concern regarding vaping and the viability of vaping products to young people.

Councillor Brine acknowledged the harmful effects of smoking and vaping. However, he did not support the proposed reduction of the number of retailers across the district to only seven without consulting business owners first. In addition, Councillor Brine was concerned that a submission by the Council would be construed as support for the proposed regulations.

Councillor Goldsworthy agreed that the Council should make a submission, however, he supported a similar model to alcohol licensing rather than Central Government control.

Councillor Redmond shared the concerns of Councillors Mealings and Ward and agreed that the Council should submit. He supported stricter regulations for vaping retailers and banning online sales of STPs.

Councillor Atkinson doubted that the Central Government had the resources to enforce stricter regulations on vaping. He noted that the restriction of retailers selling STPs would not stop the use of STPs. However, it would be detrimental to the retailers not allowed to sell STPs. Councillor Atkinson concurred with Councillor Brine that the retailers in the district needed to be consulted on this matter.

Councillor Williams agreed that a similar model to alcohol licensing should be implemented and that the Council should be granted the opportunity to consult retailers in the district.

*At the conclusion of the workshop, the meeting resumed at 1.34pm.*

Moved: Mayor Gordon

Seconded: Councillor Redmond

**THAT** the Council:

- (a) **Receives** report No. 230221023073.
- (b) **Approves** that the Council makes a submission on proposals for the smoked tobacco regulatory regime (Trim 230220022315) and circulate the submission to Councillors for feedback prior to submission.
- (c) **Approves** delegated authority to the Mayor and the Acting Chief Executive for any final amendments or adjustments to Council's submissions prior to the closing date of 15 March 2023.
- (d) **Circulates** this report and draft submission to the Community Boards for their information.

**CARRIED**  
Councillor Atkinson Against

Mayor Gordon noted that the workshop had allowed for a more open discussion on the matter. There was agreement that the Council should make a submission which included all the concerns raised during the workshop session. However, he was worried about the brief window provided to submit. Mayor Gordon agreed that the Council should have been allowed to consult retailers in the district before drafting a submission. However, he believed that the Council should submit, as he shared the Councillor's concerns regarding STPs and vaping and the viability of vaping products to young people.

7.6 **Pecuniary Interests Register** – S Nichols (Governance Manager)

In light of the Council Workshop held on 28 February 2023, S Nichols took the report as read. She noted that the Council was only requested to appoint a Registrar for the Pecuniary Interests Register.

In response to a question raised by Councillor Ward, S Nichols confirmed that elected members would be provided with Pecuniary Interests forms which would assist them in declaring their interests.

Moved: Councillor Ward

Seconded: Councillor Goldsworthy

**THAT** the Council:

- (a) **Receives** Report No. 230228027715.
- (b) **Appoints** the Governance Manager as the Registrar of the Pecuniary Interests Register.
- (c) **Notes** members will supply information directly to the Governance Manager to enable Register compilation.
- (d) **Notes** a copy of this report will be circulated to the Community Boards, who will be subject to the Register.

**CARRIED**

Councillor Redmond commented that the requirements of the Local Government (Pecuniary Interests Register) Amendment Act 2022 were very broad and open for interpretation.

7.7 **Amendments to Standing Orders for Council, Committee, Sub-Committees and Hearing Panels** – T Kunkel (Governance Team Leader)

S Nichols took the report as read as a Council Workshop was held on 28 February 2023.

Councillor Atkinson questioned the restriction of the definition of “Member of the Police” to only a constable. S Nichols noted that the member of the Police referred to officers allowed to remove a member of the public from Council meetings. Councillor Brine explained that the Policing Act, 2008 defined members at any level of position within the New Zealand Police as constables.

Councillor Atkinson also queried the proposed increase in signatures required for a petition from five to 20. S Nichols confirmed that the proposed number was recommended by Local Government New Zealand (LGNZ) to standardise practices nationwide. However, it was still the Council's prerogative to treat any document received from a group of people as a petition, regardless of the number of signatures attached.

Councillor Redmond asked if LGNZ issued an updated Standing Order template for Community Boards. S Nichols explained that LGNZ released a combined updated template for Council and Community Boards. The revised Standing Orders would be submitted to the Community Board for adoption once the Council has approved the proposed amendments.

Councillor Redmond sought clarity on whether a mover of an amendment to an original motion had a right to reply. T Kunkel explained that only the mover of a motion had a right of reply, which could be exercised either at the end of the debate on the original motion or at the end of the debate on a proposed amendment should the mover so desire.

Moved: Councillor Atkinson

Seconded: Councillor Cairns

**THAT** the Council:

- (a) **Receives** report No. 230215020549.
- (b) **Adopts** the updated Waimakariri District Council, Committees and Sub-Committees, Joint Committees and Hearing Panels Standing Orders 2023 (Trim 230216021029), effective from 8 March 2023.
- (c) **Notes** that the Mahi Tahi Joint Development Committee, which was a Joint Committee between the Waimakariri District Council and the Te Ngāi Tūāhuriri Rūnanga was also subject to the Standing Orders. A copy of this report and adopted Standing Orders would be advised to our Te Ngāi Tūāhuriri membership.
- (d) **Recommends** to all four Community Boards that any proposed Standing Orders for Community Boards should be consistent with the Council, Committees, Sub-Committees, Joint Committees and Hearing Panels Standing Orders except for those areas which relate specifically to Community Boards and to give consideration to updated Standing Orders being adopted at their April 2023 meetings.
- (e) **Notes** that the Community Board's current Standing Orders (Trim 201007134141) remained active until they consider and adopt the proposed amendments to the Council's current Standing Orders.
- (f) **Notes** that Community Boards would receive a workshop on matters on 9 March 2023 with an emphasis being on consistency between the Council and Community Board Standing Orders.
- (g) **Circulates** this report to the Community Boards for information.

**CARRIED**

Councillor Atkinson reiterated the importance of Standing Orders to ensure orderly and transparent meetings.

Councillor Cairns concurred, noting that he supported standardised Standing Orders for Council, Committees and Community Boards.

#### 7.8 **Adoption of the 2022-25 Governance Statement** – S Nichols (Governance Manager)

S Nichols spoke to the report explaining that the Governance Statement was a disclosure document that recorded the Council's roles, its elected members, and staff. The Council was required to be adopted a Governance Statement within six months after the triennial local body election of members. If the Council adopted the Governance Statement, it would be published on the Council Website.

Councillors had no questions on this item.

Moved: Councillor Redmond

Seconded: Councillor Fulton

**THAT** the Council:

- (a) **Receives** Report No. 230223025297.
- (b) **Adopts** the Governance Statement document for the 2022-25 triennium (Trim 230202013767), which would be published on the Council website.
- (c) **Approves** that the Governance Manager undertake any minor edits prior to finalisation.
- (d) **Circulates** a copy of the report to the Community Boards for information.

**CARRIED**

## **8. MATTERS REFERRED FROM COMMITTEES AND COMMUNITY BOARDS**

Nil

## **9. HEALTH, SAFETY AND WELLBEING**

### **9.1 Health, Safety and Wellbeing Report February 2023** – J Millward (Acting Chief Executive)

J Millward spoke to the report and drew Councillors' attention to the 27 incidents which occurred from November 2022 to mid-January 2023.

Councillor Williams noted that there had been a few fatal vehicle accidents in the Waimakariri District. He questioned if the staff's investigations into these accidents should be reported to the Council to advise as to the causes of the accidents. J Millward acknowledged that the findings of the investigations should be reported to the Council. However, it was only appropriate for the Council to make a statement after the legal process was concluded. J Millward advised that a fatal vehicle accident caused by Council error or faulty Council infrastructure would be reported to the Council as soon as possible.

Moved: Councillor Williams

Seconded: Councillor Brine

**THAT** the Council:

- (a) **Receives** Report No 230119006355.
- (b) **Notes** that there were no notifiable incidents this month. The organisation is, so far as is reasonably practicable, compliant with the duties of a person conducting a business or undertaking (PCBU) as required by the Health and Safety at work Act 2015.
- (c) **Circulates** this report to the Community Boards for their information.

**CARRIED**

## **10. COMMITTEE MINUTES FOR INFORMATION**

### **10.1 Minutes of a meeting of the Audit and Risk Committee meeting of 14 February 2023**

### **10.2 Minutes of a meeting of the District Planning and Regulation Committee meeting of 21 February 2023**

10.3 Minutes of a meeting of the Utilities and Roading Committee meeting of 21 February 2023

Moved: Councillor Ward

Seconded: Councillor Cairns

**THAT** the Council:

- (a) **Receives** Items 10.1 to 10.3 for information.

**CARRIED**

**11. COMMUNITY BOARD MINUTES FOR INFORMATION**

11.1 Minutes of the Woodend-Sefton Community Board meeting of 13 February 2023

11.2 Minutes of the Oxford-Ohoka Community Board meeting of 15 February 2023

11.3 Minutes of the Rangiora-Ashley Community Board meeting of 15 February 2023

11.4 Minutes of the Kaiapoi-Tuahivi Community Board meeting of 20 February 2023

Moved: Councillor Mealings

Seconded: Councillor Redmond

**THAT** the Council:

- (a) **Receives** Items 11.1 to 11.4 for information.

**CARRIED**

**12. MAYOR'S DIARY**

12.1 **Mayor's Diary 1 February – 28 February 2023**

Moved: Councillor Atkinson

Seconded: Councillor Goldsworthy

**THAT** the Council:

- (a) **Receives** Report no. 230302029005.

**CARRIED**

**13. COUNCIL PORTFOLIO UPDATES**

13.1 **Iwi Relationships** – Mayor Gordon

Mayor Gordon would meet with Dr Te Marie Tau this week to discuss the Council and iwi relationship.

13.2 **Greater Christchurch Partnership Update** – Mayor Gordon

- Mayor Gordon reported that the Greater Christchurch Partnership (GCP) meeting scheduled for 10 March 2023 had been cancelled. However, he advised that the Minister of Housing, the Honourable Megan Woods, and the new Minister of Local Government, the Honourable Kieran McAnulty, would attend the next GCP meeting.
- Mayor Gordon noted that the Huihui Mai Greater Christchurch, dealing with public transport and future development, was out for public consultation. However, it seemed that residents from Waimakariri were slower to respond. A drop-in session had been scheduled for 15 March 2023 at MainPower Oval, Rangiora.
- Mayor Gordon commented that the Christchurch City Council's submission on the future of Local Government was taken out of context. He had suggested to Christchurch City Mayor Phil Mauer that an official statement should be issued to clarify any misconceptions about establishing a 'super city'.

13.3 **Government Reforms** – Mayor Gordon

- Mayor Gordon reported that he presented the Council and Communities for Local Democracy's submissions on Three Waters Reform to the Parliamentary Finance and Expenditure Committee. He commended Lynda Murchison on her work in preparing the Council's submission. In addition, he highlighted the process proposed by the Minister of Local Government.
- Mayor Gordon would be presenting the Council's positions on the Resource Management Act, 1991 on Friday 10 March 2023. He would advise Councillors of the time of the Zoom meeting.

13.4 **Canterbury Water Management Strategy** – Councillor Fulton

- Councillor Fulton advised that Waimakariri Water Zone Committee was in the process of selecting programmes for Action Plan funding.
- Waimakariri Irrigation Limited (WIL) provided an update on the water storage facility to be developed at Wright's Road, Burn Hill. The water in the storage ponds would be used to augment water from the irrigation scheme when water from the run-of-the-river supply was limited or unavailable due to either high flow or low flow conditions in the Waimakariri River.
- Since the approval of Plan Change 7 to the Canterbury Land and Water Regional Plan, there was not much regulatory work to be done by the Waimakariri Water Zone Committee. The Committee would therefore focus more on catchment management.

13.5 **Climate Change and Sustainability** – Councillor Mealings

- Councillor Mealings reported that the Climate Change Action Plan Reference Group met on 16 February 2023 to discuss regional collaboration and the development of a Canterbury Climate Plan.
- The Canterbury Climate Change Working Group met on 1 March 2023, where staff discussed the working agenda, mission statement and action plans.
- Canterbury Councils were working with Environment Canterbury to calculate their Carbon footprints. It was envisaged that this data would be used to inform critical environmental questions.
- The 3 Waters Units' Climate Change Risk Assessment was on track, with the draft report expected in March 2023. Work was also underway on developing Risk Assessments for the Roading and Solid Waste Units.

13.6 **International Relationships** – Deputy Mayor Atkinson

Councillor Atkinson advised that the next Passchendale Advisory Group meeting would be held on 27 March 2023.

14. **QUESTIONS**

Nil.

15. **URGENT GENERAL BUSINESS**

Nil.

**16. MATTERS TO BE CONSIDERED WITH THE PUBLIC EXCLUDED**

*Section 48, Local Government Official Information and Meetings Act 1987.*

Moved: Councillor Ward

Seconded Councillor Goldsworthy

**THAT** the public be excluded from the following parts of the proceedings of this meeting. The general subject of each matter to be considered while the public was excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution, were as follows:

<b>Item No</b>	<b>Minutes/Report of</b>	<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
16.1	Minutes of the public excluded portion of Council meeting of 7 February 2023	Confirmation of Minutes	Good reason to withhold exists under Section 7	Section 48(1)(a)
16.2	Minutes of the public excluded portion of Council meeting of 8 February 2023	Confirmation of Minutes	Good reason to withhold exists under Section 7	Section 48(1)(a)
16.3	Minutes of the public excluded portion of the Audit and Risk Committee meeting 14 February 2023	Minutes for Information	Good reason to withhold exists under Section 7	Section 48(1)(a)
16.4	Minutes of the public excluded portion of the Utilities and Roading Committee meeting 21 February 2023	Minutes for Information	Good reason to withhold exists under Section 7	Section 48(1)(a)
16.5	Report of R Hawthorne (Property Manager)	Sale of 257 Coldstream Road, Rangiora	Good reason to withhold exists under Section 7	Section 48(1)(a)
16.6	Report of H Wilson (Graduate Engineer) and J Recker (Stormwater and Waterways Manager)	York Street Stormwater Extensions – Additional Budget Request and Tender Award	Good reason to withhold exists under Section 7	Section 48(1)(a)
16.7	Report of R Hawthorne (Property Manager)	Land Acquisition – Lineside Road / Revels Road Drainage/Ecology/Flood/ Stormwater	Good reason to withhold exists under Section 7	Section 48(1)(a)
16.8	Report of R Hawthorne (Property Manager)	Rangiora BNZ Corner Site, 70 and 74 High Street – Concept Design and Staging Plan Approval	Good reason to withhold exists under Section 7	Section 48(1)(a)
16.9	Report of R Hawthorne (Property Manager)	Waikuku Campground Lease and Concept Proposal Process	Good reason to withhold exists under Section 7	Section 48(1)(a)



Item No	Minutes/Report of	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
16.10	Report of J Millward (Acting Chief Executive)	Three Waters Reform – High Court Declaration	Good reason to withhold exists under Section 7	Section 48(1)(a)
17.1	Councillor Atkinson	Portfolio Update – Housing/Property	Good reason to withhold exists under Section 7	Section 48(1)(a)

This resolution was made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987, and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public were as follows:

Item N°	Reason for protection of interests	LGOIMA Part 1, Section 7
16.1 to 17.1	Protection of privacy of natural persons; To carry out commercial activities without prejudice; Maintain legal professional privilege; Enable Council to continue with (commercial) negotiation without prejudice or disadvantage Prevent the disclose of information for improper gain or advantage	Section 7 2(a) Section 7 2(b)ii Section 7 (g) Section 7 2(i)  Section 7 (j)

### **CLOSED MEETING**

#### **Resolution to Resume Open Meeting**

Moved: Councillor Ward

Seconded Councillor: Goldsworthy

16.1 **Minutes of the public excluded portion of the meeting of the Waimakariri District Council held on Tuesday 7 February 2023**

**Resolved** that the Minutes remain public excluded.

16.2 **Minutes of the public excluded portion of the extraordinary meeting of the Waimakariri District Council held on Tuesday 8 February 2023**

**Resolved** that the Minutes remain public excluded.

16.3 **Minutes of the public excluded portion of the meeting of the Audit and Risk Committee meeting of 14 February 2023.**

16.4 **Minutes of the public excluded portion of the meeting of the Utilities and Roading Committee meeting of 21 February 2023.**

**Resolved** that Items 16.3 and 16.4 be received for information and remain public excluded.

16.5 **Sale of 257 Coldstream Road, Rangiora** – R Hawthorne (Property Manager)

**Resolved** that the report, recommendations and discussion was to remain Public Excluded to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of Council, and to enable the Council holding the information to carry on, without prejudice or disadvantage, negotiations and commercial activities as per the Local Government Official Information and Meetings Act 1987, Section 7 (2)(f), (h) and (i).

Following the settlement date of the proposed sale the report, and recommendations of this report, would not be released as the content extends to broader commercial sensitivities and considerations associated with the Original Heads of Agreement. This would extend to a period covered by the Furtherance of the Heads of Agreement.

16.6 **Contract 22/74 York Street Stormwater Extension – Additional Budget Request and Tender Award** – H Wilson (Graduate Engineer) and J Recker (Stormwater and Waterways Manager)

**Resolved** that the recommendations in this report be made publicly available however the contents of the report remain public excluded as per the Local Government Official Information and Meetings Act 1987, Section 7 (2) (h) and (i) for reasons of commercial sensitivity and enable the Council holding the information to carry on, without prejudice or disadvantage, negotiations and commercial activities.

16.7 **Proposed Land Purchase – 107 Revells Road and 40 Lineside Road** – R Hawthorne (Property Manager)

**Resolved** that the whole of this report be Public Excluded to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of Council, and to enable Council holding the information to carry on, without prejudice or disadvantage, negotiations and commercial activities as per the Local Government Official Information and Meetings Act 1987 Section 7 (2)(f), (h) and (i).

16.8 **Rangiora BNZ Corner Site, 70 and 74 High Street – Concept Design and Staging Plan Approval** – R Hawthorne (Property Manager)

**Resolved** that whole of the report be Public Excluded to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of Council, and to enable Council holding the information to carry on, without prejudice or disadvantage, negotiations and commercial activities as per the Local Government Official Information and Meetings Act 1987 Section 7 (2)(f), (h) and (i).

16.9 **Waikuku Campground Request for Concept Proposals Draft** – R Hawthorne (Property Manager) and C Johnson (Seconded Property Officer)

**Resolved** that the report, attachments, discussion and minutes remain public excluded for reasons of enabling the local authority to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) and enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities and maintain legal professional privilege as per LGOIMA Section 7 (2)(g), (h) and (i).

16.10 **Three Waters Reform – High Court Declaration: Timaru District Council v Minister of Local Government** – J Millward (Acting Chief Executive)

**Resolved** that the report and attachments remain public excluded until the appeal is lodged, for reasons of legal privilege as per the Local Government Official Information and Meetings Act 1987 Section 7(g).

*The public excluded portion of the meeting commenced at 3.35pm and concluded at 6.05pm.*

## **OPEN MEETING**

*Resolution to be made public.*

16.6 **Contract 22/74 York Street Stormwater Extension – Additional Budget Request and Tender Award** – H Wilson (Graduate Engineer) and J Recker (Stormwater and Waterways Manager)

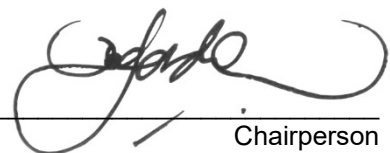
- (a) **Receives** report No. 230216020922
- (b) **Authorises** staff to award Contract 22/74 York Street Stormwater Extension to Ongrade Drainage and Excavation Ltd for a sum of \$313,085.71 excluding GST.
- (c) **Approves** an additional budget of \$70,000 in the 2022/2023 financial year York Street Diversion Budget (PJ 101521.000.5123) for the construction of the York Street Stormwater Extension. This will give a total budget of \$420,000.
- (d) **Notes** that the additional budget for 2022/2023 will increase the Oxford Urban Drainage rate by approximately \$5.70 or 2.9% per property from 2024/25 onwards.
- (e) **Notes** that this will amend the charge for consultation.
- (f) **Notes** that staff will include the revised cost and budget in a submission to the Draft Annual Plan.
- (g) **Notes** the forecast budgets include a 10% contingency allowance to cover any unforeseen construction costs.
- (h) **Notes** that Council has previously established a pre-qualification list for this type of works, and tenders were required to be pre-qualified to Tier B within Category 12: Gravity Systems, and that Ongrade Drainage and Excavation Ltd is qualified to Tier A of this category.
- (i) **Notes** that recommendation (c) is required to allow the award of Contract 22/74 York Street Stormwater Extension.
- (j) **Resolves** that the recommendations in this report be made publicly available but that the contents of the report remain in Committee.

## 17. **NEXT MEETING**

The next meeting of the Council was an extraordinary meeting scheduled to commence at 11.45am on Tuesday 14 March 2023, to be held in the Council Chamber, 215 High Street, Rangiora.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.08PM.

**CONFIRMED**



Chairperson  
Mayor Dan Gordon

4 April 2023  
Date